



# A G E N D A

## OCONEE COUNTY COUNCIL MEETING

### February 19, 2013

### 6:00 PM

Council Chambers, Oconee County Administrative Offices  
415 South Pine Street, Walhalla, SC

Call to Order

Public Comment Session / Agenda Items & Non Agenda Items *[time permitting]*

*Agenda & Non Agenda Items: Combined both are limited to a total of forty (40) minutes, four (4) minutes per person.*

Council Member Comments *[Council may take a recess after Public Comment & Council Comments]*

Moment of Silence

Pledge of Allegiance to the Flag of the United States of America

Approval of Minutes

- February 5, 2013 Regular Meeting
- February 7, 2013 Planning Retreat Meeting

Presentation to Council *[10 minute max. per presentation]*

ACOG Annual Report / Mr. Steve Pelissier, Executive Director

Registration & Elections: New Photo Identification Law / Ms. Joy Brooks

Administrator Report & Agenda Summary

Public Hearings Regarding the Following Ordinances

Ordinance 2012-35 "AN ORDINANCE TO AMEND CHAPTER 38 "ZONING" OF THE OCONEE COUNTY CODE OF ORDINANCES, INCLUDING ALL ZONING MAPS INCORPORATED THEREIN AND THEREBY, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY; AND OTHER MATTERS RELATED THERETO" *[Lay Mill Rezoning Request]*

Ordinance 2012-36 "AN ORDINANCE TO AMEND CHAPTER 38 "ZONING" OF THE OCONEE COUNTY CODE OF ORDINANCES, INCLUDING ALL ZONING MAPS INCORPORATED THEREIN AND THEREBY, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY; AND OTHER MATTERS RELATED THERETO" *[Gladys Circle Rezoning Request]*

Ordinance 2013-04 "AUTHORIZING THE ISSUANCE AND SALE BY OCONEE COUNTY, SOUTH CAROLINA, OF ITS NOT EXCEEDING \$2,600,000 GENERAL OBLIGATION BONDS, CONSISTING OF GENERAL OBLIGATION BONDS, SERIES 2013A AND GENERAL OBLIGATION BONDS, TAXABLE SERIES 2013B; FIXING THE FORM AND CERTAIN DETAILS OF THE BONDS; AUTHORIZING THE CHAIRMAN OF COUNTY COUNCIL AND COUNTY ADMINISTRATOR TO DETERMINE CERTAIN MATTERS RELATING TO THE BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS AND THE DISPOSITION OF THE PROCEEDS THEREOF; AMENDING ORDINANCE NO. 2012-29 AND OTHER MATTERS RELATING THERETO." *[Echo Hills, Phase I Development Bond]*

Council's meetings shall be conducted pursuant to the South Carolina Freedom of Information Act, Council's Rules and the Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition. This agenda may not be inclusive of all issues which Council may bring up for discussion at this meeting. Items are listed on Council's agenda to give public notice of the subjects and issues to be discussed, acted upon, received as information and/or disposed of during the meeting. Items listed on Council's agenda may be taken up, tabled, postponed, removed or otherwise disposed of as provided for under Council's Rules, and Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition, if not specified under Council's rules.

## Third & Final Reading of the Following Ordinances

### Ordinance 2012-35 [caption page #1]

The proposed ordinance, 2012-35 (Lay Mill Rd), was petitioned for 8 parcels. Council took first reading of this ordinance in title only on December 18, 2012 and forwarded the Ordinance to the Planning Commission for their required review/recommendation. Council took second reading of this ordinance on January 22, 2013.

Since Second Reading the Community Development has been informed that part of one of the requested parcels has been split and sold. The new owner has requested that this parcel be removed from consideration as referenced in Appendix B.

Parcel 095-00-01-006 was included on the proposed zoning map but was inadvertently omitted from the draft ordinance that was presented to Council at Second Reading.

Parcel 107-00-02-015 was requested to be added to the by an adjacent property after the proper notification was mailed.

**It is staff's recommendation that Council take action to:**

- [1] amend the ordinance to incorporate either Appendix A or Appendix B,**
- [2] amend the Ordinance 2012-35 to include parcel 095-00-01-006 and 107-00-02-015; and**
- [3] take Third and Final Reading of Ordinance 2012-35 as amended**

### Ordinance 2012-36 [caption page #1]

### Ordinance 2013-04 [caption above]

## Second Reading of the Following Ordinances

[Note: Public Hearings will be scheduled at or before third & final reading for the following ordinances as required]

Ordinance 2012-37 "AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND **AID COMPANY LLC**; AND OTHER MATTERS RELATING THERETO INCLUDING, WITHOUT LIMITATION, PAYMENT OF A FEE IN LIEU OF TAXES RELATED TO THE PROJECT"

