



MINUTES
OCONEE COUNTY COUNCIL MEETING
Regular Meeting
March 7, 2017

MEMBERS, OCONEE COUNTY COUNCIL

Mr. Paul Cain, District III
Mr. Wayne McCall, District II
Ms. Edda Cammick, Chairwoman, District I
Mr. Julian Davis III, Vice Chair, District IV
Mr. Glenn Hart, Chair Pro Tem, District V

Oconee County Council met at 6:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members, County Administrator Scott Moulder, County Attorney David Root, Public Information Officer Amanda Brock, and Katie D. Smith, Clerk to Council present.

Press: Pursuant to the Freedom of Information Act, notice of the meeting, date, time, place of meeting and agenda were posted on the bulletin board at the County Administrative Offices, 415 South Pine Street, Walhalla, SC, and the County Council website [www.oconeese.com/council]. In addition it was made available [*upon request*] to the newspapers, radio stations, television stations and concerned citizens.

Members of the press present: Ray Chandler / Anderson Independent & Stephen Bradley / Daily Journal.

Call to Order

Ms. Cammick called the meeting to order at 6:00 p.m.

Public Comment Session

Mr. Luther Lyle addressed Council regarding the cancelling of the Scenic Highway Committee. He stated he spoke with members of Administration and they cleared the information up for him.

Ms. Jean Jennings addressed Council regarding the SC Retirement Fund, Bill H3726.

Mr. Jerry Barnett addressed Council regarding the Constitution, the bidding process with grading work, and renting equipment.

Mr. Buzz Williams addressed Council regarding the Scenic Highway Committee. He suggested keeping the Committee open and he would be willing to volunteer to serve.

County Council Response to Public Comment

None at this meeting.

Moment of Silence

Ms. Cammick asked for a moment of silence prior the Invocation by the County Chaplain.

Invocation by County Council Chaplain:

Mr. Root, County Council Chaplain, gave the invocation.

Pledge of Allegiance:

Mr. Cain led the Pledge of Allegiance to the Flag of the United States of America.

Approval of Minutes:

Mr. Cain made a motion, seconded by Mr. Hart, approved 5 – 0 to approve the February 21, 2017 Regular Meeting minutes as presented.

Administrator’s Report & Agenda Summary

Mr. Moulder briefly reviewed with Council and for the public’s benefit specifics related to the following matters before Council at this meeting:

- Public Hearing for Ordinance Ordinance 2016-32
- Third and Final Reading of Ordinance: 2016-32
- Second Reading of Ordinance: 2016-42
- First Reading of Ordinance: 2017-06
- Boat Taxes
- Distracted Driving
- Related to the ITB 16-14 Phase 1 and Phase 2 Mass Grading Improvements for Oconee Economic Alliance / OITP and the purchase of Heavy Equipment Rental for OITP for Oconee Economic Alliance, Mr. Moulder relayed that Council could legally discuss all three (3) items as they were all related to one action to be determined with each action contingent on the votes on the other items.
- Board/Commission Appointments
- Council Committee reports

Public Hearings for the Following Ordinances

Ordinance 2016-32 “AN ORDINANCE TO AUTHORIZE THE CONVEYANCE OF EASEMENT RIGHTS FOR THE PURPOSE OF UTILITY CONSTRUCTION ALONG HIGHWAY 59, NEAR THE INTERSECTION OF HIGHWAY 59 AND FELTMAN ROAD ADJACENT TO THE GOLDEN CORNER COMMERCE PARK; AND OTHER MATTERS RELATED THERETO.”

There were no written or oral comments received regarding Ordinance 2017-04.

Noting that no citizens signed up to address Council; Ms. Cammick opened the floor for any citizen wishing to address Council regarding this ordinance. No citizen addressed Council.

Third & Final Reading of the Following Ordinances

Ordinance 2016-32 [Captioned above]

Mr. Davis made a motion, seconded by Mr. Hart, approved 5 – 0, to approve Ordinance 2016-32.

Second Reading of the Following Ordinances

Ordinance 2016-42 “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE AGREEMENT BY AND BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND PROJECT GOGGLES, PROVIDING FOR A PAYMENT OF A FEE IN LIEU OF TAXES; THE PLACEMENT OF PROJECT GOGGLES INTO A MULTICOUNTY INDUSTRIAL AND BUSINESS PARK; AND OTHER MATTERS RELATED THERETO.”

