



MINUTES
OCONEE COUNTY COUNCIL MEETING
Regular Meeting
September 19, 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, 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: Stephen Bradley / Daily Journal.

Call to Order

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

Public Comment Session

None at this meeting.

County Council Response to Public Comment

Mr. Davis thanked the workers in Oconee County and the power companies for the work they did after the storm. He noted they helped a lot of citizens that were in need and went above and beyond the call of duty.

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. Hart led the Pledge of Allegiance to the Flag of the United States of America.

Approval of Minutes:

Mr. Davis made a motion, seconded by Mr. Hart, approved 5 – 0 to approve the September 5, 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:

- Proclamation: P2017-07
- Public Hearing of Ordinance: 2016-25, 2017-18, 20, 21, 22, 23, 24
- Third Reading of Ordinance: 2016-25, 2017-18, 20, 21, 22, 23, 24
- Discussion Regarding Action Items
- Board & Commission Appointments
- New Business

Ms. Cammick asked to amend the agenda to add “to receive legal advice regarding multi-county industrial park revenue allocation” under Executive Session.

Mr. Davis made a motion, seconded by Mr. Hart, approved 5 – 0, to amend the agenda to add “to receive legal advice regarding multi-county industrial park revenue allocation” under Executive Session.

Proclamation 2017-07

Ms. Cammick read the proclamation into the record.

Mr. Cain made a motion, seconded by Mr. Hart, to approve **Proclamation 2017-07**.

Mayor Dan Alexander addressed Council thanking them for receipt of the proclamation. He noted they serve the Oconee and Pickens County areas. The State has 32 offices and 27 out of these have training centers in which they contract labor with manufacturing and different companies. Last year, with the State of South Carolina, they helped 7,000 people go to work. Mayor Alexander further noted with proper rehabilitation and training, someone that has a disability can go back to work.

Mayor Dan Alexander came forward to accept **Proclamation 2017-07** from Ms. Cammick.

Regarding the previous motion made by Mr. Cain, seconded by Mr. Hart, it was approved 5 – 0, to approve **Proclamation 2017-07**.

Public Hearings for the Following Ordinances

Ordinance 2016-25 “AN ORDINANCE TO AMEND CHAPTER 16 OF THE CODE OF ORDINANCES OF OCONEE COUNTY (FLOOD DAMAGE PREVENTION), PERTAINING TO ADOPTING UPDATED FLOOD INSURANCE RATE MAPS AND CHANGES ASSOCIATED WITH MAINTAINING GOOD STANDING IN THE NATIONAL FLOOD INSURANCE PROGRAM; AND OTHER MATTERS RELATED THERETO.”

Ms. Cammick opened the floor for Public Comment.

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.

Ms. Cammick asked if any citizens wished to submit written comments regarding this ordinance; no citizen presented any written comments for the record.

Ms. Cammick closed the Public Hearing regarding **Ordinance 2016-25**.

Ordinance 2017-18 “AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF TAX AGREEMENT BY AND BETWEEN OCONEE COUNTY AND BORGWARNER PDS (USA) INC., WHEREBY OCONEE COUNTY WILL ENTER INTO A FEE-IN-LIEU OF TAX ARRANGEMENT WITH BORGWARNER PDS (USA) INC. AND PROVIDING FOR PAYMENT BY BORGWARNER PDS (USA) INC. OF CERTAIN FEES-IN-LIEU OF AD VALOREM TAXES; PROVIDING FOR SPECIAL SOURCE REVENUE CREDITS; PROVIDING FOR THE ALLOCATION OF FEES-IN-LIEU OF TAXES PAYABLE UNDER THE AGREEMENT; FOR THE ESTABLISHMENT OF A MULTI-COUNTY INDUSTRIAL/BUSINESS PARK; AND OTHER MATTERS RELATING THERETO.”

Ms. Cammick opened the floor for Public Comment.

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.

Mr. Jerry Barnett addressed Council voicing concerns regarding **Ordinance 2017-18**, specifically encouraging the industries to choose their own sites and stand on their own two feet.

No other citizens addressed Council.

