



**MINUTES
REGULAR MEETING
FAIRFIELD COUNTY COUNCIL
JANUARY 13, 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. He requested for the citizens in the overflow room to let someone know if they cannot hear the proceedings. Water and sewer is an important issue, and there will be a great presentation later in the meeting.

2. APPROVAL OF AGENDA

Motion made by Council Member Douglas, seconded by Council Member Bell, to approve the Agenda. ***The motion carried unanimously 7-0.***

3. INVOCATION

Council Member Bell led the invocation.

4. APPROVAL OF MINUTES

It was moved by Council Member Trapp, seconded by Council Member Pauley, to approve the Regular Meeting minutes of December 9, 2019, and the Special Meeting Minutes of December 18, 2019. ***The motion carried unanimously 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.

- Don Quick - Ordinance 738 Wastewater
- David Valentine - Ordinance 738 Wastewater

- Shirley Greene - Mt. Zion
- Shawn Goff - Wastewater
- Clinch Belser - Wastewater
- George Walker - Wastewater
- Melissa Wingate - Wastewater
- Cameron Vogt - Wastewater
- Jackie Workman - Vision
- Randy Bright - Sewer

7. PUBLIC HEARINGS

None.

8. ORDINANCES, RESOLUTIONS AND ORDERS

A. Third and Final Reading Ordinance No. 734: An Ordinance to Amend the Fairfield County Land Management Ordinance (No. 599) to Provide for the Zoning Reclassification from I-1 (Industrial District) to B-2 (General Business District) of 21.4 Acres Owned by Gerald and Kathleen Shannon (Applicant), Tax Map No. 184-00-00-053-000. Property is Located at Cook Road, Ridgeway, SC 29130. Motion made by Council Member Bell, seconded by Council Member Gilbert, to approve Third and Final Reading of Ordinance No. 734. Vice Chair Goins requested for Mr. Taylor to give further information for the benefit of the public. Mr. Taylor asked for Mr. Clauson to come to the podium. Per Mr. Clauson, this is a request that originated last year. The Shannon's own this property and had plans, prior to the rezoning in 2012, to use this property for family purposes. They wanted to build another residence. The existing zoning was I-1 and would not allow for a residence. Therefore, the request was made to rezone to B-2. This request went through the Planning Commission and was approved, and everything has been noticed correctly. ***The motion carried unanimously 7-0.***

B. Third and Final Reading Ordinance No. 735: An Ordinance Authorizing Fairfield County to Purchase a Portion of Real Property Identified as Fairfield County TMS #134-02-00-002-000, Containing 2.224 Acres, More or Less, Said Property Now or Formerly of the Chapel at Lake Wateree Presbyterian Church (USA), for Public Use or Other Uses Deemed Fit by Fairfield County Council, and Other Related Matters. Motion made by Vice Chair Goins, seconded by Council Member Gilbert, to approve Third and Final Reading of Ordinance No. 735. Vice Chair Goins again requested that information be given for

those of the public who are not familiar with this request. Per Mr. Taylor, the County has been trying for a number of years to build a fire substation in the Lake Wateree area. Initially, the Presbyterian Church wished to donate a piece of property for this purpose. However, the County could not get clear title to that piece of property. The church has now agreed to sell a different piece of property that sits between the church and property the County already owns. The agreement is to purchase the 2.224 acres for \$15,000. The purchase of the property has been budgeted along with the construction of the station. The station will positively affect the insurance ratings for many residents in the area. ***Motion carried 6-1 with Council Member Trapp voting nay.***

C. Third and Final Reading Ordinance No. 736: An Ordinance Authorizing Fairfield County to Accept the Conveyance of 1 Acre, More or Less, Located at 1134 Kincaid Bridge Road in Winnsboro, Fairfield County, South Carolina, with TMS #125-04-01-009-000, to be Used for the Public Good or Other Uses Deemed Fit by Fairfield County Council, and Other Related Matters. Council Member Douglas completed a Statement of Potential Conflict concerning this matter, which will be made a part of the minutes. At this time, Council Member Douglas left the dais. Motion made by Council Member Pauley, seconded by Council Member Gilbert to approve Third and Final Reading of Ordinance No. 736. Council Member Bell stated he cannot understand why the land was not accepted from Dominion Energy when there is an opportunity for it to work out and build long term relationships, and yet the County will get this land with no use for it as of today. Further, it will take about \$50,000 to fix the building for use. Per Mr. Taylor, this is a piece of property that contains a building of a little less than 6,000 square feet. It does adjoin property that the County already owns, including the DSS and the DHEC facilities along with the parking lot. It also is being offered to the County at no cost. ***Motion carried 4-2 with Council Members Bell and Trapp voting nay and Council Member Douglas recused.*** Council Member Douglas then rejoined the meeting.

D. Third and Final Reading Ordinance No. 738: An Ordinance Authorizing Fairfield County to Purchase Real Property Containing at Least 50 Acres and Not Costing More Than \$300,000 that Meets the Necessary Requirements for Said Property to be Used as a Suitable Location for a Wastewater Treatment Site or Other Uses Deemed Fit by Fairfield County Council, and Other Related Matters. Chairman

Robinson stated this item will be deferred until after the presentation and preferably after executive session.

