



MINUTES

OCONEE COUNTY COUNCIL

Regular Meeting

June 19, 2018

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, Interim County Administrator Rick Martin, 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.oconeesc.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: Caitlin Herrington / Daily Journal & Dick Mangrum / WGOG.

Call to Order:

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

Public Comment Session

Ms. Jean Jennings addressed Council regarding the election and the local newspaper.

Mr. John Dalen addressed Council regarding an update about smart meters and noted Blue Ridge Electric Cooperative installed one on his property.

Ms. Sherri Bailey addressed Council regarding the need for Council to approve an Ordinance or a policy in regards to the treatment of animals. She noted in the extreme months, these animals are not being protected and they cannot protect themselves.

Mr. Mike Smith, BZA Ad-Hoc Committee member, addressed Council utilizing a PowerPoint presentation [copy filed with these minutes] in support of the revisions of Ordinance 2018-18, Ordinance 2018-20, and Ordinance 2018-21.

Mr. Al Shuler addressed Council regarding the budget, investigate putting up balloons for communications, and the retirement program.

Mr. Bo Horne, Fire Commission, addressed Council utilizing a handout [copy filed with these minutes]

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regarding the fire commission truck schedule. He thanked Council for the additional staff and fire trucks that were in the budget.

County Council Response to Public Comment

Mr. McCall noted he has been getting all sorts of phone calls starting the day after the election. He noted he asked them if they voted and they would answer no. He further noted there are over 10,000 people in that district and only a little over 3,000 voted.

Ms. Cammick addressed the Capital Vehicle Replacement Plan presentation that was given during the Budget, Finance, & Administration Committee on June 11, 2018. She noted she reviewed how many police pursuit vehicles [PPV] the Sheriff's Office and has noted the following: 13 vehicles are 2017 models, 16 are 2016 models, 7 are 2015 models, and 12 are 2014 models, for a total of 48 vehicles that are less than 4 years old with low mileage.

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

Mr. Berry Nichols noted his name was not called for the Public Comment session. Ms. Cammick noted he signed up under Public Hearing for Ordinance 2018-01. Mr. Root noted it would be up to Ms. Cammick if she would like to give Mr. Nichols an opportunity for open public comment and Ms. Cammick noted she would.

Public Comment Session [continued]

Mr. Berry Nichols addressed Council regarding the budget, road fees, senior citizens fees, School Resource Officers [SRO] and their vehicles, County Council election, and the history of Oconee County.

Approval of Minutes:

Mr. Davis made a motion, seconded by Mr. Hart, approved 5 – 0, to approve the June 5, 2018 Regular meeting minutes as presented.

Administrator's Report & Agenda Summary

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

- Presentation to Council
- Public Hearing of Ordinance: 2018-01, 2018-02, 2018-03
- Third Reading of Ordinance: 2018-01, 2018-02, 2018-03
- Second Reading of Ordinance: 2018-13, 2018-15, 2018-16, 2018-17
- First Reading of Ordinance: 2018-18, 2018-19, 2018-20, 2018-21, 2018-22, 2018-23
- Discussion Regarding Action Items

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- Unfinished Business
- Council Committee Reports
- First Reading of Ordinance: 2018-24 [following Executive Session]
- Discussion Regarding Action Items [following Executive Session]

Presentation to Council

Mr. John Lummus, Upstate SC Alliance CEO, addressed Council utilizing a PowerPoint presentation entitled “Upstate SC Alliance: Business Moves Here” highlighting the following:

- Trend #1: A Change in the Size of Projects
 - Major projects are down 50% over the last 10 years
 - Middle Market Firms=New Job Growth
 - 86% of jobs from 1995 to 2013 were created by firms already here
- Trend #2: A Growing Demand for Innovation
 - Jobs for \$1million output
 - External sources and services are more important
 - New Opportunities develop innovation clusters
- Trend #3: Our Expanding Role in the World Market
 - Upstate share of foreign jobs is twice the national average
 - World’s middle class is growing: 80% growth outside U.S.; 2/3 of Global middle class in Asia
 - New Opportunities engage with the global market
 - Marketing ourselves as a region is key
- Trends=Opportunities

Mr. Davis thanked Mr. Lummus and for what Upstate SC Alliance has done. He further noted it is a great partnership and continues to recruit industry for jobs and continues to help us with talent for people to stay here.

