



OCONEE COUNTY COUNCIL
ABSTENTION FORM

Council Member Name:

Paul Cain

[Please Print]

Council Member Signature:

Paul A. Cain

Meeting Date:

7/8/14

Item for Discussion/Vote:

Law Enforcement Comte.

Minutes 1/14/14

Reason for Absention:

I was not present for original meeting/discussion

I have a personal/familial interest in the issue.

Other:

Elizabeth G. Hulse

Elizabeth G. Hulse
Clerk to Council

[This form to be filed as part of the permanent record of the meeting.]



OCONEE COUNTY SHERIFF'S OFFICE

415 SOUTH PINE STREET
WALHALLA, SC 29691

Mike Crenshaw, Sheriff

Every day, law enforcement personnel and other first responders face grave dangers associated with protecting the citizens of South Carolina. However, these brave men and women should not have to face something as extraordinary as an escaped tiger or lion because weak laws allow these incredibly dangerous animals to be kept by unqualified individuals.

In 2011, a disturbed man in Ohio released dozens of tigers, lions, primates, and other animals before taking his own life. Considerable law enforcement resources were used and officers were put at grave risk to secure the area, caution motorists to stay in their vehicles, warn residents to remain indoors, and inform the community that the local schools were closed until further notice. Unfortunately, many of the animals had to be shot and killed by local law enforcement.

One way to prevent a similar tragedy in Oconee County is to enact sensible legislation that limits the possession of certain animals to experienced, qualified, and professionally-run zoological facilities, such as those accredited by the Association of Zoos and Aquariums.

Taxpayers, shelters, and accredited zoos and sanctuaries are shouldering the financial burden for irresponsible individual who acquire these animals due to weak or non-existent regulations. Police, animal control, and other emergency personnel who are often stretched thin due to budgetary constraints are forced to expend limited resources when responding to dangerous incidents involving these very deadly predators.

PROHIBIT CERTAIN PERSONS FROM OWNING, POSSESSING, OR COMING INTO CONTACT WITH A DANGEROUS WILD ANIMAL, TO AUTHORIZE INSPECTIONS BY THE ANIMAL CONTROL AUTHORITY, TO AUTHORIZE CONFISCATION OF THESE ANIMALS UNDER CERTAIN CONDITIONS.

Whereas, it is the intent of the Oconee County Council to protect the public against health and safety risks that dangerous wild animals pose to the community and to protect the welfare of the individual animals held in private possession. By their very nature, these animals are wild and inherently dangerous and, as such, do not adjust well to a captive environment.

Dangerous Wild Animal Control and Regulation

Article 1

Regulation of Dangerous Wild Animals

Section 47-2-10. This Chapter may be cited as the 'Dangerous Wild Animals Act'.

Section 47-2-20. As used in this chapter;

- (1) 'Animal Control Agency' means an animal control agency operated by a political subdivision of this state or any unit of animal control officers in a law enforcement agency operated by a county or municipality.
- (2) 'Dangerous wild animal' means any live individual animal held in captivity of the following scientific classifications:
 - (a) Class Mammalia:
 - (i) Order Carnivora:
 - (A) Family Canidae: red wolves (*Canis rufus*) and gray wolves (*Canis lupus*);
 - (B) Family Felidae: lions (*Panthera leo*), tigers (*Panthera tigris*), leopards (*Panthera pardus*), clouded leopards (*Neofelis nebulosa*, *Neofelis diardi*), snow leopards (*Panthera uncia*), jaguars (*Panthera onca*), cheetahs (*Acinonyx jubatus*), mountain lions (*Puma concolor*), including hybrids thereof;
 - (C) Family Hyaenidae: all species of hyena and aardwolf;
 - (D) Family Ursidae: all species of bears;
 - (E) Family Procyonidae: all species, excluding raccoons (*Procyon lotor*);
 - (ii) Order Primates: all species, excluding humans;
 - (b) Class Reptilia:
 - (i) Order Crocodylia: all species of alligators, crocodiles, caimans, gharials;
 - (ii) Order Squamata:
 - (A) Family Atractaspidae: all species, such as mole vipers;
 - (B) Family Boidae: anacondas (*Genus Eunectes*), boa constrictors (*Boa constrictor*), Burmese pythons (*Python molurus*), reticulated pythons (*Python reticulatus*), amethystine pythons (*Morelia amethystinus*), scrub pythons (*Morelia Kinghorni*), Northern African pythons (*Python sebae*), Southern African pythons (*Python natalensis*);
 - (C) Family Colubridae: boomslangs (*Dispholidus typus*), twig snakes (*Genus Thelotornis*);
 - (D) Family elapidae: all species, such as cobras, mambas, and coral snakes;
 - (E) Family Hydrophiidae: all species, such as sea snakes;
 - (F) Family Viperidae: all species, such as rattlesnakes, pit vipers, and puff adders; and
 - (iii) All species listed under the Federal Endangered Species Act (50 C.F.R. 17.11) as threatened or endangered are considered dangerous wild animals.
- (3) 'Law enforcement officer' means any state police officer, local enforcement officer (including county sheriffs, city police, and officers of an animal control agency), or any officer acting under the authority of this act.
- (4) 'Person' means any individual, partnership, corporation, organization, or any other legal entity, and any officer, member, shareholder, director, employee, agent, or representative of them.
- (5) 'Possessor' means a person who owns, harbors, or has custody or control of a dangerous wild animal.