Ms. Cammick asked if any citizens wished to submit written comments regarding this ordinance; no citizen presented any written comments for the record.

Ms. Cammick closed the Public Hearing regarding **Ordinance 2017-18**.

Ordinance 2017-20 “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A REAL PROPERTY LEASE AGREEMENT BETWEEN OCONEE COUNTY AS LESSOR AND THE FOOTHILLS ALLIANCE AS LESSEE; AND OTHER MATTERS RELATED THERETO.”

Ms. Cammick opened the floor for Public Comment.

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.

Ms. Cammick asked if any citizens wished to submit written comments regarding this ordinance; no citizen presented any written comments for the record.

Ms. Cammick closed the Public Hearing regarding **Ordinance 2017-20**.

Ordinance 2017-21 “AN ORDINANCE GRANTING CERTAIN EASEMENT RIGHTS TO DUKE ENERGY CAROLINAS, LLC FOR THE PURPOSE OF LOCATING AND MAINTAINING ELECTRIC AND/OR COMMUNICATION FACILITIES ON COUNTY-OWNED PROPERTY; AND OTHER MATTERS RELATED THERETO.”

Ms. Cammick opened the floor for Public Comment.

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.

Ms. Cammick asked if any citizens wished to submit written comments regarding this ordinance; no citizen presented any written comments for the record.

Ms. Cammick closed the Public Hearing regarding **Ordinance 2017-21**.

Ordinance 2017-22 “AN ORDINANCE AMENDING ARTICLE III OF CHAPTER 26 OF THE OCONEE COUNTY CODE OF ORDINANCES IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, NAMELY AS TO THE ELIMINATION OF THE SCENIC HIGHWAY COMMITTEE AND THE SUBSTITUTION OF THE PLANNING COMMISSION TO CARRY OUT ALL DUTIES AND FUNCTIONS FORMERLY BELONGING TO THE SCENIC HIGHWAY COMMITTEE; AND OTHER MATTERS RELATED THERETO.”

Ms. Cammick opened the floor for Public Comment.

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.

Ms. Cammick asked if any citizens wished to submit written comments regarding this ordinance; no citizen presented any written comments for the record.

Ms. Cammick closed the Public Hearing regarding **Ordinance 2017-22**.

Ordinance 2017-23 “AUTHORIZING THE ISSUANCE AND SALE OF A NOT EXCEEDING \$530,000 GENERAL OBLIGATION REFUNDING BOND (KEOWEE FIRE TAX DISTRICT), SERIES 2017, OF OCONEE COUNTY, SOUTH CAROLINA FOR THE PURPOSE OF REFUNDING THE COUNTY'S GENERAL OBLIGATION BOND (KEOWEE FIRE TAX DISTRICT), SERIES 2007; FIXING THE FORM AND DETAILS OF THE BOND; PROVIDING FOR THE PAYMENT OF THE BOND; AUTHORIZING THE COUNTY ADMINISTRATOR TO DETERMINE CERTAIN MATTERS RELATING TO THE BOND; PROVIDING FOR THE DISPOSITION OF THE PROCEEDS OF THE BOND; AND OTHER MATTERS RELATING THERETO.”

Ms. Cammick opened the floor for Public Comment.

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.

Ms. Cammick asked if any citizens wished to submit written comments regarding this ordinance; no citizen presented any written comments for the record.

Ms. Cammick closed the Public Hearing regarding **Ordinance 2017-23**.

Ordinance 2017-24 “AN ORDINANCE AUTHORIZING THE TRANSFER OF COUNTY-OWNED REAL PROPERTY, LOCATED WITHIN THE GOLDEN CORNER COMMERCE PARK, COMPRISING APPROXIMATELY 22 ACRES, TO THE OCONEE ECONOMIC ALLIANCE FOR THE PURPOSE OF CONSTRUCTION OF A “SPECULATIVE BUILDING” FOR INDUSTRIAL OR BUSINESS USE IN ORDER TO PROMOTE INCREASED OPPORTUNITIES FOR ECONOMIC GROWTH AND DEVELOPMENT WITHIN THE COUNTY; AND OTHER MATTERS RELATED THERETO.”

Ms. Cammick opened the floor for Public Comment.