Mr. Cain noted he has had the opportunity to work with Mr. Lummus and his team and Mr. Richard Blackwell, Oconee Economic Alliance [OEA], for several years and this is the one of the best regional economic marketing organizations in the country and recognized across the State as a leader. He further noted they do an incredible job bringing opportunities to the Upstate from all over the world. He further thanked Mr. Lummus for his leadership and looking forward to working with him in the future.

Ms. Cammick noted that we are trying to alleviate our own workforce shortages here and will be opening a Tri-County Tech campus in Oconee County soon, which will be an industrial campus that will help our industries get the workforce they need. Ms. Cammick noted she was curious as to what other areas are doing as well. Mr. Lummus noted throughout the region, State, and country, everyone is talking about workforce. He further noted that Oconee County’s partnership between the School District and the Technical College in the County is really one of the best. He further noted that Oconee County has been on the forefront of workforce development.

Mr. Cain asked Mr. Lummus to briefly speak about the Tiger River Campus in Spartanburg and Anderson County with their soft landing projects. Mr. Lummus noted a building was donated to the Spartanburg Community College that was about 300,000 square feet by a manufacturer that was leaving and they have set

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up a program to help incubate manufacturers and also to work with manufacturers that have now announced coming into the County. Techtronic Industries [TTI] in Anderson will be a similar program, which is important. The Oconee incubator facility in Walhalla has had 10 or 11 companies and has a program that has really worked.

Public Hearings for the Following Ordinances

Ordinance 2018-01 “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 FUND, FOR THE BRIDGE AND CULVERT CAPITAL PROJECT FUND, FOR THE DEBT SERVICE FUND, AND FOR THE ECONOMIC DEVELOPMENT CAPITAL PROJECT FUND, ALL IN OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2018 AND ENDING JUNE 30, 2019.”

Ms. Cammick opened the floor for Public Comment.

Ms. Jean Jennings addressed Council regarding a way to save money and asked several questions. She noted the following:

- Didn't understand why the motor pool went to Seneca
- Why the County dump trucks house down on Wells Hwy in Seneca?
- The County could save about \$300,000 by buying a building in Westminster for the Magistrate Office
- Why would SRO's need to drive a County vehicle?
- County needs to sell land they are not using; have several parcels near Five Forks and at the Rock Quarry and at the hay field and across from the County offices
- How many vehicles are owned by the County? How many is being driven during working hours? How many is being driven home by County employees? How many is being driven unnecessarily?
- Probate judge driving a vehicle home at night; if there is a problem in his department, DHEC or social services would take care of that problem
- Sale of County vehicles and equipment and furniture; needs to be a County auction once or twice a year
- How long does a County employee have to work to be put in the retirement system? What percentage of insurance does the County employee pay and what percent does the County pay?
- How many firemen are employed with the Westminster Fire Department? Who pays the utilities: City or County?

Mr. Tom Markovich addressed Council regarding a Code Enforcement Officer. He noted it is very important to have a Code Enforcement Officer and there are a lot of things that need to be addressed in the County. He further noted the term “Code Enforcement Officer” is used loosely and noted there are many codes and are not all are created equal. He noted what we are specifically speaking of is the Property Maintenance Code because this is the mechanism that will allow you to work on some of these properties that are not necessarily up to the standards that they need to be. Finally, he noted if a Code Enforcement Officer is going to be hired, they should be certified and have experience in the International Property Code.

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Mr. Al Shuler addressed Council noting the most valuable resource we have is the Continental Divide. He noted people do not realize that the water that goes across the Falls in New York City originates here in Oconee County. Westminster is having a hard time with their water situation and noted he gave them a Freedom of Information Act [FOIA] request to find out how much they are charging people who live outside the City. He further noted we need to be drilling wells and building water plants and selling water.

Noting that no other 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 2018-01**.

