



A G E N D A
OCONEE COUNTY COUNCIL MEETING
August 20, 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: July 16, 2013 Regular Meeting

First & Final Reading of the Following Proclamations

Proclamation P2013-06 "A PROCLAMATION HONORING THE OCONEE NUCLEAR STATION'S 40TH ANNIVERSARY"

Presentations by Outside Organizations

Oconee County Transit Feasibility Study Update / URS

Administrator Report & Agenda Summary

Public Hearing Regarding the Following Ordinances

Ordinance 2013-09 "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 "

Third & Final Reading of the Following Ordinances

Ordinance 2013-09 *[Caption Above]*

Second Reading of the Following Ordinances *[None scheduled for this meeting]*

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

First Reading of the Following Ordinances

Ordinance 2013-18 "AN ORDINANCE TO AMEND ARTICLE 1, ENTITLED *IN GENERAL*, OF CHAPTER 20, ENTITLED *OFFENSES AND MISCELLANEOUS PROVISIONS*, OF THE OCONEE COUNTY CODE OF ORDINANCES BY ADDING NEW SECTIONS PERTAINING TO DRUG PARAPHERNALIA; AND OTHER MATTERS RELATED THERETO"

Ordinance 2013-20 [In Title Only] “AN ORDINANCE TO AMEND ORDINANCE 2013-01 AN ORDINANCE TO ESTABLISH THE BUDGET FOR OCONEE COUNTY AND TO PROVIDE FOR THE LEVY OF TAXES FOR ORDINARY COUNTY PURPOSES, FOR THE TRI-COUNTY TECHNICAL COLLEGE SPECIAL REVENUE FUND, FOR THE EMERGENCY SERVICES PROTECTION SPECIAL REVENUE FUND, FOR THE ROAD MAINTENANCE SPECIAL REVENUE FUND, FOR THE VICTIM SERVICES SPECIAL REVENUE FUNDS, FOR THE BRIDGE AND CULVERT CAPITAL PROJECT FUND, GENERAL CAPITAL PROJECT FUND, AND FOR THE ECONOMIC DEVELOPMENT CAPITAL PROJECT FUND, ALL IN OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2013 AND ENDING JUNE 30, 2014” Attachment B – Fee Schedule

PRT Campground Software/Reservation Program / \$6,695

This is a two part request to move forward with the vendor Active Network to implement the Reserve America software for the three County Parks and Campgrounds for a three year contract and to amend the county budget – fee schedule to allow for a rate increase beginning January 2014.

The attached power point will show the existing process and the proposed process, as well as the price of the software, proposed new fee schedule and price comparisons to other area campgrounds.

PRT recommends Option 2 out of the two options presented. PRT Commission unanimously approved this request 7-18-13.

PRT has budgeted up to \$17,000 for the equipment and software implementation. The initial investment will be \$6,695 for a proposed January implementation schedule. Additional equipment will be added to include iPads for each Park.

It is the staff’s recommendation that Council

[1] Approve the PRT Campground Software Package with Active Network (Reserve America) in the amount of \$6,695 and to authorize the County Administrator to execute the three-year contract, and

[2] Approval Ordinance 2013-20 [on first reading in title only] “AN ORDINANCE TO AMEND ORDINANCE 2013-01 AN ORDINANCE TO ESTABLISH THE BUDGET FOR OCONEE COUNTY AND TO PROVIDE FOR THE LEVY OF TAXES FOR ORDINARY COUNTY PURPOSES, FOR THE TRI-COUNTY TECHNICAL COLLEGE SPECIAL REVENUE FUND, FOR THE EMERGENCY SERVICES PROTECTION SPECIAL REVENUE FUND, FOR THE ROAD MAINTENANCE SPECIAL REVENUE FUND, FOR THE VICTIM SERVICES SPECIAL REVENUE FUNDS, FOR THE BRIDGE AND CULVERT CAPITAL PROJECT FUND, GENERAL CAPITAL PROJECT FUND, AND FOR THE ECONOMIC DEVELOPMENT CAPITAL PROJECT FUND, ALL IN OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2013 AND ENDING JUNE 30, 2014” Attachment B – Fee Schedule.

