

**CHESTERFIELD COUNTY COUNCIL
SPECIAL MEETING
COUNTY COUNCIL MULTI-PURPOSE BUILDING
August 31, 2011. 9:00 A.M.**

PRESENT: Chairman J. Matthew Rivers, Vice-Chair Lenora V. Powe, Council Members: Gerald L. Miller, G. Franklin Plyler, Bruce E. Rivers, Robert G. Cole, Kenneth A. Johnson, Crawford Moore and Douglas A. Curtis.

ABSENT: Council Member Douglas Curtis

OTHERS PRESENT: Denise Douglass – Administrator, Susie Boswell – Clerk to Council, Michelle Stanley – Finance Director, C. Heath Ruffner – County Attorney, Sam Parker – Sheriff, April Gooch, Nancy Mitten, Maurice Mitten, Michael Hudson, Ronald Martin, Nancy Kimrey, Joy Young, Brenda Quick, Connie Hancock, Patsy Leviner, Bethany Tapp and Lois Griggs. There were others attending the meeting who did not sign the sign-in sheet.

CALL TO ORDER AND PRAYER

Chairman J. Matthew Rivers welcomed everyone and asked Council Member Plyler to open the meeting with prayer.

ADOPTION OF AGENDA

Council Member Plyler made a motion to adopt August 31, 2011 Special Meeting Agenda. Council Member Cole seconded the motion. Voting in favor of the motion was unanimous.

APPOINTMENTS

a. The Honorable Sheriff Sam Parker

1. **K-2 Bath Salts** – Presented Council with a package that he said they had been working on for at least two months. Thanked Council for allowing him to be at the meeting and also thanked Heath Ruffner, County Attorney for coming up with an Ordinance that hopefully Council would approve as an Emergency Ordinance banning bath salts or synthetic drugs or designer drugs in our County. Sheriff Parker stated that he felt at this time these drugs had become a public safety issue and also an epidemic in Chesterfield County. Stated that he appreciated all the support of the chiefs in the towns and that he thought this drug was going to cost us in economic and financial situations and that it is going to cost lives. Sheriff Parker stated that these drugs were four times worse than PCP. He stated that people under the influence of bath salts become very hostile and combative. He presented Council with incident reports pertaining to the use of bath salts and asked Council for their support and that Council adopt an Ordinance so they could get K-2 (synthetic marijuana) and bath salts off of the shelves of stores. Sheriff Parker also brought packets of K-2 (synthetic marijuana) and bath salts to show Council the many different names and packaging used in the selling of K-2 (synthetic marijuana) and bath salts. Sheriff Parker advised Council that he had asked several other law enforcement and health care personnel to attend the meeting and express their concerns.

Chief Jay Brooks, Cheraw Police Department – Stated to Council that people who had been picked up for shopping lifting or whatever reason would become very disorderly and combative due to the use of bath salts. He stated that it rids the body of its ability to regulate its temperature so people feel like they are burning up from the inside. He said he had seen people strip down and stand in the commode while in jail and the reason they were doing this is because they felt like they were on fire. Chief Brooks stated that they now have a policy at the Cheraw Police Department that as soon as they start seeing these symptoms they immediately transport them directly to the emergency room. He stated that it causes people to hallucinate, have visions and become very suicidal and that all this could happen the first time a person tries it. He stated that it is so unpredictable and that people get by with selling it because it has on the label not for human consumption. He stated that he had asked the convenience stores in Cheraw to pull it from their shelves and they have agreed. Chief Brooks stated that he was at the meeting to support the Council and the Sheriff in adopting an Ordinance.

Chief Darrin Hayes, McBee Police Department – Chief Hayes told of an incident with a man that occurred in McBee that tried to kill his wife while using bath salts. He stated that he was there asking council for their support and for their support to help the sheriff with this problem.

Pageland Police Department – Stated to Council that the Pageland Police Department had an officer out while helping the Sheriff arrest a gentlemen that was on bath salts and that it was a problem that needed to be addressed.

Mike Hudson, FirstHealth – Stated that they are dealing with this problem basically every day and that in the county there has been two deaths. The deaths have not been confirmed because there is no way to truly confirm it until lately they developed a test. Probable is the way they put it because everything kind of leads to it. He stated there is nothing they can give to counteract the drug because it is synthetic and still is so new. He stated that basically what they have to do is give them fluid and they have to manhandle them to keep them down to get an IV in their vein to sedate them. He stated that he had crews that have been assaulted to the point that some of the crew has had to have stitches after a call. He said that is a daily thing and as far as long term effects no one knows because it is not a regulated drug. He stated the only thing they could counteract it with is another narcotic to try to keep them down.