Ordinance 2018-02 “AN ORDINANCE TO ESTABLISH THE BUDGET FOR THE SCHOOL DISTRICT OF OCONEE COUNTY (the “School District”) AND TO PROVIDE FOR THE LEVY OF TAXES FOR THE OPERATIONS OF THE SCHOOL DISTRICT OF OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2018 AND ENDING JUNE 30, 2019.”

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 2018-02**.

Ordinance 2018-03 “AN ORDINANCE TO PROVIDE FOR THE LEVY OF TAXES FOR THE KEOWEE FIRE SPECIAL TAX DISTRICT AND TO ESTABLISH THE BUDGET FOR THE KEOWEE FIRE SPECIAL TAX DISTRICT FOR THE FISCAL YEAR BEGINNING JULY 1, 2018 AND ENDING JUNE 30, 2019.”

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 2018-03**.

Third Reading of the Following Ordinances

Ordinance 2018-01 “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 FUND, FOR THE BRIDGE AND CULVERT CAPITAL PROJECT FUND, FOR THE DEBT SERVICE FUND, AND FOR THE ECONOMIC DEVELOPMENT CAPITAL PROJECT FUND, ALL IN OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2018 AND ENDING JUNE 30, 2019.”

Mr. Davis made a motion, seconded by Mr. Cain, to approve **Ordinance 2018-01** on third & final reading.

Ms. Cammick noted there was a budget amendment [copy filed with these minutes] for consideration given the fact with Bo Horne had requested an extra fire truck. She also noted there were other items for consideration as well.

Lengthy discussion continued to include:

- From available funds: support pay increases for County employees & fire personnel and add \$310,000 for Roads & Bridges equipment into the available funds section
- From added millage: Sheriff’s personnel, 7 SRO’s, additional fire truck, High Falls upgrades, and Deputy Coroner
- Budgeting \$350,000 for fire trucks when in fact it is \$340,000
- From added Millage to Debt Service: the Magistrate
- Potential site for new Magistrate office in Westminster; spoke to realtor and asking approximately \$235,000
- Projects total \$1.73 million
- Adverting expenses; recommend to reduce the Admin budget to \$40,000 and give \$20,000 to Animal Control for a concrete barrier behind kennels and \$5,000 to “Know Your Numbers”
- Adopted on a 1st and 2nd reading budgets that have included these items and as opposed to modifying them in total
- New expenditure would be \$310,000 for Roads & Bridges equipment
- One fire truck at \$350,000 and another one would be \$330,000 bringing the total to \$684,000 for two fire trucks
- On 2nd reading, fire truck was approved at \$350,000
- Approval would need to be \$330,000 for additional fire truck
- High Falls approved on 2nd reading
- Deputy Coroner would be a reduction as it was approved at \$43,000 with an asterisk noting it was going to be reduced by \$35,000 if the State came through consistent with funding
- Additions of \$640,000 and a debit of \$35,000 for a total of \$605,000, which would be an estimated millage increase of 1.12
- Capital Vehicle and Equipment Replacement Plan coming out of Budget, Finance, & Committee
- \$310,000 for Roads & Bridges Equipment is the Vehicle Replacement and Equipment plan
- Total millage increase would be 3.2
- 1st reading millage was .7 for Deputy Coroner and Sheriff’s positions

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- 2nd reading increased an additional 1.17 for a fire truck and High Falls ADA upgrades plus .21 mills for bond service on the magistrate building, for a total of 2.08 mills
- Adding additional 1.12 mills for Roads & Bridges Equipment and additional fire truck, for the total estimated millage increase of 3.22
- Council cannot approve millage increase that goes to the hundredths; round up to approximately 3.3 millage increase
- Increase of approximately \$12.80 per \$100,000 assessed value on a home unless you have homestead exemption; the first \$50,000 would not be counted in that figure; eligibility consists of 65 or older or disabled

Mr. McCall made a motion, seconded by Mr. Hart, to add \$310,000 for Roads & Bridges Equipment, add \$330,000 for an additional fire truck, and reduce Coroner's line item for an additional position by \$35,000 with the understanding the money is coming from the State.