Ordinance 2013-21 [In Title Only] “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 ”

[Sub02]

After the property for the Oconee Industry and Technology Park, formerly known as Echo Hills, was purchased it was discovered there were two mobile homes on the property. The County negotiated with the owners of the mobile homes and it was determined that two 1 acre lots would be surveyed out of the Park and sold to the mobile home owners. The northern most parcel was purchased and the transfer of ownership was completed. However, the southern parcel did not sale. Considering that the County has no plans to sale this parcel, staff recommends that the parcel be reincorporated into the Park. Having been surveyed and rezoned out of the Park, rezoning is the first step in the process of reincorporating this parcel into the Park. The request is a subsequent rezoning consisting of a parcel totaling 1 acre. This parcel is located in the rural suburban area on the Future Land Use Map, and is currently zoned in the Agricultural Residential District. As submitted, parcel 221-00-01-106, currently in Agricultural Residential District, would be rezoned into the Industrial District.

It is staff’s recommendation that Council [1] take first reading (in title only) of Ordinance 2013-21, and [2] refer the matter to the Planning Commission for the required review.

Ordinance 2013- 22 [In Title Only] “AN ORDINANCE AUTHORIZING THE ACQUISITION OF CERTAIN REAL PROPERTY IN OCONEE COUNTY AND THE CONVEYANCE OF CERTAIN REAL PROPERTY WITHIN THE GOLDEN CORNER COMMERCE PARK; AND OTHER MATTERS RELATED THERETO”

This ordinance is dealing with the conveyance of land from within the Golden Corner Commerce Park to a Company that will in turn convey property within Oconee County to the Oconee County Government. In essence this is an exchange of parcels.

It is the staff’s recommendation that Council approve Ordinance 2013-22 on first reading in title only.

Ordinance 2013-23 “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDED FEE AGREEMENT BETWEEN OCONEE COUNTY AND GREENFIELD INDUSTRIES, INC., INCLUDING THE INCLUSION OF TDC CLEMSON LAND COMPANY, LLC, GREENTECH METAL RECYCLING, LLC AND TDC SAWS, LLC, AS CO-SPONSORS, AMENDING THE FEE AGREEMENT DATED AS OF DECEMBER 1, 2009; AND OTHER MATTERS RELATED THERETO”

This ordinance accomplishes several things:

1. It amends the December 1, 2009 fee agreement between the County and Greenfield Industries, Inc. The reduction of the required minimum level of investment in the Project from \$18,000,000 to \$10,000,000 on or before December 31, 2013. This allows Greenfield to take advantage of State incentives associated with the 2009 expansion aligned with announced job creation. It also allows Greenfield to meet the fee agreement and participate in the fee-in-lieu-of-taxes (FILOT) program.

2. Greenfield will invest an additional not less than Five Million Dollars (\$5,000,000) in Oconee County, within the five year extension period. This means that Greenfield will invest no less than Fifteen Million Dollars (\$15,000,000) total in Oconee County.

3. It provides five year extension period pursuant to and in accordance with the overall Act, if the County approves such extension period. By doing this, it allows the investment period to be extended and Greenfield to make the additional investments referenced above.

4. Lastly, it includes several subsidiaries and associated companies of Greenfield into the overall agreement. It is to include TDC Clemson Land Company, GreenTech Metal Recycling, LLC and TDC Saws, LLC, as Co-Sponsors in the Project and the amended Greenfield Fee Agreement.

It is the staff’s recommendation that Council approve Ordinance 2013-23 on first reading in title only.

Ordinance 2013-25 “AUTHORIZING THE ISSUANCE AND SALE OF GENERAL OBLIGATION BONDS (STONE POND SPECIAL TAX DISTRICT); SERIES 2014, OF OCONEE COUNTY, SOUTH CAROLINA, IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING \$1,000,000; FIXING THE FORM AND CERTAIN DETAILS OF THE BONDS; AUTHORIZING THE CHAIRMAN OF COUNTY COUNCIL 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. 2012-28 OF THE COUNTY; AND OTHER MATTERS RELATING THERETO.”

First & Final Reading of the Following Resolutions

Resolution R2013-16 “A RESOLUTION TO ESTABLISH A COMMISSION TO CONSIDER PROPOSALS FOR FUNDING CAPITAL PROJECTS IN OCONEE COUNTY, SOUTH CAROLINA, PURSUANT TO SECTION 4-10-300, *ET SEQ.*, OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED; TO PROVIDE FOR THE COMPOSITION AND APPOINTMENT OF SUCH COMMISSION; AND OTHER MATTERS RELATED THERETO”

Resolution R2013-17 “AUTHORIZING THE EXECUTION AND DELIVERY OF A LEASE-PURCHASE AGREEMENT IN THE AMOUNT OF NOT EXCEEDING \$2,005,150 TO DEFRAY THE COSTS OF ACQUIRING VARIOUS EQUIPMENT AS APPROVED IN THE COUNTY’S 2013-14 ANNUAL BUDGET; AND OTHER MATTERS RELATING THERETO”

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.