Mr. Davis made a motion, seconded by Mr. Hart, approved 5 -0, to approve Ordinance 2016-42.

First Reading of the Following Ordinances

Ordinance 2017-06 [Title Only] “AN ORDINANCE CANCELLING, REVOKING, AND RESCINDING OCONEE COUNTY ORDINANCE 2007-21, WHICH ESTABLISHED A PROGRAM TO DESIGNATE SCENIC HIGHWAYS IN OCONEE COUNTY; AND OTHER MATTERS RELATED THERETO.”

Mr. Cain made a motion, seconded by Mr. Davis, approved 5 – 0, to amend agenda and remove Ordinance 2017-06 and send to Planning and Economic Development Committee on March 14, 2017 for discussion.

Discussion Regarding Action Items

The purchase of one (1) Commercial Cab Fire Engine for the Fire Services in the amount of \$398,529.00. The budgeted amount is \$425,000.00; leaving a balance of \$26,471.00.

It is the staff’s recommendation that Council approve the award of RFP 16-04 for a Commercial Cab Fire Engine for West Union, Rural Fire Station Number 16, to S.C. Fire Apparatus of Charlotte, N.C., in the amount of \$398,529.00.

Mr. Cain made a motion, seconded by Mr. Davis to approve the purchase of one (1) Commercial Cab Fire Engine for the Fire Services, the motion failed, 2 – 3, [Ms. Cammick, Mr. Hart, and Mr. McCall opposed]. Lengthy discussion followed to include but not limited to:

- Refurbishing the fire truck
- Age of the fire truck
- Mileage
- Reconditioning
- Solicit more bids
- Specs of the truck

Mr. Charlie King addressed Council regarding the specs on the fire apparatus and stated this comes from the input of the station and what they feel is needed to fit the needs of their district.

The approval of ITB 16-14 Title: Phase 1 - Mass Grading Improvements for Oconee Economic Alliance / OITP. The budgeted amount is \$4,000,000.00; the Project cost is: \$291,264.05; leaving a balance of \$3,708,735.95.

Contingent upon Council discussion, it is the staff’s recommendation that Council (1) approve the award of ITB 16-14 to Ledford and Parker of Hayesville, NC, for **Phase 1 only**, Mass Grading Improvements for OITP in the amount of \$291,264.05, which includes a 10% contingency amount; and (2) authorize the County Administrator to approve any change orders within the contingency amount.

The approval of ITB 16-14 Title: Phase 2 Mass Grading Improvements for Oconee Economic Alliance / OITP. The budgeted amount is \$4,000,000.00; the Project cost is: \$3,107,500; leaving a balance of \$892,500.

Contingent upon Council discussion, it is the staff's recommendation that Council (1) approve the award of ITB 16-14 to Clary Hood, Inc., of Spartanburg, SC, for Phase 2 only, Mass Grading Improvements for OITP in the amount of \$3,107,500.00, which includes a 10% contingency amount; and (2) authorize the County Administrator to approve any change orders within the contingency amount.

The purchase of Heavy Equipment Rental for OITP for Oconee Economic Alliance in the amount of \$456,455.02. The budgeted amount is \$4,000,000.00; leaving a balance of \$3,543,544.98.

Contingent upon Council discussion, it is the staff's recommendation that Council approve the rental of heavy equipment for OITP to May Heavy Equipment, of Piedmont, SC, in the amount of \$456,455.02.

Mr. Cain made a motion, seconded by Mr. Davis, approved 5 – 0, to discuss the Approval of ITB 16-14, Phase I, ITB 16-14 Phase 2, and purchase of Heavy Equipment. Lengthy discussion followed to include but not limited to:

- Construction of site and parking lot
- Improvements on Hwy 11
- County's contribution would be grading; school contribution would be building
- Contingency fund
- Wetlands on the area
- Millage

Ryan Page addressed Council regarding wetlands. He stated there are no wetlands where the graded areas are. There are wetlands on the site toward Coneross Creek.