Continued discussion to include:

- Administrator decides which piece of equipment to purchase
- Leaving out remaining \$300,000 for pay increases for next year
- 3.61 millage increase if pay increases were fully funded
- Vehicle replacement plan
- Next year, fully fund vehicle replacement plan
- Economic Development and Fee in Lieu of Taxes [FILOT] and other industries paying taxes
- Behind going into next year due to the pay increases
- Millage cap increase
- Fund project in its entirety
- Pay increases are implemented on a rolling basis based on date of hire
- Tax increase next year due to pay increases and any vehicles not funded

Mr. McCall restated motion, seconded by Mr. Hart, approved 4 – 1 [Mr. Davis opposed].

Discussion continued to include:

- Budget amended to approximately 3.224 mil increase
- Employee raises of approximately \$300,000 in next year's budget
- Millage increase next year
- Industry
- As the County grows, so does our cost
- Reassessment
- Increase in revenue
- Concerns about Capital Vehicle Replacement plan
- Shortfall in the Capital Equipment this year
- Delinquent Tax collection process

Mr. Davis made a motion, seconded by Mr. Cain, to amend the budget to include \$60,000 for a Code Enforcement Officer and \$187,000 for the Capital Vehicle Replacement Plan for a total of \$247,000 for a total of 3.7 millage.

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Discussion continued to include:

- Discussion with a possibility of a candidate for a Code Enforcement Officer
- Split between Code Enforcement and Building Codes
- Job open at this time in this year's budget

Regarding the previous motion made by Mr. Davis, seconded by Mr. Cain, the motion **failed** 2-3 [Ms. Cammick, Mr. Hart, & Mr. McCall opposed] to amend the budget to include \$60,000 for a Code Enforcement Officer and \$187,000 for the Capital Vehicle Replacement Plan for a total of \$247,000 for a total of 3.7 millage.

Mr. Root noted if there were no further monetary motions, there were other items that were asked to be changed and amended.

Mr. Davis made a motion, seconded by Mr. Cain, approved 5 – 0, to amend Ordinance 2018-01 to incorporate new language in Budget Provisos, Section 11 regarding the default allocation from multi-county industrial park avenue.

Mr. Davis made a motion, seconded by Mr. Cain, approved 5 – 0, to amend the fee schedule to increase the Appeals, Variances, and Special Exception Application fee to \$200 within the Community Development Department.

Mr. Davis made a motion, seconded by Mr. Cain, to amend the fee schedule to increase the Tire Disposal fees to \$150.00 per ton within the Solid Waste Department.

Discussion continued to include:

- Fee is for waste tires, not new tires
- Currently charging \$2.00 disposal fee when you buy regular car tires
- Citizens who dispose of tires can show a return that they paid the \$2.00 disposal fee and the fee would be waived

Regarding the previous motion made by Mr. Davis, seconded by Mr. Cain, it was approved 5 – 0, to amend the fee schedule to increase the Tire Disposal fees to \$150.00 per ton within the Solid Waste Department.

Mr. Davis made a motion, seconded by Mr. Cain, approved 5 – 0, to direct the Administrator to send letter to SCDOT regarding the matching grant with Seneca for the low or no emissions Clemson Area Transit [CATbus] within the assigned funds for the Transportation Fund Balance of \$300,000.

Mr. Cain made a motion, seconded by Mr. Davis, approved 5 – 0, to add an additional park ranger position at Chau Ram County Park as budget neutral.

Mr. Davis made a motion, seconded by Mr. Hart, approved 5 – 0, to approve **Ordinance 2018-01** as amended on third & final reading.

Ordinance 2018-02 “AN ORDINANCE TO ESTABLISH THE BUDGET FOR THE SCHOOL

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DISTRICT OF OCONEE COUNTY (the “School District”) AND TO PROVIDE FOR THE LEVY OF TAXES FOR THE OPERATIONS OF THE SCHOOL DISTRICT OF OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2018 AND ENDING JUNE 30, 2019.”

