



**AMENDED A G E N D A**  
**OCONEE COUNTY COUNCIL MEETING**  
**July 15, 2014 ~ ~ 6:00 PM**  
Council Chambers, Oconee County Administrative Offices  
415 South Pine Street, Walhalla, SC

**Call to Order**

**Public Comment Session / Agenda Action Items Only**

Council will hear public comment during this portion of the meeting for Agenda Action Items on today's agenda only. Agenda Action Items are defined as Administrator Report Items, Ordinances, Resolutions, Proclamations, Action Items, advertised Old Business items, advertised New Business items and Recommendations from Committee ONLY. Combined the two Public Comment Sessions at this meeting are limited to a total of forty (40) minutes, four (4) minutes per person.

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

**Moment of Silence**

**Invocation by County Council Chaplain / Mr. Tom Martin**

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

**Approval of Minutes**

- June 17, 2014: Regular Meeting
- June 30, 2014: Special Meeting with Oconee County Delegation

**Administrator Report & Agenda Summary**

- Request approval to add Timberlake & Tugaloo Landings to the US Army Corp of Engineers Lease Agreement

**Public Hearings regarding the Following Ordinances**

**Ordinance 2014- 18** "AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A GROUND LEASE AGREEMENT AND LEASEHOLD EASEMENT AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA, AS LESSEE, AND OCONEE MEDICAL CENTER, AS LESSOR; AND OTHER MATTERS RELATING THERETO."

**Third and Final Reading regarding the Following Ordinances**

**MOTION TO RECONSIDER Ordinance 2014-01** "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 ROAD MAINTENANCE SPECIAL REVENUE FUND, FOR THE VICTIM SERVICES SPECIAL REVENUE FUNDS, FOR THE BRIDGE AND CULVERT CAPITAL PROJECT FUND, AND THE ECONOMIC DEVELOPMENT CAPITAL PROJECT FUND, ALL IN OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2014 AND ENDING JUNE 30, 2015"

Due to a scribe's error the line by line budget attachment to Ordinance 2014-01 that was presented for consideration for third and final reading was incorrect. The ordinance presented for consideration at the May 20, 2014 regular meeting and at the June 10, 2014 public hearing meeting were correct and include the correct line by line budget attachment.

Council will need to make a motion to reconsider this ordinance at this meeting. After approval for reconsideration Council shall amend the final form of the ordinance to be the one presented at the June 10, 2014 public hearing meeting PLUS amend to include amendments made at the June 17, 2014 regular meeting.

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**MOTION TO RECONSIDER Ordinance 2014-13 “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN INFRASTRUCTURE TAX CREDIT AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND GREENFIELD INDUSTRIES, INC., TDC CLEMSON LAND COMPANY, LLC, GREENTECH METAL RECYCLING, LLC AND TDC SAWS, LLC; AND OTHER MATTERS RELATING THERETO INCLUDING, WITHOUT LIMITATION, AUTHORIZATION OF AN INFRASTRUCTURE TAX CREDIT”**

TDC Cutting Tools, Inc. will establish its overseas headquarters in Oconee County at the same site as its subsidiary, Greenfield Industries, resulting in an additional 38 new positions in Seneca. The company, which is based in China, will invest \$8.2 million in the construction of the new TDC Overseas campus, including a 32,000-square-foot office building and a 10,000-square-foot recycling center added to the existing 168,000-square-foot facility. Greenfield Industries recently consolidated its U.S. manufacturing operations and both its U.S. and Canadian headquarters at the Davis Creek Road site in Seneca. The company also plans to establish its Outside of China Global Operations headquarters in Seneca in the near future. The Davis Creek Road site was selected over options in Chicago and Switzerland.

At the June 17<sup>th</sup> meeting of Council, third reading of the ordinance to establish the legal agreements for this economic development project were passed. After consulting with the company, they asked for a revision of the dates within the legal agreements as they have not been able to start their project as previously planned in April 2014. They are looking at a late July start date of the construction of this HQ project. Given this, the company did not want to put the previously agreed upon incentives in jeopardy and therefore asked for an extension.

Under the new Infrastructure Agreement (IA), the company will get a 20% credit against taxes due for/from investments which it makes in the project in the Multi-County Industrial Park (MCIP) in 2014, 2015, and 2016, for five consecutive years, commencing with the tax payment due, without penalty, by 1/15/2016 (in other words, the one levied in the fall of 2015).