Discussion Regarding Action Items

Mountain Lakes CVB Funding FY 2014 / \$166,200

PRT Commission and PRT staff recommends \$166,200 from State and Local ATAX funds for the 2013-14 Mountain Lakes CVB funding. It is estimated that \$75,000 will come from 65% State ATAX fund, \$35,684 will come from the 30% State ATAX fund and \$55,516 will come from Local ATAX fund. Exact amounts from each account will be determined upon receipt of the 4th Quarter State ATAX check in August 2013. Total amount will not exceed \$166,200

This request was unanimously approved by the PRT Commission on 7-18-13. The Mountain Lake CVB has two full time positions and continues to support and promote Oconee County tourism and product development efforts. These funds are the operating funds for the CVB for FY 14. A portion (30%) of the State ATAX is mandated to go directly to the CVB and is included in the amount requested. It automatically goes to the CVB each quarter from the quarterly check.

Estimated \$55,516 from the Local ATAX fund, \$75,000 from the 65% State ATAX fund and \$35,684 from the 30% State ATAX fund. Exact amounts from each account will be determined upon receipt of the 4th Quarter State ATAX check in August. Local ATAX balance = \$115,372 & State ATAX balance = \$53,196

It is the staff's recommendation that Council approval of \$166,200 to fund the Mountain Lakes CVB for FY 2014 from State and Local ATAX accounts.

Lake Hartwell Access Areas request from US Army Corp of Engineers

US Army Corp of Engineers, by letter, has asked Oconee County to consider leasing up to 7 additional access areas on Lake Hartwell. Due to Federal budget constraints, seven (7) access areas have been placed on the possible closure list and are being offered by lease to County government in order to keep access open around the lake. Oconee currently has a lease through June 30, 2017 for eight (8) access areas including Holders, Seneca Creek, Timberlake, Lake Shore, Barton's Mill, Port Bass, Mountain Bay and South Union. The proposed request would add the following by lease: Lawrence Bridge Recreation Area, Martin's Creek, FairPlay Recreation Area, Choestoea, Mullin's Ford Recreation Area, Tabor and Hwy. 123 Fishing Pier. Current sites are cleaned 5 times a week during peak times and 2-3 days a week during non-peak times.

Estimated to add a minimum of \$32,136 in part time personnel costs. Other additional cost will be a maintenance vehicle to haul a mower, and cleaning supplies.

The majority of the proposed sites are very well used by the public and staff recommends doing what we can to keep them open for access. However, three of these sites are Recreation areas that will require daily attention for trash pick-up, restroom cleaning and maintenance. Additional manpower will be required for upkeep of the proposed sites and staff does not recommend moving forward if additional manpower will not be added to the current PRT levels.

RFP 12-15 / Fiber Restoration, Location & Maintenance Services / Broadband Project FOCUS / \$491,400

Oconee County (the "County") is seeking a qualified contractor to provide fiber emergency restoration and maintenance services necessary to maintain approximately 250 miles of fiber optic cable and conduit infrastructure. The majority of the 250+ mile network is buried 36+ inches deep and was either installed via horizontal boring or vibratory plowing. The objectives of this RFP are to establish a contractor to support the County's needs for Restoration, Locating, New Build/Customer Connections, Engineering, Splicing, Fiber Testing & Troubleshooting, Egress and Maintenance of the fiber network, and maintaining the Telvent database, which contains Oconee County fiber network information. The objective of emergency restoration services is to respond to fiber optic cable and conduit infrastructure damage 24 hours per day, 7 days per week, and 365 days per year to restore damaged fiber optic infrastructure in a timely manner. For these services, we will pay GeoVision an annual maintenance amount of \$291,400.00.

The second objective is to install additional and maintain existing fiber optic infrastructure on an as-needed basis. For the second part of this RFP, the vendor quoted hourly and per foot pricing for the following services on an as-needed basis: New network construction (the County provides the fiber and the vendor will provide hand holes, conduit, etc.), splicing, fiber testing and trouble-shooting, engineering and permitting, and egress for new installations. The County will contract with GeoVision for these services at an estimated amount, not to exceed \$200,000.00 for the remainder of FY 2013-2014. The majority of these costs will be reimbursed by Broadband customers. On July 18, 2013, formal sealed proposals were opened for this project. Twenty-three firms were originally notified of this opportunity and one firm submitted a proposal. Their proposal met all the requirements of the RFP. Note: the price breakdown provided in the RFP document is considered proprietary and confidential under Section 30-4-40(c) under State Statutes.