Section 47-2-30. (A) Notwithstanding another provision of law and unless exempted herein, it shall be unlawful for any person to import, possess, sell, transfer, or breed a dangerous wild animal.

(B) Notwithstanding another provision of law, it is unlawful for a person to allow a member of the public to come into direct contact with a dangerous wild animal.

The prohibitions shall not apply to:

- (1) Duly incorporated nonprofit animal protection organizations, such as humane societies and shelters, temporarily housing a dangerous wild animal at the written request of law enforcement acting under authority of this chapter;
- (2) Federal or state wildlife enforcement officers acting under the scope of their authority;
- (3) Animal control agencies or law enforcement agencies or officers acting under the authority of this chapter;
- (4) Veterinary hospitals, clinics, and veterinarians who are actively treating a dangerous wild animal in their professional capacity as a veterinarian or employee of a facility;
- (5) A research facility hold a Class R registration under the Animal Welfare Act, 7 U.S. C. Section 2131, et seq., as amended;
- (8) Circuses, defined as exhibitors holding a Class C license under the Animal Welfare Act, 7 U.S.C. Section 2131 et seq., as amended, that:
 - (a) are temporarily in the county for less than thirty days per year;
 - (b) regularly conduct performances featuring live dangerous wild animals and multiple trained human entertainers, including clowns and acrobats; and
 - (c) do not allow members of the public to be in proximity to dangerous wild animals without sufficient distance and protective barriers, including, but not limited to, offering photographic opportunities next to dangerous wild animals of any age; or

- (9) a person who does not reside in the county and is traveling through this State with a regulated species if the transit time is not more than forty-eight hours and the animal is at all times maintained within a confinement sufficient to prevent the animal from escaping.

Section 47-2-60. (A) A city or county may adopt an ordinance to implement this chapter upon completion of all applicable hearing and notice requirements, including, but not limited to:

- (1) establishing reasonable and necessary fees in amounts sufficient to cover the costs of enforcing this section;
- (2) establishing humane care standards; and
- (3) expanding the definition of dangerous wild animal.

(B) Law enforcement officers may, upon probable cause, seize any or all dangerous wild animals possessed in violation of this chapter. Upon judicial determination that:

- (1) the seized animals are dangerous wild animals,
- (2) the owner of the seized animals has violated this chapter with regard to those seized dangerous wild animals, then such dangerous wild animals seized under this section shall be deemed forfeited.

(C) Dangerous wild animals seized and deemed forfeited under this subsection shall be placed in the custody and control of an institution accredited by the Association of Zoos and Aquariums (AZA). If law enforcement officers, after a reasonable effort, cannot find an accredited zoo or wildlife sanctuary that is willing and able to take

custody and control of a seized and forfeited dangerous wild animal, that animal may be humanely euthanized in compliance with state and federal law.

(D) Dangerous wild animals seized, but not deemed forfeited under this chapter, must be kept in the custody of an institution accredited by the Association of Zoos and Aquariums (AZA), a wildlife sanctuary (as defined in Section 47-2-20(6)), or a temporary holding facility identified in Section 47-2-20(1), until disposition of the seized dangerous wild animals. Nothing in this subsection precludes an animal control officer from impounding a dangerous wild animal on the owner's property until an AZA-accredited zoo or wildlife sanctuary is located for placement.