- E. Second Reading Ordinance No. 739:** An Ordinance to Amend the Fairfield County Land Management Ordinance (No. 599) to Provide for the Zoning Reclassification from R-1 (Single-Family Residential District) to R-2 (Inclusive Residential District) of Approximately One (1) Acre Owned by Lucius and Shelia Sampson (Applicant). Tax Map No. 145-02-12-033-000. Property is Located at 322 Hillcrest Road, Winnsboro, SC 29180. Motion made by Council Member Douglas, seconded by Vice Chair Goins, to approve Second Reading of Ordinance No. 739. ***Motion carried unanimously 7-0.***
- F. Second Reading Ordinance No. 740:** An Ordinance Authorizing Amendments to a Lease Agreement Providing for a New County Administration Building to Better Serve the Citizens of Fairfield County; and Other Related Matters. Chairman Robinson stated this item will be deferred until after executive session.
- G. Resolution No. 2020-01 -** A Resolution of Fairfield County Supporting Certain Amendments of the 208 Water Quality Management Plan for the Central Midlands Region Regarding the Fairfield Joint Water and Sewer System. Motion made by Council Member Douglas, seconded by Vice Chair Goins, to approve Resolution No. 2020-01. Chairman Robinson then requested for Mr. Rhodes to give further information on the Resolution. Per Mr. Rhodes, the Resolution is in support of amendments to the Central Midlands 208 Plan, which is required under the Clean Water Act. Basically, it divides the Central Midlands Region, including Newberry, Richland, Lexington and Fairfield Counties, into sub areas that are "managed" by utility providers in the area, or in the case of Fairfield County, the local government that has primary control over the area. Fairfield County is divided into several management areas, including Ridgeway, Winnsboro and Fairfield County. The County has the bulk of the rest of the management area with Mitford in the northeastern part of the County. Part of the process to build the wastewater treatment plant and develop the additional wastewater capacity to support the development of the Mega Site requires the 208 plan to be amended in two ways. Part of the plan can actually site all of the wastewater treatment facilities throughout the region. One amendment will be to memorialize the site of the new wastewater treatment plant. The other part being amended is to actually give the Fairfield Joint Water &

Sewer System a management area of its own, which is an important step. As the Joint System plans for the development of the wastewater treatment plant, the State will shoulder a large portion of the cost, and this will also be borne by Fairfield County, Winnsboro and the eventual customers of the Joint System. A proposal will need to be made to the State demonstrating how much the Joint System can commit to and how much it would be requesting from the State. A management area is being cobbled together from portions of areas from Ridgeway, Winnsboro and Fairfield County, and this will represent the Joint System's customer base. The engineers can look at the area and calculate future growth projections to get an idea of what the customer base might be in 5 and 10 years. Using these figures, a plan can be put together for the finances of the Joint System and funding of the wastewater treatment plant. Identifying the area and getting this adopted is critical in this process. The Resolution before Council tonight is simply a Resolution that supports the amendments to the 208 Plan. Winnsboro and Ridgeway have adopted identical resolutions. The Joint System tomorrow night will consider a Resolution of its own committing to provide the kind of management services for the area that we hope will eventually be designated to it. This Resolution requests the County to also support the amendments. The Resolutions will be forwarded to the COG's EPAC Committee who will then make a recommendation to the COG Board. The COG Board will then make the final amendments to the 208 Plan. Council Member Bell requested for Mr. Rhodes to explain section D of the Resolution. Per Mr. Rhodes, part of the amendment to the 208 Plan is to identify a site for the wastewater treatment plant. There are two different amendments, one pertaining to the site and one pertaining to the management area, but they are both important amendments that ultimately need to take place. Council Member Bell further asked how we can be assured that item D does not force the Council to select the location that is being discussed tonight. Per Mr. Rhodes, the current plan does rely on this particular location; however, the location can be changed and the Resolution or exhibit can be changed. Motion made by Council Member Bell to table the Resolution until the location of the wastewater treatment plant is discussed, seconded by Council Member Trapp. The Motion to Table passed 4-3 with Chairman Robinson, Council Member Douglas and Council Member Gilbert voting nay. Chairman Robinson inquired how long Council Member Bell wanted to table this item, and Council Member Bell replied until the other is discussed, later in this meeting. Council Member Trapp suggested tabling until a permanent site is located, and Council Member Bell