**It is the staff’s recommendation that Council move to reconsider Ordinance 2014-13 and approve on third and final reading as presented at this meeting including the Infrastructure Tax Agreement.**

**Ordinance 2014-14** “AN ORDINANCE TO IMPOSE A ONE PERCENT CAPITAL PROJECT SALES TAX, SUBJECT TO A REFERENDUM, WITHIN OCONEE COUNTY, SOUTH CAROLINA, PURSUANT TO THE CAPITAL PROJECT SALES TAX ACT, AS CODIFIED IN §4-10-300, *ET SEQ.*, OF THE SOUTH CAROLINA CODE OF LAWS, 1976, AS *AMENDED* (THE “ACT”); TO SPECIFY THE PURPOSES, PROJECTS AND FACILITIES FOR WHICH THE PROCEEDS OF SUCH TAX MAY BE USED; TO PROVIDE THE MAXIMUM TIME FOR WHICH SUCH TAX MAY BE IMPOSED; TO PROVIDE THE MAXIMUM AMOUNT OF GENERAL OBLIGATION BONDS TO BE ISSUED TO PROVIDE FOR THE PAYMENT OF ANY COSTS OF THE PROJECTS AND FACILITIES AND TO PLEDGE SUCH TAX TO THE PAYMENT OF THE BONDS; TO PROVIDE THE MAXIMUM COST OF THE PROJECTS OR FACILITIES TO BE FUNDED FROM THE PROCEEDS OF SUCH TAX OR BONDS; TO PROVIDE THE MAXIMUM AMOUNT OF NET PROCEEDS OF THE TAX EXPECTED TO BE USED TO PAY THE COST OF THE PROJECTS OR DEBT SERVICE ON THE BONDS; TO ORDER A REFERENDUM PRESCRIBED BY THE ACT TO BE CONDUCTED BY THE OCONEE COUNTY REGISTRATION AND ELECTIONS COMMISSION; TO PROVIDE FOR THE ADMINISTRATION OF SUCH TAX; AND OTHER MATTERS RELATING THERETO”

**Ordinance 2014-18** "AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A GROUND LEASE AGREEMENT AND LEASEHOLD EASEMENT AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA, AS LESSEE, AND OCONEE MEDICAL CENTER, AS LESSOR; AND OTHER MATTERS RELATING THERETO.”

**Second Reading of the Following Ordinances**

*[None at this meeting]*

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## First Reading of the Following Ordinances

**Ordinance 2014-11 [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”

[2014 SUB01]

The proposed ordinance stems from a subsequent rezoning request that consists of two parcels totaling seven acres along Stamp Creek Rd. & Arrowhead Dr. The parcels are located in the residential area on the Future Land Use Map and are currently zoned in the Lake Residential District. As submitted the parcels which are currently in the Lake Residential District, would be rezoned into the Residential District.

**It is staff's recommendation that Council [1] take first reading (in title only) of Ordinance 2014-11, and [2] refer the matter to the Planning Commission for the required review.**

## First & Final Reading of the Following Resolutions

**Resolution R2014-12** “A RESOLUTION TO ACKNOWLEDGE CERTAIN LEGISLATIVE ACTION TAKEN BY THE STATE OF SOUTH CAROLINA REGARDING THE USE OF ELECTRONIC DEVICES AND DISTRACTED DRIVING WHICH PREEMPTED OCONEE COUNTY ORDINANCE 2014-07; AND OTHER MATTERS RELATED THERETO.”

## Discussion Regarding Action Items

### **ITB 13-18 / Physicals for Firefighters / Fire Services / \$125,000**

Oconee County Fire and Emergency Services has approximately 500 personnel for 14 volunteer fire stations, one Haz-Mat station, and eight rescue stations, including rescue divers and emergency first responders. OSHA guidelines mandate that any personnel who fight fire and/or wear an air pack or bunker gear, and can pass a qualified face fit test, must have an annual physical provided by their employer. This bid requested blood testing, thorough stress and cardio testing and physical exams that would be administered at a medical office located within Oconee County. The medical practice also agreed to administer the tests and physical exams during early morning, evening and Saturday hours to accommodate the volunteer firefighter's schedules.

On May 20, 2014, formal sealed bids were opened for Physicals for Firefighters. Nine medical practices were originally notified of this bid opportunity. Two companies submitted bids, with Upstate Medical Associates, P.A., of Seneca, SC submitting the lowest bid of \$289,940.00. The other bid received did not meet minimum specifications. Because this amount exceeded the budgeted amount, the required components of the physicals and the quantities were revised and a lower price was negotiated with the low vendor. The total bid amount is now \$123,650, based on estimated quantities. We are requesting approval for a not-to-exceed amount of \$125,000.00.

**It is the staff's recommendation that Council (1) Award bid #13-18, Physicals for Firefighters, to Upstate Medical Associates, P.A., of Seneca, SC, for a not-to-exceed amount of \$125,000.00, for a period of one year with the option to renew for four additional one-year periods and (2) authorize the County Administrator to renew the contract for up to four one year periods, provided their work is satisfactory.**

### **ITB 13-19 / Installation of Box Culvert at Hesse Hwy & Coneross Creek / \$93,720**

On May 23, 2014, the County Administrator notified Council members that a bridge had failed on Hesse Hwy outside of Walhalla, resulting in a road closure and the diversion of traffic around this area. Council approved the emergency order of a replacement box culvert. This box culvert was ordered on May 23, 2014 from MSC Concrete Products for \$55,650, as an emergency repair item. The pre-cast concrete box culvert and wing wall is 65 feet long and the estimated delivery time is seven weeks. The repairs themselves exceeded the capability of the Roads and Bridges department, but the County decided it would be most cost effective to supply the materials and to bid out the removal and disposal of the existing, failing corrugated metal culvert and the replacement installation of a 12foot wide 8 foot high concrete box culvert with headwalls and wing walls.