Mr. Davis made a motion, seconded by Mr. Cain, approved 5 – 0, to approve **Ordinance 2018-02** on third & final reading.

Ordinance 2018-03 “AN ORDINANCE TO PROVIDE FOR THE LEVY OF TAXES FOR THE KEOWEE FIRE SPECIAL TAX DISTRICT AND TO ESTABLISH THE BUDGET FOR THE KEOWEE FIRE SPECIAL TAX DISTRICT FOR THE FISCAL YEAR BEGINNING JULY 1, 2018 AND ENDING JUNE 30, 2019.”

Mr. Cain made a motion, seconded by Mr. Davis, approved 5 – 0, to approve **Ordinance 2018-03** on third & final reading.

Second Reading of the Following Ordinances

Ordinance 2018-13 “AN ORDINANCE AMENDING CHAPTER 32 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING SIGN CONTROL; AND OTHER MATTERS RELATED THERETO.”

Mr. Davis made a motion, seconded by Mr. Cain, approved 5 – 0, to approve **Ordinance 2018-13** on second reading.

Ordinance 2018-15 “AN ORDINANCE AMENDING ARTICLE X OF CHAPTER 38 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING ADDING A SECTION NUMBER TO IDENTIFY THE ZONING MATRIX; AND OTHER MATTERS RELATED THERETO.”

Mr. Davis made a motion, seconded by Mr. Cain, approved 5 – 0, to approve **Ordinance 2018-15** on second reading.

Ordinance 2018-16 “AN ORDINANCE REWRITING, REVISING, AND AMENDING CHAPTER 28 OF THE OCONEE COUNTY CODE OF ORDINANCES, REGARDING SOLID WASTE MANAGEMENT; AND OTHER MATTERS RELATED THERETO.”

Mr. Davis made a motion, seconded by Mr. Cain, to approve **Ordinance 2018-16** on second reading.

Mr. Root noted Mr. Swain Still, Solid Waste & Recycling Director, wanted to amend the ordinance to add language.

Discussion continued to include:

- Within section 7, subpart B for the Construction & Demolition [C&D] Landfill, subsection 5 & 6, language added “All vehicles must weigh in for processing of Solid Waste fees; existing but in a new position”
- First amendment to the ordinance is “Any loads mixed with large amounts of recyclables such as brush, wood waste, asphalt, brick, etc. may be disposed of in landfill but must be separated. If they

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are attached in other ways they may be disposed of at the landfill. If disposed at the landfill, they will incur a double tipping fee.” and “Fees will be waived for any ways processed as a clean recyclable.”

Mr. Davis made a motion, seconded by Mr. Cain, to amend **Ordinance 2018-16** with added language to [1] under Section 7, subpart B subsection 5 & 6 and [2] subsection 3 as stated by the County Attorney.

Discussion continued to include:

- Possibility of grinding bricks and mortar items and selling instead of dumping in landfill?
- At this time, using around the landfill
- Road Department also has access
- Is there a way to incentivize the recycling of the material were it is separated out from our builders to help them with their cost?
- Do not charge if it is clean and can be used.
- Within subsection 3 language added to include “Mixed loads that can be properly processed through the transfer station will incur double the proof tipping fee due to either containing large amounts of recyclables that are not being recycled or containing construction and demolition debris that could otherwise be disposed in the C&D Landfill.”

Regarding the previous motion made by Mr. Davis, seconded by Mr. Cain, it was approved 5 – 0, to amend **Ordinance 2018-16** with added language to [1] under Section 7, subpart B subsection 5 & 6 and [2] subsection 3 as stated by the County Attorney.

Mr. Davis made a motion, seconded by Mr. McCall, approved 5 – 0, to approve **Ordinance 2018-16** as amended.

Ordinance 2018-17 “AN ORDINANCE REWRITING, REVISING, AND AMENDING ARTICLE IV OF CHAPTER 12 OF THE OCONEE COUNTY CODE OF ORDINANCES, REGARDING LITTER CONTROL; AND OTHER MATTERS RELATED THERETO.”

Mr. Davis made a motion, seconded by Mr. Cain, to approve **Ordinance 2018-17** on second reading.