agreed. Vice Chair Goins requested clarification since Council Member Bell originally stated it would be tabled until after executive session, and Council Member Trapp stated it would be tabled until a site is pinpointed. Council Member Bell agreed to table this matter until we come up with a location for the wastewater treatment plant. Council Member Douglas stated he does not believe it would be involved with this, but there is a committee that could look into this. Chairman Robinson requested for Mr. Rhodes to give further information. Council Member Bell stated he asked the question if item D had anything to do with the location of the wastewater treatment plant, and the answer was yes. Per Mr. Rhodes, the 208 Plan will have to be amended in two ways, and this is certainly one of the amendments that will take place. Reading this section, D speaks generally in terms of the wastewater treatment facility being located in the southeastern portion of the County and does not identify a specific site. Section E provides for the new wastewater treatment plan and designates the management area for the Joint System. It also supports amending the map itself, which is what creates the management area. A portion of the Resolution is amendments to the plan that deal with the location of the plant. Council Member Trapp inquired of the reason a tax map number was not applied to the ordinance. Per Mr. Taylor, when properties were being looked at initially, this property was not under contract at that point. Mr. Davenport believes the property was put under contract 90 days ago. Council Member Pauley inquired if other properties were looked into. Per Mr. Taylor, a number of other properties were looked at, and we continue to do this. Council Member Bell stated he has spoken with Mr. Taylor, and he is continuing to look for other sites. Mr. Taylor agreed and stated other properties were investigated and are not currently on the market. With that in mind, concerning Vice Chair Goins' vote on the Motion to Table, she thought this was simply to hold it to get a further explanation later on in the meeting. Chairman Robinson asked for Mr. Morgan to further advise Vice Chair Goins. Per Mr. Morgan, a Motion to Table was successfully passed 4-3 with the condition being that Council Member Bell sought a definite location of the wastewater treatment plant as identified in paragraph subsection D of the Resolution and being part and parcel of Ordinance No. 738. Seeing that Vice Chair Goins was on the prevailing side of the Motion to Table, she can then make a Motion to Reconsider the Motion to Table at this time. If it gets a second, then it comes back up for a vote and her Motion to Reconsider would be to go forward and not have the Motion to Table pass. Motion to Reconsider made by Vice Chair Goins,

seconded by Council Member Douglas. Council Member Pauley inquired if this is the actual vote, and Chairman Robinson stated this is for Resolution 2020-1. Council Member Trapp stated to be clear, this vote on 2020-1 is tied in with the location. Mr. Rhodes stated they are certainly connected, but there is nothing that cannot be changed following consideration of the ordinance. **Motion to Reconsider carried 4-3 with Council Members Bell, Trapp and Pauley voting nay.** Per Mr. Morgan, the Motion to Reconsider has now brought the Resolution back for Council's consideration. The initial vote to table passed; therefore, Resolution 2020-01 was tabled. Motion to Reconsider passed; therefore, the Resolution was laid back on the table and now is again up for consideration by Council. Council Member Bell stated Item D is so closely related, and if Ordinance 738 fails, the Resolution would have to be redone. Mr. Rhodes agreed that we would have to rework where the plant is to be placed. He further stated that more focus should be placed on E, and the Resolution states that Fairfield County supports the 208 Plan amendments. Section E provides for the new wastewater treatment plan, designating a management area for the Fairfield Joint System and amending the map to include that management area. Certainly, the location of the plant is part and parcel with the amendments. Mr. Morgan further stated at this point Council is under consideration whether to pass or decline to pass Resolution No. 2020-01. Again, as Mr. Rhodes has pointed out, it does have three components of the amendment plan, one of which is the site of the wastewater treatment plant. Ordinance #738 does not specify exactly where the plant will be located, and instead, only provides conditions that meet the parameters for property that could be used as a wastewater treatment facility site. Council Member Trapp inquired if we should have located a site prior to passing the Resolution. Per Mr. Taylor, some of this is driven by DHEC permitting and engineering. Once we get to Thomas & Hutton's presentation, this can be addressed further. Council Member Trapp also inquired who is the seller and agent for the property. Mr. Davenport stated he is not sure of the seller, but the listing agent's last name is Sims along with Trip Bradley. Council Member Douglas inquired why were they chosen, and per Mr. Davenport, they were chosen by the seller. Per Mr. Taylor, the land was for sale. Vice Chair Goins stated this is only part of the process and not a finality of anything. Motion to accept Resolution 2020-01 made by Council Member Douglas and seconded by Vice Chair Goins. **Motion carried 4-3 with Council Members Bell, Pauley and Trapp voting nay.**

9. BOARD AND COMMISSION MINUTES

A. Disabilities and Special Needs - Received as information.

10. BOARD AND COMMISSION APPOINTMENTS

None.

11. OLD BUSINESS

None.

12. NEW BUSINESS

A. Approval of 2020 Calendar Year Meeting Dates. Motion made by Council Member Douglas, seconded by Council Member Bell, to accept the 2020 Calendar Year Meeting Dates. ***Motion carried unanimously 7-0.***

13. COUNTY ADMINISTRATOR'S REPORT

A. C. D. Rhodes, Attorney and John Culbreath, Thomas & Hutton - Property Purchase for the Purpose of a Suitable Location for a Wastewater Treatment Site. Mr. Taylor introduced again Mr. Rhodes and Mr. John Culbreath of Thomas & Hutton, who is performing the engineering portion for the proposed wastewater treatment facility. There are a lot of questions, and the County wants to answer those as clearly as possible by using the consultants it has employed. This is a project that has been looked at by previous Council members and administrators for well over 10 years. Studies have been done looking at many different options. It is well known that infrastructure is needed in the County in order to reverse the population loss and to economically thrive. Without wastewater, the County will not grow. The State is a willing partner in this endeavor because the cost of this particular facility is well outside of what the Town of Winnsboro, Town of Ridgeway or the County could achieve on their own. The State, in conjunction with the development of the Mega Site, has agreed to assist with creating a wastewater treatment facility which will hopefully support economic growth through industrial development, commercial development and residential development to again help with the population loss the County is currently experiencing. The Town of Winnsboro has done a wonderful job in getting the water side solved. They have spent roughly \$15M putting a new water line into the Broad River that satisfies the water needs. However, in looking at sewer, the options are somewhat limited, and it is an extremely expensive process. The State has asked the County to put together