It is the staff's recommendation that Council award RFP 12-15 Fiber Restoration, Location and Maintenance Services to GeoVision of Sylva, NC, (1) for an annual maintenance contract amount of \$291,400.00, and (2) an estimated not to exceed amount of \$200,000.00 for as-needed services as outlined in the RFP, for a grand total of \$491,400.00 for FY 2013-2014, and (3) to authorize the County Administrator to renew the annual maintenance contract for an additional four years.

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ITB 13-01 / Cobb Bridge Paint Removal & Replacement / \$481,800

This bid is for qualified contractors to remove and dispose of existing lead based paint and clean and paint all steel surfaces of Cobb Bridge. This bridge is a single span steel Parker Through Truss bridge, approximately 153 feet long, 26 feet tall and 19 feet wide spanning the Chauga River. It is estimated the original bridge was constructed in the 1940's and moved to its current location on Cobb Bridge Road in the early 1960's. The work is being performed to restore and preserve the bridge. All bidders must be SSPC (The Society for Protective Coatings) QP2 Certified. On August 6, 2013, formal sealed bids were opened. Sixteen companies were originally notified of this bid opportunity. Only one response was received from Gulf Coast Contracting, LLC, of Holiday, FL, who submitted a bid in the amount of \$438,000.00. Procurement followed up with the non-responding companies to discover the reason why they did not bid. See attached bidder's list. Davis & Floyd, the engineering company that is managing this project, has checked references and is recommending award to Gulf Coast Contracting, LLC.

It is the staff's recommendation that Council approve the award of ITB 13-01 to Gulf Coast Contracting, LLC, of Holiday, Florida in the amount of \$438,000 plus an additional 10% contingency amount, for a total award amount of \$481,800.

ITB 13-02 / Road Paving 2013-2014 / \$679,843.90

On August 7, 2013, formal sealed bids were opened for paving of approximately three and a half miles of County roads (see attached Tentative Road List). The methods of paving are Simple Overlay, Reconstruction Mill in Place, Excavation with Removal, Variable Mill, and Reconstruction Mill in Place Road Widening. Twenty-seven companies were originally notified of this bid opportunity with three companies submitting bids. King Asphalt, Inc., (located in Liberty, SC, Pickens County) submitted the lowest bid in the amount of \$618,039.90.

It is the staff's recommendation that Council (1) approve the Award of ITB 13-02, Road Paving 2013-2014 to King Asphalt, Inc., of Liberty, SC, in the amount of \$618,039.90 plus contingency in the amount of \$61,804.00 for a total award of \$679,843.90, and (2) authorize the County Administrator to approve any change orders within the contingency amount.

Ten Chevrolet Tahoes / Sheriff's Department / \$265,430

Sheriff's fleet vehicles necessary for fiscal year 2013-2014 operations include (10) ten 2014 Chevrolet Tahoes with the Police Pursuit package. The only options added to the Tahoes are dual batteries (necessary to operate lights, sirens, etc), locking differential and a left hand spotlight. The new vehicles will replace high-mileage vehicles currently used in the Sheriff's fleet. The vehicles being replaced will be sold as surplus on GovDeals.com or replace older vehicles used in other County departments. The Fleet Maintenance Director also approves this purchase. This purchase is contingent on the approval of the lease/purchase funding, authorized in the 2013-2014 budget allocations.

It is the staff's recommendation that Council approve purchase of ten 2014 Chevrolet Tahoes to Love Chevrolet, of Columbia, SC, in the amount of \$265,430, per State Contract # 4400005789.

Council Committee Reports *[to include Vote and/or Action on matters brought up for discussion, if required]*

- Budget, Finance & Administration Committee / Mr. Dexter

Old Business *[to include 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]*

2013 Edward Byrne Memorial JAG Grant Notification / No Action Required

Oconee County Sheriff's Department received an allocation of \$21,652 from the Bureau of Justice Assistance. The grant program requires the grant application be made available for the County Council and the public to review and comment on the proposed use of funds.

The Sheriff's Department plans to use the funds from this program to purchase two all-terrain vehicles.

There are no matching funds required. However the quote exceed allocated amount for grant. The Sheriff's Department will use \$685.88 from their budget to cover remaining balance.

Executive Session *[for the purpose of discussing two personnel matters]*

- 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]