Mr. Root noted there were amendments to **Ordinance 2018-17**.

Discussion continued to include:

- Within Section 7, sub item 1b, there is a Scribner’s error; should read 7.2 instead of 8.2

Mr. Cain made a motion, seconded by Mr. Davis, approved 5 – 0, to amend **Ordinance 2018-17** with corrected language to Section 7, subsection 1b as stated by the County Attorney.

Ms. Cammick called for the vote. The motion passed 5 – 0 to approve **Ordinance 2018-17** as amended.

Break

Mr. Davis made a motion, seconded by Mr. Cain, approved 4 – 0 [Mr. Hart stepped out of the room] for Council to break at 8:14 p.m.

Mr. Davis made a motion, seconded by Mr. Cain, approved 5 – 0, to reconvene at 8:21 p.m.

First Reading of the Following Ordinances

Ordinance 2018-18 “AN ORDINANCE AMENDING CHAPTER 38 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING THE BOARD OF ZONING APPEALS, SPECIFICALLY IN RELATION TO NOTIFICATION OF THE HEARINGS AND ACTIONS THEREOF; AND OTHER MATTERS RELATED THERETO.”

Mr. Davis made a motion, seconded by Mr. Cain, approved 5 – 0, to approve **Ordinance 2018-18** on first reading.

Ordinance 2018-19 “AN ORDINANCE AMENDING CHAPTER 38 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING GENERAL PROVISIONS; AND OTHER MATTERS RELATED THERETO.”

Mr. Davis made a motion, seconded by Mr. Hart, approved 5 – 0, to approve **Ordinance 2018-19** on first reading.

Ordinance 2018-20 “AN ORDINANCE AMENDING CHAPTER 32 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING BALLOON TESTING AND VIEWSHED ANALYSIS OF COMMUNICATION TOWERS; AND OTHER MATTERS RELATED THERETO.”

Mr. Davis made a motion, seconded by Mr. Cain, to approve **Ordinance 2018-20** on first reading.

Discussion continued to include:

- Planning Commission
- During orientation, State indicated we have no right to regulate the federal tower
- Control communications tower
- Cell phone towers
- Balloon testing is to show a view site analysis; it is not the tower itself
- Board of Zoning Appeals
- Working toward communication with citizens
- Not a new communication tower ordinance
- Had a consultant in to make sure that we complied with all federal and state law

Regarding the motion made by Mr. Davis, seconded by Mr. Cain, it was approved 5 – 0, to approve **Ordinance 2018-20** on first reading.

Ordinance 2018-21 “AN ORDINANCE AMENDING CHAPTER 32 OF THE OCONEE

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COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING COMMUNICATION TOWER APPLICATIONS WHICH MAY BE ADMINISTRATIVELY APPROVED BY THE COMMUNITY DEVELOPMENT DIRECTOR; AND OTHER MATTERS RELATED THERETO.”

Mr. Davis made a motion, seconded by Mr. Cain, approved 5 – 0, to approve **Ordinance 2018-21** on first reading.

Ordinance 2018-22 “AN ORDINANCE AMENDING CHAPTER 38 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING LAKE RESIDENTIAL DISTRICT SETBACKS; AND OTHER MATTERS RELATED THERETO.”

Mr. Davis made a motion, seconded by Mr. Cain, approved 5 – 0, to approve **Ordinance 2018-22** on first reading.

Ordinance 2018-23 “AN ORDINANCE ESTABLISHING THE FUND BALANCE POLICY FOR OCONEE COUNTY; AND OTHER MATTERS RELATED THERETO.”

Mr. Davis made a motion, seconded by Mr. Cain, approved 5 – 0, to approve **Ordinance 2018-23** on first reading.

First & Final Reading for the Following Resolutions

None at this meeting.