certain legal framework, which Mr. Rhodes has been assisting with and will address. This is then paired with the engineering side, which Thomas & Hutton has been assisting with. Mr. Taylor thanked the State for their assistance in that they have borne almost all of the cost to this point. Mr. Rhodes stated the County, several months ago, formally joined with Winnsboro to create the Fairfield Joint Water & Sewer System. While there are many ways the Joint System can support industrial, commercial and residential growth throughout the County, the primary reason it was created was to allow for the construction of the wastewater treatment plant to support the development of the I-77 Mega Site. The idea of Fairfield County and Winnsboro working together goes back at least 10 years with Mr. Rhodes' firm, and he believes it goes back even further. The effort became more urgent in 2017 when the County and the Department of Commerce really started the planning process for the Mega Site. It is a 1500 acre Mega Site and has enormous advantages that make it attractive to a single large industry. An automotive manufacturer is the scale the Department of Commerce is looking toward. The Mega Site has one serious limitation, that being lack of wastewater access. Even if there were wastewater lines available, there is no wastewater provider in the County who could handle the capacity of an industry to the scale that would be required for this type of industry. It became necessary to add some additional wastewater capacity somewhere in the County. Commerce and the County have been aware of this from the beginning. This was the impetus for everyone coming together in 2017 to really get after the creation of the Joint System. We began meeting in the spring of 2017 to plan for the creation of the Joint System. In the spring of 2017, things were looking pretty decent for the two new sites at V.C. Summer. The focus at that time was not so much funding the plant, because the assumption was that there would be money available for that. The focus was on how to get it built and operated, but that shifted dramatically in July 2017 when SCE&G announced they were abandoning the site and the project. The focus then became a question of how to fund the endeavor, and this is where the assistance of the State really became central to making this a reality. This is a difficult undertaking, and neither the County, the Town of Winnsboro nor the State has the wherewithal to get it done. It requires the cooperation of all of these entities in order to accomplish. The County and Winnsboro formally came together in spring of 2019 to create the Fairfield Joint Water & Sewer System. Systems like this have been used all over the State to do great things such as to consolidate utility systems in small towns in the low country

and to purchase a water treatment facility from Duke in the upstate that provides water service to 11 or 12 small and large towns in the area. This is a very flexible structure that is provided for under State law that works well for groups to come together to finance a single very expensive facility, like a wastewater treatment plant. Even with the combined efforts of the County and Winnsboro, the construction of a wastewater treatment plant is still far too big an endeavor. So, perhaps the most important role of the Joint System, in addition to being a very flexible, very usable structure, is that it represents what the State has requested. The Department of Commerce is very interested in this project; however, they do not like to involve themselves in local politics. They like regionalism and when cities and counties work together. They like to know when they are investing their money in a community that the rest of the community is behind it. The creation of the Joint System has sent an enormous signal to the folks at the State and the Rural Infrastructure Authority and the Department of Commerce, that Winnsboro and Fairfield County and Ridgeway, along with others in the County have come together and made this a priority. We are now at a very critical point in the planning for this plant. In order to get the funding commitments needed from the State, we need to be able to give them some specificity. Right now, there is at least a \$40M hole to be filled, and it cannot be filled just by going to the State and say we'd like for them to contribute what they can. We must go to them with some degree of specificity from a financial perspective and also show that we are ready to accept their money when they are ready to give it. This is why the 208 Plan amendments are so vital. It is a key component to being able to flesh out what the customer base will look like and what the revenues of the Joint System may look like once operational. We can then get an idea of what the financial burden the Joint System will be able to take on itself. Thomas & Hutton is working very hard on a rate study to determine what the customer base might look like, but the 208 Plan amendments are critical to allowing that to happen. The point we are at now is being able to present specific information to the Department of Commerce and to the General Assembly that, as best possible, we have our finances in a row, we know with some degree of certainty how much money we will ultimately be able to come up with, and we are able to define what that customer base will be. Certainly being able to identify the site of the plant is an equally critical point. The site of the plant is not only important from the standpoint of being able to move forward, but we also have to be able to acquire rights of way and necessary permitting for the construction of a plant like this.

The site is the first step in allowing for all of this to be finalized. Council Member Pauley inquired how the site on Syrup Mill Road was determined. Mr. Rhodes has not been intimately involved with the selection of the site itself, but he can say it was a site that was for sale and met all of the criteria for a wastewater treatment plant being located on a body of water that is large enough to accept the type of discharge that is needed. This site checked off the boxes that needed to be checked. At this time, Chairman Robinson asked the audience to hold comments so everyone could hear the presentation. Mr. Rhodes stated that building wastewater capacity within a county to serve industrial growth is a tough undertaking. It is made worse when you are trying to provide wastewater service for an industrial site. The problem is that industry wants all of the services to be there on day one, but the local government would much rather have a tenant come in before they spend the money to extend services. The County is in a unique position to be able to plan, have the money in place, have the site, have right of way acquired and have all the permits done to be able to have it sitting there ready to go, which in turn makes the Mega Site marketable to a prospective tenant. It would be great if the County can make the system viable prior to the Mega Site being built with wholesale and retail customers to make it financially viable. This way, the plant could be built now rather than later. Mr. Rhodes wanted to dispel one thought from everyone's mind. There is a scenario where the plant will get built purely in anticipation of maybe one day someone coming into that Mega Site. This is not what we have here, and no one would sign off on that type of project. When we build the plant, it will be because there are customers ready to receive that service and provide a flow. This is not an "if you build it they will come" type scenario. This is a serious planning process to make the Mega Site marketable. Mr. Rhodes has provided the legal side of the process and how we got to where we are today, and he then turned the presentation over to Thomas & Hutton.