(Darlington County) Stated he had a man to die from bath salts that lived two doors down from him. He stated the man started punching out windows because voices in his head were telling him to do it and he bled to death before help could get to him.

Chris Page - The problem the federal side is facing right now is that these products are labeled not for human consumption and that takes it out of the FDA's hands. He stated they get calls just about every day, sometimes 2-3 calls a day. He stated that his major concern on this is that they are going to have to kill somebody on this drug or somebody on this is going to kill one of them. He stated he went to one store in the county to talk them

about pulling it off their shelves and the man said when you make it illegal I'll do something but until then you can't touch me.

Council Member Johnson made a motion to pass an Emergency Ordinance prohibiting the advertisement, possession, purchase, sale, or use of "bath salts," "bath salts-like substances" and "synthetic marijuana" within the incorporated areas of Chesterfield County. Council Member Moore seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

2. Report from Sheriff

Presented Council with a letter from him. Remarks by Sheriff Sam Parker before the Chesterfield County Council, Wednesday, August 31, 2011:

"For more than five months now, much of our attention has been focused on the Chesterfield County Animal Shelter and on actions there that resulted in emotional turmoil to many. It was never my intention to mistreat animals and I do not believe any of the four Shelter employees had that intent either. But, they should have known better. I agree with the Attorney General that the criminal intent was not there but in my opinion it was necessary that they be discharged.

I have spoken with the Sheriff's in neighboring counties and with a few around the State to see how the Animal Shelters are run. I have found that Sheriff's are not usually responsible for the County Animal Shelters. What I am responsible for is enforcing the Laws of this State.

Based on my findings and what I think is the best interest of Chesterfield County, I propose the following:

1. The function of running the Animal Shelter will be returned to the County of Chesterfield.
2. The Sheriff's Department will continue to enforce all State laws regarding animal cruelty.
3. The Sheriff's Department will keep three full time employee's for Animal/Litter Law Enforcement. The Sheriff's Department will keep three of the trucks leased by the Sheriff's Department. The remaining truck and lease payment will be forwarded to the Chesterfield County Animal Shelter.
4. 4. The Sheriff's Department will provide the County with a list of its improvements to the Shelter facilities.
5. The Sheriff's Department will remove and keep the video camera system from the Animal Shelter.
6. The County will have the use of the camper that is presently being used as an office until the office within the Shelter fence is completed.

My department and I will continue to see that the South Carolina Code of Laws for Animals is enforced. I pledge to you all my full cooperation in insuring that acts of animal cruelty and animal neglect cases will be investigated. If warranted, violators will be charged and prosecuted under the South Carolina Code of Laws

I am asking that we bring closure to this incident and move forward in a positive direction. Let's jointly work together for the betterment of our community and animals. If you, as concerned citizens, suspect animal cruelty or neglect, please feel free to contact my office. Thank You, Sam Parker, Sheriff, Chesterfield County.”

Chairman Rivers – I'm assuming Sheriff that you are putting that as a proposal to us.

Sheriff Sam Parker – Yes, sir.

Chairman Rivers – A proposal that you have as to your involvement with the Animal Shelter and with your involvement with the animal laws.

Sheriff Sam Parker – Yes, sir.

Chairman Rivers – I understand that you have made this proposal in talking to the County Administrator and the County Attorney in conjunction with the Attorney General's Office

Sheriff Sam Parker – Yes, sir, that is correct.

Chairman Rivers – Understand Council you have a proposal before you , are there any questions to the Sheriff?

Council Member Moore made a motion to accept the Sheriff's proposal regarding the Animal Shelter. Council Member Powe seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

b. The Honorable Chief Magistrate Faulkenberry

Appeared before Council and advised that he was very short on help due to two Two vacancies and that he respectfully requests assistance from Council. Judge Faulkenberry asked Council to increase a part-time Magistrate John Davis hours from 30 hours per week to full-time 40 hours a week and one part-time secretary from 30 hours to 40 hours a week.

Council Member Bruce E. Rivers made a motion to increase part-time Magistrate John Davis hours from 30 hours per week to full-time 40 hours per week and a part-time Secretary from 30 hours per weeks to 40 hours per week. Council Member Miller seconded the motion. Voting in favor of the Motion was unanimous. Motion passed.