On July 1, 2014, formal sealed bids were opened for the Installation of Box Culvert at Hesse Hwy and Coneross Creek, ITB 13-19. Twenty-nine companies were originally notified of this bid opportunity with three companies submitting bids. The low bid of \$85,200 was submitted by Thrift Development of Seneca, SC.

**It is the staff's recommendation that Council (1) approve the Award of ITB 13-19, Installation of Box Culvert at Hesse Hwy and Coneross Creek, to Thrift Development, Inc., of Seneca, SC, in the amount of \$85,200, plus a 10% contingency in the amount of \$8,520.00, for a total award of \$93,720, and (2) authorize the County Administrator to approve any change orders within the contingency amount.**

## **ITB 13-20 / Heavy Equipment Rental / Golden Corner Commerce Park / Not to Exceed \$370,000**

The proposed rental equipment will be used by Roads and Bridges staff for the construction improvements at the Golden Corner Commerce Park. Staff is requesting a not to exceed amount of \$370,000 to rent equipment necessary for the proposed improvements at the Golden Corner Commerce Park for the 2014-2015 fiscal year period. Currently staff is using existing County-owned equipment from Roads and Bridges, Solid Waste and Rock Quarry for this work. Additional heavy equipment will need to be rented to complete all phases of work at the GCCP. Rental equipment may also be needed to replace County equipment that will be needed in other areas, or may be down for repairs or maintenance.

On June 5, 2014 the County issued ITB 13-20 for Heavy Equipment Rentals to eight vendors. Five vendors responded to this bid on June 24, 2014, however, not all equipment bid met the specifications of the bid and not all vendors bid on all equipment. The award will be split between the three vendors (see attached Award Recommendation) that were the lowest responsive and responsible bidders for each piece of equipment as outlined in the bid for the six month rental period. The equipment will be rented on an as needed basis from July 16, 2014 through June 30, 2015. The total amount to be spent with all vendors will not exceed \$370,000.00 without additional Council approval.

**It is the staff's recommendation that Council approve the total not to exceed amount of \$370,000, per pricing in ITB 13-20, Heavy Equipment Rental, to be split between Blanchard Equipment of Simpsonville, SC; Flint Equipment of Simpsonville, SC; and Linder Machinery of Greer, SC.**

## **Used Haul Truck / Rock Quarry / \$350,000**

The Quarry utilizes three (3) rigid frame back-dump trucks to support daily operations. A back-dump truck was included for replacement in the Quarry's future capital improvement plan. The mechanical issues associated with the aging fleet of trucks make this replacement necessary. The estimated cost to replace with a comparable new truck is approximately \$580,000. Acceptable replacement trucks that are available at this time range in price from approximately \$350,000- \$432,000.

Quarry staff inspected a 2007 Komatsu 325-7 on July 1, 2014 in Kansas City, MO. It was found to be in very good condition. The hours of use are about half the amount the Quarry would have used on a truck of the same age. The cost of this used truck is about forty percent less than the cost of the same type truck purchased new. Time is of the essence to secure this truck since it is priced so well and will meet all Quarry specifications.

**It is the staff's recommendation that Council approve the purchase of one Used 2007 Komatsu 325-7 back-dump truck from Linder Industrial Machinery Company of Greer, SC, for the cost of \$350,000.**

## **Old Business**

*None scheduled at this meeting.*

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

## **New Business**

*None scheduled at this meeting.*

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

## **Council Committee Reports**

- Planning & Economic Development Committee / Mr. Corbeil
- Law Enforcement, Public Safety, Health & Welfare / Mr. McCall
- Transportation Committee / Mr. Thrift

## **Board/Commission Appointments**

- Capital Project Advisory Committee / 1 Council Representative & 1 At Large Seat 4 Questionnaires on file
- Board of Zoning Appeals / District III Representative has requested replacement No Questionnaires on file
- Library Board / 1 At Large Representative 1 Questionnaire on file

## **Executive Session**

*[for the purpose of discussing a personnel matter, three [3] Economic Development Matters, and a potential litigation matter]*

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

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

Council will hear public comment during this portion of the meeting for Non-Agenda Items

*Combined the two Public Comment Sessions at this meeting are limited to a total of forty (40) minutes, four (4) minutes per person.*

## **Council Member Comments**

## **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.

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