Mr. John Culbreath from Thomas & Hutton then took over the presentation. Council Member Bell inquired if Mr. Culbreath has seen any of the comments and questions from the Cedar Creek Community. Mr. Culbreath has seen every comment, email and question and will work this into the presentation. Mr. Taylor has already stated that the County has spent over 10 years, in fact since 1997, exploring options, and the 208 Plan already called this out. The Mega Site then came into play, and everybody wanted to learn and see how to deal with a Mega Site. Mr. Culbreath also stated an OEM does not take 4M gallons

per day, it is less than that. The plant will not be just for the Mega Site. Instead, it is for numerous opportunities of residential, commercial and industrial development in the southeast part of the County. This is how the flows were calculated. So, the County and the State had a \$100M solution and were in search of a better and more affordable solution. First, the existing plants were looked into. Per DHEC's website, the remaining capacity associated with the Ridgeway plan is 30,000 gallons which is on the eastern part of I-77. The checkbook was then looked into for the Winnsboro plant, and 255,000 gallons were found to add back to the capacity. To come up with the plan, the service area was explored. Thomas & Hutton worked with the County in determining where they are seeing existing inquiries, growth, permits, etc. The industrial site is just one piece of the puzzle. The immediate service area was looked at along with growth along the corridor. Initially, the facility would be able to support growth along the corridor, either coming from the south or coming down from the north. This is one of the decisions that must be made in reference to infrastructure. There were other properties looked at with no willing seller. There is still a couple of properties in play, but at this point in time, we wanted to present the information and deal with any questions. Once it was decided it would be in that lower area, the firm went to DHEC to get a waste load allocation, which DHEC alone calculates. This was an initial contact with DHEC to say the flow can go through that creek, but the process must still be followed after this. A location was identified and was given the allocation from DHEC. At the same time, we must move forward to keep the process going. Anytime a County or public body looks to do grant funds or anything else, due diligence must be done within a certain time frame, and that option is important. One last thing had to be done with reference to the wetlands delineation. If you don't do these things, you won't get federal or state money. The process related to due diligence must be done. This is a tertiary treatment facility and is not old technology. This facility will be the latest technology available. Accessibility to Syrup Mill Road is important, and there will be a buffer. Mr. Trent Thompson, also with Thomas & Hutton, stated the MBR system is chosen for its advanced level of wastewater treatment, but also for the small footprint and the fact that the building can be put inside an enclosure that would not look like a wastewater treatment plant. Per Mr. Culbreath, this process is the most state of the art that is available right now. Council Member Pauley inquired if there is a reason it could not be located on the Mega Site. Per Mr. Culbreath, based on the growth factors and where you

think you can get customers first, it would be in this area. You must have customers before you can have a rate study and ask for money. Per Mr. Thompson, the short answer is yes, it could be located on the Mega Site. The issue is that site is probably not the best site County-wide. If there will only be service to the Mega-Site, then there would be no issues, but with the mention of the 208 Plan, the regional community would also benefit in the overall area. Therefore, the best location for that is closer to this site being discussed tonight. If the State is going to help provide \$40M to pay for a treatment plant, then it should benefit the entire region, not just the Mega Site. Per Mr. Culbreath, whether it is the Syrup Mill site or some other site in the area, it is the area that will grow first. Council Member Bell inquired if there is a creek on the Mega Site. Per Mr. Thompson, there is not a creek on the Mega Site that DHEC would approve a waste load allocation for. Even if the wastewater plant went on the Mega Site, it would still be pumping back to this same point because this is where DHEC has authorized the point of allocation. Council Member Bell also inquired concerning dry creek beds in the summer and overflowing beds in the spring and winter and how this will impact the wastewater treatment plant. Mr. Culbreath stated this is addressed later in the presentation. The questions are grouped into the back end of the presentation. Also, Mr. Culbreath wanted to let everyone know what is being proposed prior to answering the questions, because some of the questions are being answered now, such as there is odor control to be in place, everything is covered, it is tertiary treatment and 637,000 gallons of the treated water will be reused back into the membrane system. As a credit to one of the gentlemen who spoke earlier, it is a membrane system and is state of the art. Enclosed processes and pumps and automatic alarms will also be used, and this is a similar facility to those done in the coastal communities. Chairman Robinson again asked the audience to hold all comments and outbursts or he would be forced to remove some from the chambers. Mr. Culbreath then gave further information concerning the actual facility. There were roughly 100 questions, and these were grouped into areas. Some of these were Council questions, which were not answered by Thomas & Hutton, along with any financial questions. Considering the tertiary treatment that will be done, there should be no concerns relating to discharging in the area. Septic tanks and other forms are usually about 5 to 20% causes of any well contamination. This information is found on the DHEC website. Council Member Pauley inquired if Mr. Culbreath was stating that the plant will not affect the wells. Mr. Culbreath agreed that he is saying this. Council Member