Discussion Regarding Action Items

Financial Auditing Services / Department: Finance / Amount: \$49,900.00

Budget: \$55,000 / Project Cost: \$49,900 / Balance: \$5,100

This Request for Proposal was issued to select a firm of Independent Certified Public Accountants to provide auditing and consulting services to Oconee County beginning with the audit of the 2017-2018 fiscal year. Under South Carolina law, Oconee County must provide for an independent annual audit of all financial records and transactions of the County to be made by a Certified Public Accountant (or firm of such accountants) which has no personal interest, direct or indirect, in the fiscal affairs of the County or its officers.

It is the staff’s recommendation that Council [1] approve the award of RFP 17-11, Financial Auditing Services, to Mauldin & Jenkins, LLC, of Columbia, SC, for the annual amount of \$49,900.00 and [2] authorize the County Administrator to renew this contract for an additional four years, as long as the amount does not exceed the amount budgeted for this service.

Mr. Davis made a motion, seconded by Mr. Hart, to [1] approve the award of RFP 17-11, Financial Auditing Services, to Mauldin & Jenkins, LLC, of Columbia, SC, for the annual amount of \$49,900.00 and [2] authorize the County Administrator to renew this contract for an additional four years, as long as the amount does not exceed the amount budgeted for this service.

Discussion continued to include:

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- Budget is \$55,000 but amount to be approved is \$49,900
- Is there a contingency that is needed?
- All five years are the same price

Regarding the previous motion made by Mr. Davis, seconded by Mr. Hart, it was approved 5 – 0, to [1] approve the award of RFP 17-11, Financial Auditing Services, to Mauldin & Jenkins, LLC, of Columbia, SC, for the annual amount of \$49,900.00 and [2] authorize the County Administrator to renew this contract for an additional four years, as long as the amount does not exceed the amount budgeted for this service.

Drilling Services for Seneca Landfill Groundwater Remediation Pilot Study / Solid Waste / \$43,246.00

Assigned Solid Waste Reserve Balance: \$1,061,188 / **Change Order Amount:** \$43,246 / **Ending Solid Waste Reserve Balance:** \$ 1,017,942

On November 21, 2017, Council approved the award of ITB 17-03 to M&W Drilling of Knoxville, TN. The original estimated bid amount was \$86,975.00 for drilling services needed to complete the groundwater remediation pilot study for the Seneca Landfill as approved by DHEC. The bid included drilling services for the installation of three soil borings, multiple injection wells (so the Regenesis product, PlumeStop, could be injected into the groundwater), injection borings and one permanent groundwater monitoring well. Work is nearing completion, but the drilling budget has been exceeded due to additional injection wells needed after Design Verification testing was completed. These additional injection points were needed to adequately apply the injection materials (PlumeStop). Therefore a Change Order of \$43,246.00 is needed, bringing the new PO contract amount to \$130,221.00.

It is the staff’s recommendation that Council approve Change Order No. 1 to M&W Drilling Services, of Knoxville, TN, in the amount of \$43,246.00.

Mr. Davis made a motion, seconded by Mr. Cain, to approve the Change Order No. 1 to M&W Drilling Services, of Knoxville, TN, in the amount of \$43,246.00.

Discussion continued to include:

- Why has the price gone up again?
- During the process, they realized they need to add approximately 7 holes for wells they need to drill
- Solid Waste reserve fund

Regarding the previous motion made by Mr. Davis, seconded by Mr. Cain, it was approved 5 – 0, to approve the Change Order No. 1 to M&W Drilling Services, of Knoxville, TN, in the amount of \$43,246.00.

Hauling & Disposal of Solid Waste / Solid Waste / Estimated \$1,264,380.00
Budget: \$1,290,000.00 / **Project Cost:** \$1,264,380.00 / **Balance:** \$25,620.00

The award of ITB 97-35 for the hauling and disposal of waste from the transfer station to the R & B Landfill in Homer, GA, was first approved by Council in July of 1998. A new contract was signed July 1, 2003 that extended the contract for a total of 20 years. This assured the County that the landfill would accommodate all the County’s MSW waste for the next 20 years. It called for a five year contract with three five-year renewals. The first renewal was in 2008, the second renewal was in 2013, and the third and final renewal

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will be from 2018-2023. The renewal of this contract guarantees the County adequate space to dispose of solid waste until 2023. Price increases in the rate per ton are only allowed at yearly increments and cannot exceed the Consumer Price Index as stated in the original bid. Waste is hauled and disposed of in the R & B Landfill in Homer, GA. The actual transport time to this landfill is actually less than the driving time to the next closest landfill in Anderson County, SC. The Solid Waste Department estimates that the County disposes of approximately 39,000 tons of waste a year. At the current rate of \$32.42 per ton, this would be an annual amount of \$1,264,380.00.