PUBLIC HEARINGS

a. Capital Equipment Lease Purchase Ordinance – Public Hearing

Council Member Powe made a motion to open public hearing. Council Member Miller seconded the motion. Voting in favor of the motion was unanimous. There were no oral comments from the public made nor were any written comments received.

Council Member Moore made a motion to close public hearing. Council Member Plyler seconded the motion. Voting in favor of the motion was unanimous.

b. Floodplain Management Ordinance – Public Hearing

Council Member Bruce E. Rivers made a motion to open public hearing. Council Member Miller seconded the motion. Voting in favor of the motion was unanimous. There were no oral comments from the public made nor any written comments received.

Council Member Bruce E. Rivers made a motion to close public hearing. Council Member Miller seconded the motion. Voting in favor of the motion was unanimous.

ORDINANCE READINGS AND RESOLUTIONS

a. Capital Equipment Lease Purchase Ordinance– 3rd Reading

Council Member Powe made a motion to pass 3rd reading. Council Member Miller seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

b. Floodplain Management Ordinance – 3rd Reading

Council Member Bruce E. Rivers made a motion to pass 3rd reading. Council Member Miller seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

c. Redistricting Resolution

Council Member Bruce E. Rivers made a motion to adopt Resolution adopting criteria to be used in formulating the plan for 2010 Redistricting of Chesterfield County Council Districts. Council Member Cole seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

ITEMS SUBMITTED BY STAFF

a. Surplus Property – Road Department

Council Member Powe made a motion to declare the 1995 Ford E350 Club Wagon Van – 261,010 miles, the 1995 Ford Club Wagon Van – 266,000 miles, the 1998 Tilt Trailer (Crown Trailer) 16 ton capacity and the 1995 GMC Top Kick Dump Truck – 217,079 miles as surplus property to be sold. Council Member Moore seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

UNFINISHED BUSINESS

a. Bay Springs Fire Department Dues Increase – Council Member Plyler

Council Member Plyler stated that he met with members of the Bay Springs Fire Department on Monday, August 29, 2011 regarding a \$15.00 increase in fire dues. The people agreed to a \$15.00 increase in dues which would make those dues after the \$15.00 increase \$60.00.

Council Member Plyler made a motion to accept the community's recommendation and increase the dues for that department by \$15.00 which would make the total fire dues \$60.00 for fire service in that area. Council Member Powe seconded the motion. Voting in favor of the motion unanimous. Motion passed.

b. Budget Increase – Carolinas Centre

This is property owned by three entities, that being the County, the Town of Chesterfield and the Town of Cheraw. Southside Builders has been awarded the contract and have submitted the final design along with the costs for the Carolinas Centre Spec Building. This amount is \$1,702,220; funds in the amount of \$952,229 are available, which leaves a balance of \$750,000. The towns have agreed to cover the additional at 25% each which would leave the County covering the 50%.

Council Member Moore made a motion to increase those funds to \$165,765 on the County's part. Council Member Plyler seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

c. Jefferson Armory

Council Member Plyler made a motion to proceed with the sale of the Jefferson Armory with conjunction of the building committee along with the Administrator and notice to the Town of Jefferson. Council Member Moore seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

d. Animal Shelter

Chairman Rivers stated that Council had been working diligently with the staff of the Attorney General's Office pursuant to the Consent Order which was assigned to us earlier this month. Several drafts were done, in fact the last draft being done yesterday afternoon. I understand that there has been a change pursuant to the Sheriff's Proposal herein pursuant to the Sheriff's proposal herein, that the County of Chesterfield manages the Chesterfield County Animal Shelter through a manager appointed or hired by the County Administrator with oversight of the Shelter by County Council. The Office of the Sheriff is authorized by Council to pick up those animals that should be housed at the Shelter pursuant to State law and deliver them to the Shelter.

Motion was made by Council Member Powe to sign the Consent Order presented by the Attorney General in reference to the Animal Shelter. Council Member Moore seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

EXECUTIVE SESSION

Council did not enter Executive Session.

ADJOURN

Council Member Moore made a motion to adjourn. Council Member Johnson seconded the motion. Voting in favor of the motion was unanimous.

APPROVED:

ATTEST:

J. MATTHEW RIVERS, CHAIRMAN
DATE: September 7, 2011

SUSIE BOSWELL
CLERK TO COUNCIL