Section 47-2-100. (A) A person who violates a provision of this chapter is guilty of a misdemeanor and upon conviction, must be fined two hundred dollars, or imprisoned not more than thirty days. Upon conviction of a second or subsequent offense, he must be fined one thousand dollars, no one of which may be suspended or remitted.

(B) A possessor of a dangerous wild animal who violates Section 47-2-70 (A) or (B), or Section 47-2-80 that results in the animal attacking and injuring a human being:
(1) for a first offense is guilty of a misdemeanor and, upon conviction, must be fined not more than five thousand dollars or imprisoned not more than three years;

June 3, 2014

Mr. Swain Still
Solid Waste Director
Oconee County Solid Waste
15028 Wells Highway
Seneca, South Carolina 29678

**RE: Proposal for Mixed Waste Materials Recovery Facility Evaluation and Design
Seneca, South Carolina**

Dear Mr. Still:

Smith Gardner, Inc. (S+G) is pleased to submit this proposal for the evaluation and conceptual design of a mixed waste materials recovery facility (MWMRF) for Oconee County. It is our understanding that Oconee County wishes to increase recycling rates up to 80%, if possible. To reach this goal, a detailed evaluation of the current amount of recyclable products that end up in the waste stream is needed. Furthermore, recovery of this amount of recycling will require some configuration of MWMRF to recover these materials. For the design of a MWMRF, significant information regarding waste streams and recyclables markets is needed. Therefore, this proposal is presented as a series of tasks. Each task will yield information needed for the next step in the process. These tasks include Waste Composition Study, MWMRF Conceptual Design, Design Peer Review and Reporting.

For this project, we will be working with Kessler Consulting, Inc. (KCI) for the waste characterization portion of the project. KCI has extensive experience performing waste characterizations, and in the last five (5) years has performed 31 such studies and sorted and analyzed more than 1,200 waste characterization samples. This experience will assist with efficient study completion and analysis as well as familiarity with target markets for maximum waste management optimization.

Additionally, New Green Consulting, LLC (New Green) of Greensboro, North Carolina will prepare the MWMRF conceptual design. New Green is a firm that has assisted in the design and development of single stream, C&D and multi-stream MRFs. New Green has performed evaluations for increasing recycling rates by adding equipment, building new process facilities, changing collection routes and increasing public recycling education.

SCOPE OF WORK

Task 1: Waste Composition Study

S+G will work with KCI on the completion of the Waste Composition Study. The details of this task are presented below.

Data Review and Initial Project Meeting

Upon notice to proceed, the following information will be requested from the County:

- Tonnage rates from 2013 for the following:
 - Solid waste (including garbage);
 - Yard waste;
 - Metals/white goods;
 - Household hazardous waste; and
 - Bulk waste.

- Tonnage rates for 2013 and through the current date in 2014 by generator sector from the Transfer Station including:
 - Residential waste from cities;
 - Convenience center waste; and
 - Commercial waste delivered by public and private haulers.

- Information regarding collection schedules, and number of collection vehicle utilized per generator sector each day.

After review of this information, S+G and KCI will arrange a meeting with County staff to discuss the data received, as well as the County's objectives, schedule and target waste sorting date, as well as logistics requirements for the days the waste composition study is conducted.

Pre-Waste Composition Study Planning

After the initial project meeting and data review a detailed plan for the waste composition study will be prepared. This will include:

- Confirm the targeted list of generator sectors for the study;
- Develop the list of waste categories for sorting which is consistent with any state reporting requirements, past composition studies and appropriate recyclable materials;
- Develop a sampling schedule to obtain the desired number of samples from each generator sector. Based on the number of generator sectors targeted, it is anticipated that 32 to 35 samples will be manually sorted over a 4-day period;
- Develop a Site Safety Plan and all field work protocols;
- Conduct a site visit to meet site staff, discuss the plan for the study, observe site operations and discuss proposed deliverables with County staff;
- Coordinate equipment needs and plans for project performance with County staff; and
- Prepare data recording forms, container labels and field notebook.

Waste Composition Event

The waste composition sorting event is expected to take place over four consecutive days at the Oconee County Transfer Station facility. This event will include the following tasks:

- Sorting event set-up – coordinate equipment for the event. KCI will provide a scale, sorting table, sorting equipment and tools, and safety equipment and protective gear;
- Provide appropriate supervisors for the project and day laborers. If the County chooses to provide day laborers, the price will be reduced accordingly;
- Tailgate training meeting will be completed at the start of work each day to review safety and sorting practices;
- Coordinate work hours based upon facility operating hours and waste delivery schedules;
- Conduct sorting event of 200 pound representative samples of residential and commercial waste. Each sample will be hand sorted and weighed.