Pauley also asked what the square footage of the plant will be, and Mr. Culbreath stated it is a less than 2 acre build with numerous buffers around it. To reiterate, Mr. Thompson stated the level of treatment we are talking about with this MBR is near drinking water standards and will be about as clean as it can get. Vice Chair Goins stated she has always had a concern about septic tanks. There are thousands of septic tanks all over that deposit all types of waste into the soil that goes into the water that we have no control over. This is one way of ensuring that it will be contained, under regulations and will be treated. On property values, per Mr. Culbreath, this particular site or another one in the area, will have buffers associated with it and can be hidden from site in any way possible. As far as odors, there is a scrub system which will be in place. As far as noise, there will be sound attenuation walls on the structure to minimize any pump sounds and things of that nature. He is not sure anyone would hear anything unless they were on the site, and if on the site, it would sound more like office type activity and nothing more than that. Council Member Douglas stated he personally looked for someone to build a house, and his chosen site would have a sewer plant right over the hill. He was told how everything was done at the plant, and he proceeded to build the house. He never experienced an odor, and the water was always clean. He has ridden 4-wheelers in it and has had to get out in it several times. He lived in the house for over 25 years, and he raised three daughters in the house, with all of them being healthy. As for the noise, Mr. Culbreath stated once the plant is operational, there may be one or two dump trucks at times. During construction, the situation will be monitored with an eye kept on the roadway. Under state and federal law, no one can do anything unless you have a permit. Per Mr. Thompson, the process is being followed, and what has happened so far in the process is that DHEC has given a waste load allocation for this creek that says the creek can handle it given certain parameters which must be met. There is an entire process that must be followed with the State to have them review the plans, construction and the treatment process, and we have not started with any of this. Council Member Pauley asked Mr. Culbreath if he has seen the pictures of the creek flooding, and if the flooding is occurring now without the treatment facility being there, will there be more flooding with more being pumped into it. Per Mr. Culbreath, he has seen these pictures, and the math was done. One can only plan for so many things from the treatment plant side. The treatment plant will have an operations manual in place. If something happens, there is a pump and haul scenario, which would pertain to the more important

question of waste. Secondly, he does not know the date stamp on any of the pictures, but the data includes rain events, and this is how it is measured. The Mega Site equates to about less than 25% of this flow. The Mega Site is a key component, but it's not solely about the Mega Site. The bottom line for economic development is infrastructure, which is important to the development of any community. When we began looking at the County zoning, all zoning categories allow for wastewater collection and treatment because of septic tanks and wells. So, the site is already zoned properly for the activity that is being proposed. Mr. Culbreath then showed the timeline for this process, and he stated we definitely want to know the concerns of the citizens. We are about halfway through the process, and it is normal to have concerns. Having the waste load allocation does not give us the permit nor does it give the Fairfield Joint Water & Sewer System the authority to discharge yet. All this did was provide the waste load allocation. We will get the permit by deciding on a site and submitting that site and all of the engineering reports to DHEC. DHEC then goes through a public notice procedure. If it's not in this Council's forethought to have the site tonight, it will have to be done soon to be able to submit for the discharge permit. Coming after that is property acquisition and then NPDS permit application submittal to DHEC, which goes along with PDR and construction plans. Then, a construction permit must be obtained, funding secured, construction of the plant which will take 24-30 months, and then return to DHEC to get the permit to operate. This procedure ensures that all state and federal regulations are being met. Chairman Robinson understands this is not Thomas & Hutton's first time through this progress, and he asked if the County is along the same lines as everyone else who has followed this same process. Mr. Culbreath said it is normal for people to get concerned when property starts to be pinpointed. The County is on track, not behind or ahead, right in the spot to be letting the public know this is what we're thinking about. Council Member Pauley inquired if we use another piece of property in the area instead of the Syrup Mill Property, will it still discharge into that creek. Mr. Culbreath agreed this will be the case. In reaching the end of the presentation, Mr. Culbreath stated DHEC sets the water quality standards to meet and create the margin of safety. They are creating margins of safety in allocations that are giving to us. The site layout selected for the treatment plant is being offered by a willing property seller and will contain a state of the art plant with backup systems. It will be a good neighbor with odor and noise control, and the discharge will not increase flooding potential or be impacted by it. Those numbers were