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.

Ms. Cammick asked if any citizens wished to submit written comments regarding this ordinance; no citizen presented any written comments for the record.

Ms. Cammick closed the Public Hearing regarding **Ordinance 2017-24**.

Third Reading of the Following Ordinances

Ordinance 2016-25 [Captioned above]

Mr. Davis made a motion, seconded by Mr. Hart, approved 5 – 0, to approve **Ordinance 2016-25** on third & final reading.

Ordinance 2017-18 [Captioned above]

Mr. Davis made a motion, seconded by Mr. Hart, to approve **Ordinance 2017-18** on third & final reading.

Mr. Cain thanked BorgWarner for their continued investment and job creations in Oconee County. He noted they could have chosen to go anywhere in this world and they choose Oconee County. Finally, he noted they are very grateful for their investment and look forward to continued success.

Mr. Davis thanked BorgWarner as well for their investments and noted it speaks volumes to the workforce they are able to have in Oconee County.

Regarding the previous motion made by Mr. Davis, seconded by Mr. Cain, it was approved 5 – 0, to approve **Ordinance 2017-18** on third & final reading.

Ordinance 2017-20 [Captioned above]

Mr. Davis made a motion, seconded by Mr. Hart, approved 5 – 0, to approve **Ordinance 2017-20** on third & final reading.

Ordinance 2017-21 [Captioned above]

Mr. Davis made a motion, seconded by Mr. Hart, approved 5 – 0, to approve **Ordinance 2017-21** on third & final reading.

Ordinance 2017-22 [Captioned above]

Mr. Davis made a motion, seconded by Mr. Hart, approved 5 – 0, to approve **Ordinance 2017-22** on third & final reading.

Ordinance 2017-23 [Captioned above]

Mr. Davis made a motion, seconded by Mr. Hart, approved 5 – 0, to approve **Ordinance 2017-23** on third & final reading.

Ordinance 2017-24 [Captioned above]

Mr. Hart made a motion, seconded by Mr. Davis, approved 5 – 0, to approve **Ordinance 2017-24** on third & final reading.

Discussion Regarding Action Items

Heritage Farm Center Turning Lane & Entrance Road / Roads & Bridges / \$242,139.70

Budget: \$242,139.70 Project Cost: \$242,139.70 Balance: \$ \$0.00

This bid is for construction services for a new turn lane and entrance road for the Heritage Farm Center located on US Hwy 123. The base bid is for all work within the limits of roadway construction, including clearing and grubbing, roadway construction, paving, erosion control, storm drainage and grassing.

It is the staff’s recommendation that Council [1] approve the award of bid ITB 17-01, Heritage Farm Center Turning Lane and Entrance Road to Thrift Development., of Seneca, SC in the amount of \$220,127.00 with a 10% contingency of \$22,012.70, for a total award of 242,139.70 and [2] authorize the County Administrator to approve any Change Orders within the contingency amount.

Mr. Davis made a motion, seconded by Mr. Hart, to approve [1] approve the award of bid ITB 17-01, Heritage Farm Center Turning Lane and Entrance Road to Thrift Development., of Seneca, SC in the amount of \$220,127.00 with a 10% contingency of \$22,012.70, for a total award of 242,139.70 and [2] authorize the County Administrator to approve any Change Orders within the contingency amount.

Discussion followed to include:

- Turning lane improvements to Hwy 123 coming from Westminster and coming from Seneca
- Intersection and entrance into the property
- Create parking, other internal roads, gravel, etc will be additional cost later
- C Funds and not being paid for by the County
- Turning lane will accommodate tractor trailer prior to turning
- \$30,000 to be added to the contingency amount and not to the contract for a total award of \$272,139.70

Regarding the previous motion made by Mr. Davis, seconded by Mr. Hart, it was approved for [1] approve the award of bid ITB 17-01, Heritage Farm Center Turning Lane and Entrance Road to Thrift Development., of Seneca, SC in the amount of \$220,127.00 with a 10% contingency of \$22,012.70, **amended to add \$30,000 to the contingency for a total award of \$272,139.70** and [2] authorize the County Administrator to approve any Change Orders within the contingency amount.