Data Analysis and Final Report

Upon completion of the Waste Composition Study event, the data will be analyzed in accordance with ASTM's Standard Test Method for Determination of the Composition of Unprocessed Municipal Solid Waste; D5231-92 (reapproved 2008). The data will be analyzed for each generator sector as well as the 90% confidence intervals. Combined data for all generator sectors based on relative tonnages will be used to calculate the overall composition of solid waste by the generators.

After data evaluation is complete, a draft report will be prepared and S+G and KCI will meet with County staff to discuss the preliminary findings. Upon receipt of comments from County staff, a final version of the report will be prepared.

Task 1a – Second Waste Composition Study

KCI has suggested that a second Waste Composition Study be conducted due to the influence of tourist activity in the area at certain times of the year. This second study would evaluate waste composition at a time of year that has different demographic characteristics than the original study. The steps involved in this second study would be similar to those described above, and would mimic the first study in terms of waste types sorted, etc.

Task 2 - MWMRF Conceptual Design

If the waste composition study reveals acceptable levels of key recyclables, S+G and New Green will begin the conceptual design of a MWMRF. This task will review the following information:

- Waste characterization results;
- Current bulky item processes;
- Waste collection details;
- Current recycling options;
- Markets for commodities and their quality standards; and
- Local and regional demographics.

As previously stated, S+G will team with New Green which specializes in recycling process design and the requirements for MWMRF design, in an effort to bring the greatest value to Oconee County. The conceptual design will take into account the existing MRF and transfer station facilities at the Oconee County complex in an effort to utilize these structures in the conceptual design, as much as possible. This task will yield the following:

- Proposed future site layout;
- Evaluation of traffic flow for both input and output materials;
- Storage requirements for both input and output materials;
- Tipping floor sizing requirements;
- Building conceptual designs (plan and elevation view);
- Site operational plan;
- Summary of permits required; and
- Summary of safety requirements.

Task 3 – Peer Review

S+G has requested that KCI provide a peer review of the conceptual MWMRF design. Additionally, S+G will interview operators of existing MRF systems similar to the one designed to determine what items they might have done differently now that the site is in operation. This information will be incorporated into the final design as appropriate.

Task 4 – Reporting

Following this evaluation, S+G will submit a final conceptual design report to Oconee County. This report will include a summary of the waste composition study, key conceptual design components, the final conceptual design and estimated cost of construction. A draft copy of this report will be submitted to the County for review. Upon review S+G will finalize the report and will attend up to two meetings regarding the project.

ASSUMPTIONS

During the preparation of this proposal, the following assumptions were made:

- The waste sorting event will occur at the County transfer station facility. The County may designate a location within the facility area for this event to take place.
- The County will provide a 20' x 20' tent or other covered area for the sorting event to take place to protect workers from the elements.
- The County will provide a Bobcat, or small loader with grapple bucket and operator for pulling samples from the transfer station during the sorting event.
- Any costs incurred for waste routing or special collections for this scope of work will be the County's responsibility.

COST ESTIMATE

The cost associated with this scope of work is \$94,500.00. The cost is summarized by task below.

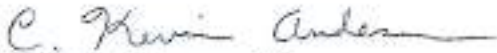
Task 1 – Waste Composition Study	\$33,000.00
Task 1a – Second Waste Composition Study	\$24,500.00
Task 2 – MWMRF Conceptual Design	\$17,000.00
Task 3 – Peer Review	\$11,000.00
<u>Task 4 – Reporting</u>	<u>\$ 9,000.00</u>
Total for Project	\$94,500.00

SCHEDULE

S+G is prepared to initiate this scope of work immediately upon authorization. We anticipate that Task 1 will take approximately three (3) weeks to complete. Task 1a will add an additional two weeks at a later time. Tasks 2 and 3 will take approximately eight weeks to complete, and Task 4 will take approximately six (6) weeks to complete.

We look forward to discussing this scope of work with you in the future. If you have any questions or require any additional information, please contact us at (919) 828-0577 or by email below.

Sincerely,
SMITH GARDNER, INC.


C. Kevin Anderson, P.G.
Senior Geologist
kevin@smithgardnerinc.com


Stacey A. Smith, P.E.
President
stacey@smithgardnerinc.com

cc: File