## First Reading of the Following Ordinances

Ordinance 2013-05 "AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN INFRASTRUCTURE TAX CREDIT AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND **PROJECT ZETA**; AND OTHER MATTERS RELATING THERETO"

## First & Final Reading of the Following Resolutions

Resolution R2013-04 "A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN INDUCEMENT AGREEMENT BY AND BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND **PROJECT ZETA**; WHEREBY, UNDER CERTAIN CONDITIONS, OCONEE COUNTY WILL PROVIDE AN INFRASTRUCTURE TAX CREDIT TO **PROJECT ZETA**"

## Discussion Regarding Action Items

### Broadband Project Focus / Phase Three Installation Contractor / \$181,843.20

On August 18, 2010, Oconee County received \$9.6M in Federal ARRA funding to construct a 250 mile (approximate) broadband network in the County. This project will provide critical broadband infrastructure that will benefit the County through connection of 130 Anchor Institutions and by providing much needed high speed data. RFP 10-28 was awarded in August of 2011 to Network Controls & Electric for Phase One of this project, approximately 95 miles at a total cost of \$2,728,704.00. Change Order One for the additional amount of \$952,337.00 was approved by Council on March 6, 2012 for additional mileage, hand holds, conduit and anchor institution connections.

RFP 11-16 was awarded in April 17, 2012 to Network Controls & Electric for Phase Two of this project, for approximately 106 miles, including a Cable Monitoring System for the complete FOCUS project, for a total of \$3,426,678.20. The third and final phase of Broadband Project FOCUS consists of approximately six (6) miles. Network Controls & Electric has agreed to hold their same price per foot that was given in RFP 11-16 for Phase Two. They are already mobilized for this project and now have the experience to successfully complete the project. RFP 11-16 for Phase Two of this project contained the below specific language that authorized the County to continue with Network Controls for Phase Three if all of their work was satisfactory:

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*In Oconee County's sole discretion, the County may contract with the Successful Proposer for the remaining phase three of Project FOCUS, using the same terms, conditions and pricing given for Phase Two, if both parties are in agreement.*

**It is the staff's recommendation that Council approve the award for an Installation Contractor for Phase Three of Broadband Project FOCUS to Network Controls & Electric, Inc., of Greer, SC, for the total amount of \$181,843.20.**

### ITB 12-08 / Communications Tower & Building for Long Mountain / \$153,890

This bid is for a contractor to provide and install a 160 ft. self supporting communications tower and a prefabricated 10' x 12' electronic equipment building at the Long Mountain Communication Site, located at 268 Station Mountain Road, Mountain Rest, SC. This site is located on National Forestry land and the permit allowing this construction was received on January 15, 2013. We could not officially issue the bid until this permit was secured. The electronic equipment needed for the building will be purchased separately. On February 12, 2013, formal sealed bids were opened for this project. 21 companies were notified of this bid opportunity and 10 companies attended the non-mandatory pre-bid meeting on January 24, 2013 for this project. 5 companies submitted bids, with K-Co Enterprises, Inc., of Pelzer, SC submitting the lowest bid of \$139,900 for the complete project.

**It is the staff's recommendation that Council [1] approve the award of ITB 12-08 to K-Co Enterprises, Inc., of Pelzer, SC, for \$139,900. and a contingency amount of 10% for any change orders that may arise, bringing the total award to \$153,890, and [2] Authorize the County Administrator to approve any change orders that are within the contingency amount.**

### Review / Adoption of Fiscal Year 2013-2014 Budget Calendar

## Council Committee Reports

*[to include Vote or Action on matters brought forward from Committee for discussion, if required]*

- Real Estate, Facilities & Land Management / Mr. Barron

## Board & Commission Appointments *[listing of all interested candidates provided in backup material]*

- Economic Development Commission *[Districts II-Vacant]* *[Deferred from February 5, 2013]*
- Arts & Historical Commission *[Districts IV]* *[Deferred from February 5, 2013]*
- Capital Project Advisory Committee *[1 At Large Seat]*
- Conservation Bank Board *[3 Seats, 2 At Large Seats]*  
*[Specific Membership Requirements – Handout Provided]*
- Scenic Highway Committee *[1 At Large Seat]*

Old Business *[to include a Vote and/or Action on matters brought up for discussion, if required]*

New Business *[to include Vote and/or Action on matters brought up for discussion, if required]*

Executive Session *[for the purpose of discussing a contractual matter]*

- Vote and/or Action on matters discussed in Executive Session [if required]

## Adjourn

Assisted Listening Devices [ALD] are available to accommodate the special needs of citizens attending meetings held in Council Chambers. ALD requests should be made to the Clerk to Council at least 30 minutes prior to the meeting start time.

Oconee County Council & Committee meeting schedules and agendas are posted at the Oconee County Administration Building & are available on the County Council Website. [All upcoming meetings will be held in Council Chambers unless otherwise noted]