(8) 2018 Chevy Tahoes & (3) 2018 Silverado Trucks / Sheriff's Office / \$356,246.00

Budget: \$400,000.00 / Project Cost: \$ 266,192.00 (8-Chevy Tahoes) / Balance: \$43,754.00

(For All Vehicles) \$ 90,054.00 (3-Silverado Trucks)
\$ 356,246.00

It is the staff's recommendation that Council approve purchase of eight (8) 2018 Chevrolet Tahoes and three (3) 2018 Chevy Silverado trucks to Love Chevrolet of Columbia, SC, in the amount of \$356,246.00, per State Contract.

Mr. Davis made a motion, seconded by Mr. Hart, to approve the purchase of eight (8) 2018 Chevrolet Tahoes and three (3) 2018 Chevy Silverado trucks to Love Chevrolet of Columbia, SC, in the amount of \$356,246.00, per State Contract.

Discussion followed to include:

- Vehicles are purchased on the lot
- Decals, lights & sirens, etc. are done locally
- State contract is lower than any rebate

Regarding the previous motion made by Mr. Davis, seconded by Mr. Hart, it was approved to purchase eight (8) 2018 Chevrolet Tahoes and three (3) 2018 Chevy Silverado trucks from Love Chevrolet of Columbia, SC, in the amount of \$356,246.00, per State Contract.

Engineering Services for Groundwater Sampling & Reporting / Solid Waste /

\$55,357.00

Professional – Remaining Budget: \$193,284
Project: 25,310
Balance: \$167,974

Testing Wells – Remaining Budget: \$ 46,264
Project: 30,047
Balance: \$16,217

At the January 17, 2017 Council meeting, Council approved the award of RFP 16-09 to Smith Gardner, Inc., for Engineering Services for Solid Waste. The Solid Waste department wishes to contract with Smith Gardner to provide engineering services for groundwater monitoring at the Seneca and Five Forks landfills and the required analysis and submission of reports to SCDHEC. Smith Gardner has been providing these same services for over five years, but in the past the total amount has been less than \$50,000 and has not required Council approval. The increase is due to additional wells that need to be tested due to landfill remediation required by SCDHEC.

It is the staff's recommendation that Council approve the total award of \$55,357.00 to Smith Gardner, Inc., of Raleigh, NC for engineering services for groundwater monitoring and reporting.

Mr. Davis made a motion, seconded by Mr. Hart, approved 5 – 0, to approve the total award of \$55,357.00 to Smith Gardner, Inc., of Raleigh, NC for engineering services for groundwater monitoring and reporting.

Local ATAX Grants / Fall 2017 Cycle / \$74,910

Beginning Local ATAX balance	\$221,365
If all grants/projects approved/new balance will be:	\$146,455

A portion of Local ATAX revenues received by Oconee County are made available for ATAX grants through Ordinance 2011-12. ATAX grants are to be tourism related grants that meet the ATAX guidelines specified by local and State mandates. Grants are recommended by the PRT Commission based on tourism impact of the project and approved by County Council. **Normally, the PRT Commission recommends up to \$40,000 each cycle for external grants. This cycle included two emergency requests and the PRT Commission request using an additional \$10,000 this cycle only.**

It is the Staff's recommendation of Approval of ATAX grant recommendations per the attached spreadsheet.

Mr. Davis made a motion, seconded by Mr. Cain, approved 5 – 0, to approve the ATAX grant recommendations in the amount of \$74,910, per the attached spreadsheet.

Approval of forms of proposed subleases between (1) the Fair-Oak Youth Center, Inc. and the Upstate Children's Center of Oakway, Inc. and (2) the Fair-Oak Youth Center, Inc. and the Oconee Conservatory of Fine Arts (Upstate Heritage Quilt Trail) in relation to the former Oakway Intermediate School now owned by Oconee County and leased to the Fair-Oak Youth Center, Inc."

Mr. Davis made a motion, seconded by Mr. Hart, to approve the proposed subleases between (1) the Fair-Oak Youth Center, Inc. and the Upstate Children's Center of Oakway, Inc. and (2) the Fair-Oak Youth Center, Inc. and the Oconee Conservatory of Fine Arts (Upstate Heritage Quilt Trail) in relation to the former Oakway Intermediate School now owned by Oconee County and leased to the Fair-Oak Youth Center, Inc.