Discussion followed to include:

- SC Retirement
- Duke Power Contribution
- SDOC
- Pension fund
- Tri-County Technical College campus
- Hamilton Career Center
- Bond Approval

Mr. Blackwell addressed Council regarding recommendations for Phase I and Phase 2. Phase I for the cost is for the Tri-County Technical College portion but the road infrastructure would need to be approved through a grant but does not include utilities. Phase 2 includes Hamilton Career Center, Adult Education, the parking lot, utilities, road, etc. Mr. Page addressed Council regarding the different cost between Phase I and Phase 2. Additional cut is required in the overall plan where the roadways lie and with utilities installation.

Mr. Blackwell stated a campus that would include a Tri-County Technical College campus, a 2 year educational institution, a vocational school for high school students, and Adult Education inside an

industrial park does not exist in SC.

Additional discussion followed.

Mr. Davis made a motion, seconded by Mr. Cain, to amend Mr. Cain's motion to approve the ITB 16-14 Phase 2 Mass Grading and reject the approval of ITB 16-14 Phase I and reject purchase of Heavy Equipment Rental, approved 4 – 1 as amended [Mr. McCall opposed].

Boat Taxes

Review and approve a letter from the Oconee County Council to the Oconee Legislative Delegation requesting that the South Carolina General Assembly take action to increase enforcement, and enforceability, as to legislation and regulations related to unpaid boat taxes and outdated boat registrations.

Mr. McCall made a motion, seconded by Mr. Hart, approved 5 – 0, to approve the Boat Taxes letter.

Hands Free

Review and approve a letter from the Oconee County Council to the Oconee Legislative Delegation requesting that the South Carolina General Assembly take action to improve the safety of our highways and other roadways by permitting the use of mobile phones and other mobile communication devices by drivers of a moving vehicle only when such devices are used in a "hands free" device configuration.

Mr. McCall made a motion, seconded by Mr. Hart, approved 5 – 0, to approve the Hands Free letter.

Board & Commission Appointments

Board of Zoning Appeals

Mr. Davis made a nomination, approved 5 – 0, to reappoint Mr. Marty McKee as the District V representative on the Board of Zoning Appeals.

Building Codes Appeal Board

No nominations were made.

Scenic Highway Committee

No nominations were made.

Old / Unfinished Business:

Request for Council to fund the installation and monthly operational costs for a FAX and telephone line at the former Health Department Building, for Clemson University's Joseph F. Sullivan Center [Health Clinic]

Mr. McCall made a motion, seconded by Mr. Hart, approved 5 – 0, to fund the installation and monthly costs for a FAX and telephone line at the former Health Department Building, for Clemson University’s Joseph F. Sullivan Center [Health Clinic].

Mr. Hart made a motion, seconded by Mr. McCall, approved 5 – 0, for the reconsideration of the purchase of one (1) Commercial Cab Fire Engine for the Fire Services division in the amount of \$398,529.00, as discussed earlier in the meeting.

Brief discussion followed.

Mr. Davis made a motion, seconded by Mr. Cain, approved 5 – 0, to purchase of the Commercial Cab Fire Engine as reflected as the first Action Item on the agenda for Council consideration.

New Business:

None at this meeting.

Council Committee Reports:

Ms. Cammick read from a prepared statement [copy filed with these minutes] outlining the discussions held at the February 14, 2017 Budget, Finance & Administration Committee meeting.

Mr. Moulder requested Council to consider meeting in mid-April before the next Budget, Finance & Administration Committee meeting, which is scheduled for May 9, 2017.

Mr. Davis read from a prepared statement [copy filed with these minutes] outlining the discussions held at the February 14, 2017 Real Estate, Facilities & Land Management Committee.

Executive Session:

Mr. McCall made a motion, seconded by Mr. Davis, approved 5 – 0 to enter into Executive Session for the following purposes, as allowed for in § 30-4-70(a) of the South Carolina Code of Laws:

[1] To receive legal advice regarding intra-county allocation of revenue from projects located in multi-county industrial and business parks.

Council entered Executive Session at 7:36 p.m.

Council returned from Executive Session at 8:03 p.m. on a motion made by Mr. Davis, seconded by Mr. Cain, approved 5 – 0.

Ms. Cammick stated that no action was taken in Executive Session.

Ms. Cammick acknowledged Mr. Root’s birthday and Council sang “Happy Birthday” to Mr. Root.

Adjourn

Mr. Davis made a motion, approved unanimously 5 – 0, to adjourn at 8:04 p.m.

Respectfully Submitted:

Katie D. Smith
Clerk to Council