discussed earlier, and a 100-year storm event is all you can plan for when you build a new facility. That is what the ponds are for. There are no concerns about harm to water supplies that Thomas & Hutton can see, and they will be more than happy to listen to any further information on that and look at any data provided. They also did not see anything from DHEC. All systems starting with industrial facilities are regulated under federal and state law. The system would create residential, commercial and industrial growth opportunities for the County. We are in the permitting phase, and DHEC will receive public input through public notice when a final site is chosen. Whether it's this site or another one, the process will still be the same. Mr. Culbreath thanked the Council for allowing him to present tonight. Vice Chair Goins thanked Mr. Culbreath for coming and giving this information. She also appreciates all the citizens who came out to listen and give their input. She cannot stress enough how necessary this is. It is a wastewater treatment plant and not raw sewage. Chairman Robinson inquired again concerning the effect on the property values. Mr. Culbreath is not a broker, but he knows some of the facilities he was involved in building in neighborhoods. They don't seem to have a problem, and their values did not decrease. Per Mr. Taylor, this was explored, and the Department of Commerce says the majority of growth occurs around sewer plants. If you don't have a sewer plant, growth will not come. It occurs within a 20-25 mile radius of a sewer plant. Also, when our assessor, Guerry Hensley, assesses a lot, if an acre has access to water and sewer, he assesses it at \$5,000 more in value than he does an acre without water and sewer access. Chairman Robinson again thanked Mr. Culbreath.

- B.** Public Works Department, Purchase and Delivery of Surplus Organic Material (Mulch) from County Chipper Site. Per Mr. Taylor, we do have a problem with getting rid of the amount of mulch that has built up at the County debris site. A number of people from the community have requested to have it delivered to them. The mulch was being taken to Richland County at a cost, and it did make sense to try to work out a solution where it could be provided to local citizens. Some issues were encountered with our procurement code because this is a public product. A solution was worked out with our attorney where we will be providing it at a minimal delivery cost of \$10.00. Per Mr. Morgan, in order to protect the County, we also provided for legal terms, basically a release; therefore, if a person were to acquire delivery of the mulch, then they would release the County from any future potential legal claims or any liability issues that would arise

either with the mulch itself or during the delivery. Chairman Robinson inquired if this is for a certain period of time or an open fee. Per Mr. Taylor, it is essentially an open fee as long as the County has mulch. Motion made by Council Member Bell, seconded by Council Member Gilbert, to approve the agreement as stated. ***Motion carried unanimously 7-0.***

- C. Request for Qualifications for Architectural Services for Courthouse Renovations. Per Mr. Taylor, the restoration of the courthouse has been worked on for a long period of time and is budgeted through the bond. It does have water infiltration in the roof which is causing damage and causing some other issues. Mr. Taylor asked for Mrs. Pickett to come to the podium to discuss further. Per Mrs. Pickett, an RFQ solicitation was issued for architectural services for needed improvements to the courthouse. Six firms submitted information, and there was a 5-person committee who evaluated the firms. The firms were evaluated and brought to a short list of three. The firms on the short list were brought in for interviews with the committee to discuss their proposals and any other questions the committee had. Based on the scoring, the committee awarded the RFQ to GMK to provide these services. Reference checks were done and the work was basically for architectural services for historic projects.

Mr. Taylor then stated the State has been wonderful in working with us lately, whether on infrastructure or actual specific Economic Development projects and announced the following:

- D. \$300,000 Rural Infrastructure Grant – Mekra Lang North America, LLC. The company was struggling, and the County stepped in to assist this company in order to keep this existing long time business.
- E. \$150,000 Rural Infrastructure Grant – Pacific Management Holdings, LLC – a new company to Fairfield County.
- F. \$1,250,000 Rural Infrastructure Grant – Victory Boats, LLC – a new company to Fairfield County.

14. CLERK TO COUNCIL'S REPORT

None.

15. COUNTY COUNCIL TIME

Douglas: Council Member Douglas wished to comment on the speaker who spoke concerning the acre and the building being donated to the County and it needing to be refurbished. There is a 6,000 square foot building on the lot. It was first a Family Dollar for years and the second lease was a dialysis company that spent \$750,000 to remodel. Someone else spoke about Mt. Zion being made into offices. Her questions could be answered by reading the entire contract. He also stated he has had complaints about the new hospital facility. He feels we have a great facility for our residents.

Trapp: Council Member Trapp attended a Jenkinsville Water Board meeting last Wednesday night, and he wanted to say congratulations for receiving an award for the best tasting water in South Carolina for rural distributors.

Bell: Council Member Bell wished to recognize Jamie Webb from the Ridgeway Fire Department, who is also a bus mechanic. He competed in the national bus mechanic for being the most efficient. He won the national award. Council Member Bell also congratulated Jenkinsville for the best tasting water.

Pauley: Council Member Pauley thanked all the citizens for coming tonight. He appreciates the numerous emails and phone calls. The Council has an obligation to every citizen in the County to do due diligence and make the best possible decisions that can be made. The residents of Center Creek and surrounding areas have expressed their disapproval in a wastewater treatment facility being built next door to their properties. Council Member Pauley feels that we owe it to them to find a better suited location.

Goins: Vice Chair Goins stated she lives on the western side and has been using the Jenkinsville water service since it started. There have been many problems with the system, and the system is old and broken. The Rural Water Association does not test water in order to give out the aforementioned award. The award has nothing to do with contamination. You cannot taste E-coli, salmonella or bacteria. Taste and contamination in a bad system is nothing. She is concerned that we have elected officials who boast, knowing there has been a problem with the system for years and knowing that it needs to be rebuilt, to deceive the community as if it were a great thing to get this award. We have now in place a vehicle to try to get a regional water service that will supply the entire County, not just one area, with clean water. A lot of factors go into

how water tastes. We have a bad water system that needs to be changed, and we have an opportunity now more than ever to do that with the regional water system. Vice Chair Goins applauds the Town of Winnsboro and the County for coming together and working so diligently to strive for this purpose. Council Member Trapp then asked if the regional water authority will try to take over the water company, and per Mr. Taylor, the Joint Authority is not looking to take over any system. Discussion ensued concerning this matter between Vice Chair Goins and Council Member Trapp. Chairman Robinson stated he is on the Joint Water Authority, and there is no talk of taking over any system.