Per Mr. McCall's question regarding the Upstate Children's Center request for improvements to their

building, Mr. Moulder noted the request was denied, therefore, they will make the improvement themselves.

Regarding the previous motion made by Mr. Davis, seconded by Mr. Hart, it was approved 5 – 0, to approve the proposed subleases between (1) the Fair-Oak Youth Center, Inc. and the Upstate Children’s Center of Oakway, Inc. and (2) the Fair-Oak Youth Center, Inc. and the Oconee Conservatory of Fine Arts (Upstate Heritage Quilt Trail) in relation to the former Oakway Intermediate School now owned by Oconee County and leased to the Fair-Oak Youth Center, Inc.

Approval of Millage for Keowee Fire Special Purpose District

Mr. Cain made a motion, seconded by Davis, approved 5 – 0, to approve the Keowee Fire Special District to 14.5 mills.

Approval of letter of support for the Appalachian Council of Governments regarding the Appalachian Region Comprehensive Economic Development Strategy 2018-2022 document

Mr. Cain made a motion, seconded by Mr. Hart, to approve the Appalachian Council of Governments regarding the Appalachian Region Comprehensive Economic Development Strategy 2018-2022 document.

Mr. Cain noted this was an awesome document and encouraged citizens to look over it and commended Ms. Cammick on her work with ACOG.

Regarding the previous motion made by Mr. Cain, seconded by Mr. Hart, it was approved 5 – 0, to approve the Appalachian Council of Governments letter of support regarding the Appalachian Region Comprehensive Economic Development Strategy 2018-2022 document.

Board & Commission Appointments

Building Codes Appeal Board

No nominations were made.

Conservation Bank Board

No nominations were made.

Board of Zoning Appeals

No nominations were made.

Agricultural Advisory Board

No nominations were made.

Recreation Review Task Force

Mr. Davis read the Recreation Review Task Force member listing [copy filed with these minutes] outlining the members from Westminster, Walhalla, Seneca, Fair Play/Oakway, Salem & West Union areas and the Oconee County Sheriff’s Office and Park, Recreation & Tourism departments. He noted

the ones that are listed are an elected body area or they participate in recreation currently. Further, he noted the goal was to come up with a comprehensive recreation plan in Oconee County. This group does not require a quorum to meet.

Mr. Cain made a motion, seconded by Mr. Hart, approved 5 – 0, to approve the slate of nominations as presented for the Recreation Review Task Force.

Old / Unfinished Business

None at this meeting.

New Business

Mr. McCall noted at the previous Council meeting [09-05-2017], it was brought up about the logs, brush, and debris going into the city landfill and some cities were not willing to sort out these items. He noted that an ordinance needed to be passed or have rules that they have to sort the items. Mr. Moulder noted they try to discourage it as much as possible by putting up signage but if someone refused to obey, they couldn't be legally stopped. He further noted they are still reviewing the final draft of the solid waste ordinance. Mr. McCall also noted that Mr. Swain Still and his crew are doing a great job. Mr. Root noted he is rewriting the Solid Waste ordinance and the litter control ordinance and will hopefully have it ready to be reviewed at the Law Enforcement, Public Safety, Health & Welfare Committee meeting in the near future.

Council Committee Reports:

None at this meeting.

Executive Session:

Mr. Davis made a motion, seconded by Mr. Hart, 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] discussion regarding an Economic Development matter, Project Bremen.

[2] discussion regarding an Economic Development matter, Project Komfort.

[3] to receive legal advice regarding multi-county industrial park revenue allocation.

Council entered Executive Session at 6:52 p.m.

Council returned from Executive Session at 7:39 p.m. on a motion made by Mr. Cain, seconded by Mr. Hart, approved 5 – 0.

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

Adjourn

Mr. Cain made a motion, approved unanimously 5 – 0, to adjourn at 7:40 p.m. .

Respectfully Submitted:

Katie D. Smith
Clerk to Council