

**MINUTES
REGULAR MEETING
FAIRFIELD JOINT WATER AND SEWER SYSTEM COMMISSION
JUNE 18, 2020**

Present: Roger A. Gaddy, Neil Robinson, Don Wood, Jason Taylor, Kyle Crager, Commissioners.

Others Present: C. D. Rhodes, Patti L. Davis, Chris Clauson.

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 other individuals.

1. CALL TO ORDER

Chairman Gaddy called the Regular Meeting to order at 5:31 p.m.

2. APPROVAL OF AGENDA

Motion made by Vice Chair Robinson, properly seconded by Commissioner Crager, to approve the agenda. ***The motion carried unanimously 5-0.***

3. APPROVAL OF MINUTES

Motion made by Vice Chair Robinson, properly seconded by Commissioner Crager, to approve the minutes of February 12, 2020, and February 25, 2020. ***The motion carried unanimously 5-0.***

4. Update on 208 Plan Amendment and Wastewater Treatment Plant

Chairman Gaddy requested for Mr. Ty Davenport and Mr. Chris Clauson to give further information on this item. Per Mr. Davenport, the work is continuing toward getting approval through the COG. There is an upcoming meeting with the EPAC followed by the full COG board. After getting into the political and technical process, it was felt that the Joint System would need more political support. Therefore, assistance is needed from another firm in addition to Thomas and Hutton for local knowledge of the Midlands. Another firm has been contacted, who performs consulting as well as design, and also has political expertise. Per Mr. Clauson, American Engineering has actually gone before the EPAC at least four times, whereas Thomas and Hutton has never gone before the Committee. Chairman Gaddy inquired if the 208 Plan is

changing the boundaries or is it actually naming a spot to put the wastewater treatment plant. Per Mr. Clauson, there are two amendments, and American is being selected for the actual wastewater treatment plant. There will be a separate amendment with the boundaries, and this can move forward. There was a possibility to move the two items together; however, this is not the case now. Per Mr. Taylor, they will be split with the EPAC and/or the COG to go through and look at the territories and then the PER with American Engineering doing a peer review of the PER. Per Mr. Clauson, one of the two plan amendments included just the territory realignment for the Joint System to have a territory. This can proceed forward, and American Engineering would not be needed for this request. It was felt the PER was far enough along, and the additional component could be brought to the plan request, which is the new plant. However, more questions have arisen, which is why it was felt someone was needed with more experience with the EPAC Committee and looking into the PER. A PER is the engineering document. The plan request asks if the political intent of this 208 plan is being met. Therefore, it was felt the PER was not addressing everything it needed to, and that some additional expertise is needed. Chairman Gaddy concurs with this. He was very disappointed that the Richland County Council came out against the wastewater treatment plant. Someone is needed to assist in doing a good education so everyone understands the sophistication of the wastewater treatment plant and the minimal impact/negligible impact on the environment. A lot of this is an emotional issue, and someone is needed to help educate the citizens and politicians so they will understand Fairfield County is not trying to do anything detrimental to the environment. Mr. Taylor requested an update on the land. Per Mr. Davenport, the final agreement with the land owner is close to being completed. Hopefully, by the end of the month, the property should be under contract, if not sooner. Due diligence is being done at the present time. The surveyor is proceeding and the title work is being done.

5. Resolution No. 2020-03: Engagement of American Engineering Consultants, Inc.

Chairman Gaddy stated this item is to engage American Engineering to provide professional services related to the amendment of the Central Midlands 208 Water Quality Plan. Vice Chair Robinson made a motion to approve Resolution No. 2020-03, seconded by Commissioner Wood. ***Motion carried unanimously 5-0.***

6. Resolution No. 2020-04: Engagement of Willoughby and Hoefer, P.A.

Chairman Gaddy stated this item is engagement of attorneys to provide legal services related to the amendment of the Central Midlands 208 Water Quality

Plan. Motion made by Vice Chair Robinson, seconded by Commissioner Crager, to approve Resolution 2020-04. ***Motion carried unanimously 5-0.***

7. Resolution No. 2020-05: Approval of Agreement to Share Costs and First Supplement to Agreement to Share Costs

Motion made by Vice Chair Robinson, seconded by Commissioner Wood, to approve Resolution No. 2020-05. Per Mr. Rhodes, initially the system was created, and the engagement letter was consented to by the County and the Town. This stated the County covers 75% and the Town would cover 25%. To date, the costs for the Joint System have been effectively just fees from Mr. Rhodes. Now, a bigger phase is being entered, and there will be a need for the Joint System to bring in some additional professionals who are more familiar with the EPAC and the 208 process. So, as more professionals are brought in to provide these services, the arrangements need to be formalized by which the costs of the Joint System are being met. This is what this initial agreement to share costs will accomplish. It is a three part agreement including the Joint System, Fairfield County and Town of Winnsboro. It relies on some authorizations in the Joint Water and Sewer System's Act which creates a binding obligation to administrative costs of a Joint System and carries forward the prior arrangement. If Ridgeway is brought into the Joint System, this can be amended at that time. The cost share agreement was intended to take care of general administrative costs of the Joint System, which will still primarily be Mr. Rhodes' fees. In addition, some specific costs can also be supplemented to deal with those costs that might arise from time to time. In this case, those specific costs are additional fees from American Engineering and Willoughby and Hoeffler. If other additional fees are needed in the future, this can be amended. ***Motion carried unanimously 5-0.***

8. Executive Session (The following statement is provided in compliance with the South Carolina Freedom of Information Act: Subsequent to Executive Session, Commission may take action on matters discussed in Executive Session.)


At 5:48 p.m., it was moved by Commissioner Crager, seconded by Commissioner Taylor, to go into executive session to discuss (a) Receipt of legal advice subject to attorney-client privilege regarding the amendment of the Central Midlands 208 Water Quality Management Plan and (b) Discussion of negotiations incident to proposed contractual arrangements regarding the purchase of the proposed site of a wastewater treatment plant. ***Motion carried unanimously 5-0.***

At 6:03 p.m., motion made by Vice Chair Robinson, seconded by Commissioner Crager, to come out of executive session and return to regular session. ***Motion carried unanimously 5-0.***

Discussion ensued concerning the date of the next meeting. Chairman Gaddy stated the next meeting would be held on July 30, 2020, at 5:30 p.m.

9. Adjournment

At 6:05 p.m., the meeting was adjourned by motion of Commissioner Crager and seconded by Vice Chair Robinson. ***The motion carried unanimously 5-0.***



SECRETARY



CHAIRMAN