Robinson: Chairman Robinson also thanked everyone for coming out today, especially the citizens from Cedar Creek. He also thanked Thomas & Hutton for their presentation.

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

A. Contractual Matter – Receipt of Legal Advice Regarding Amendments to a Lease Agreement Providing for a New County Administration Building to Better Serve the Citizens of Fairfield County.

At 8:13 p.m., motion made by Council Member Douglas, seconded by Council Member Trapp, to go into executive session for the Contractual Matter listed above. Council Member Trapp inquired if Council would be voting on the Resolution and the Ordinance prior to going into executive session. Chairman Robinson stated this will be done after executive session, and the executive session will be short. ***Motion carried unanimously 7-0.***

At 8:33 p.m., motion made by Council Member Douglas, seconded by Council Member Bell, to come out of executive session and return to open session. ***Motion carried unanimously 7-0.*** Once back in open session, motions were made on the following items:

Third and Final Reading Ordinance No. 738: An Ordinance Authorizing Fairfield County to Purchase Real Property Containing at Least 50 Acres and Not Costing More than \$300,000 that Meets the Necessary Requirements for Said Property to be Used as a Suitable Location for a

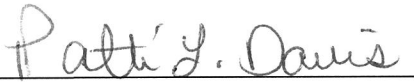
Wastewater Treatment Site or Other Uses Deemed Fit by Fairfield County Council, and Other Related Matters. Motion made by Council Member Pauley, seconded by Council Member Bell, to table the Third and Final Reading of Ordinance No. 738 until the next County Council meeting in order to give staff more time to explore other locations. **Motion failed 3-4 with Chairman Robinson, Vice Chair Goins and Council Members Gilbert and Douglas voting nay.** Motion then made by Council Member Douglas, seconded by Vice Chair Goins, to approve Third and Final Reading of Ordinance No. 738. Chairman Robinson stated this vote will approve the purchase if seen fit, but the County is still exploring other options. Council Member Bell stated looking at the number of citizens who came out tonight, it's really not fair to have people build homes and have communities and then we do things to almost destroy their communities. Chairman Robinson inquired of Mr. Bell if "destroy" was a correct term after hearing the engineer's presentation. Per Mr. Bell, maybe that word is too strong. He would say it will bring damage to the community. **Motion carried 4-3 with Council Members Bell, Trapp and Pauley voting nay.**

Second Reading Ordinance No. 740: An Ordinance Authorizing Amendments to a Lease Agreement Providing for a New County Administration Building to Better Serve the Citizens of Fairfield County; and Other Related Matters. Motion made by Council Member Douglas, seconded by Vice Chair Goins, to approve Third and Final Reading of Ordinance No. 740. Chairman Robinson asked for Mr. Morgan to give further information concerning this item. Per Mr. Morgan, this will allow for an amendment to the Lease that Fairfield County has previously entered into regarding the new administration building. This lease is being amended due to some impacts that financing has on the project. These are actually very favorable impacts that will allow for more favorable financing. There are other non-material changes for terms basically that only the financiers would need in case there was a renewal period. Finally, it would add the teacherage, thereby increasing the size of the development from approximately 4,500 to about 5,100 square feet. Council Member Bell stated by adding the teacherage, the project will cost about \$324,000 more dollars, and he stated he came up to discuss this with Mr. Taylor. Mr. Taylor showed him how the current building is leaking, has mold, etc., and there is a real need that we get to another building. However, he feels we made a grave mistake because there are other developers who build new buildings with the same type financing.

He feels by the time we get this building, in three to five years, the building will be out of date. He thinks this is a bad mistake. ***The motion carried 4-3 with Council Members Pauley, Trapp and Bell voting nay.***

17. ADJOURN

At 8:38 p.m., it was moved by Council Member Douglas and seconded by Council Members Bell and Gilbert to adjourn. ***The motion carried unanimously 7-0.***



PATTI L. DAVIS
CLERK TO COUNCIL



CORNELIUS ROBINSON
CHAIRMAN

Statement of Potential Conflict

In accordance with South Carolina Code Section 8-13-700, I hereby declare I have a potential conflict of interest on the following matter:

Ord. # 736 Ruicard Bridge Rd. Property

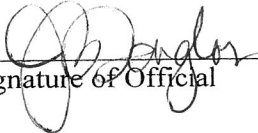
This potential conflict of interest is present because:

- I have
- a member of my immediate family has
- an individual with whom I am associated has
- a business with which I am associated has

an economic interest in this matter.

I request to be excused from any votes, deliberations, and other actions on this matter on which the potential conflict of interest exists.

I request this notice to be printed in the minutes of this meeting.



Signature of Official

1-13-2020

Date