It is the staff's recommendation that Council to [1] approve the third and final five year renewal of ITB 97-35 for the Hauling and Disposal of Waste to Waste Management, Inc. of Homer, GA. The amount of this contract is estimated, but will not exceed the amount budgeted for each fiscal year. [2] Staff also recommends that Council authorize the County Administrator to renew this contract for the next four years.

Mr. Davis made a motion, seconded by Mr. Cain, to [1] approve the third and final five year renewal of ITB 97-35 for the Hauling and Disposal of Waste to Waste Management, Inc. of Homer, GA. The amount of this contract is estimated, but will not exceed the amount budgeted for each fiscal year. [2] Staff also recommends that Council authorize the County Administrator to renew this contract for the next four years.

Discussion continued to include:

- If we didn't haul as much, we would not have to pay as much
- Contract
- Tonnage that we ship
- Recycling plan
- Other areas were interested in purchasing our trash

Regarding the previous motion made by Mr. Davis, seconded by Mr. Cain, it was approved 5 – 0, to [1] approve the third and final five year renewal of ITB 97-35 for the Hauling and Disposal of Waste to Waste Management, Inc. of Homer, GA. The amount of this contract is estimated, but will not exceed the amount budgeted for each fiscal year. [2] Staff also recommends that Council authorize the County Administrator to renew this contract for the next four years.

Mobile Mine Duty Crushing Plant / Oconee County Quarry / \$5,802,281.00
Budget: \$6,552,500.00 / **Project Cost:** \$5,802,281.00 / **Balance:** \$750,219.00

This Request for Proposals was issued to purchase a Mobile Mine Duty Crushing Plant for the Oconee County Quarry. This mobile plant includes eight mobile units: the Primary Jaw (UJ640), the Secondary Cone Plant (US550E), the Tertiary Cone Plant (UH550E), two Screen Plants (QA441) and three Tracked Stackers (8042TSL). This mobile equipment can be configured multiple ways and can be moved around the Quarry to be closer to the blasted sources of rock. Currently the Quarry can produce approximately 300 tons an hour of six products. This new equipment should produce up to 600 tons an hour of six different Quarry rock products, substantially increasing future production.

It is the staff's recommendation that Council approve the award of RFP 17-02, Mobile Mine Duty Crushing Plant to Sandvik Mining & Construction USA, LLC, of Smyrna, GA, in the amount of \$5,802,281.00.

Mr. Davis made a motion, seconded by Mr. McCall, to approve the award of RFP 17-02, Mobile Mine Duty

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Crushing Plant to Sandvik Mining & Construction USA, LLC, of Smyrna, GA, in the amount of \$5,802,281.00.

Mr. Davis noted this was going to fix a lot of problems and make a lot of new income.

Mr. Martin noted if this passes, it will still be approximately ten to eleven months out. During this time, there will be several trips that will have to be made, with at least one for inspection to make sure that it meets the standards for the United States. Mr. Martin also noted there will be consignment parts and will be some major parts that will be kept on site at the Rock Quarry in a container. He further noted this will be the first crushing facility like this that is portable in the United States. Discussion continued.

Further discussion continued to include:

- Production at the Rock Quarry at the current time is approximately 300 tons an hour
- Once the plant is up and running and they learn to operate, it will up their production to approximately 600 tons or more per hour
- All employees with the Rock Quarry will be going to Philadelphia for training
- Keep the old plant running while learning the new plant so production will continue

Mr. Charles Hillman addressed Council highlighting the following:

- Completed plants all through North America
- Primary jaw
- Inside of the jaw is 13 feet deep
- Produce upwards of 800 metric tons an hour
- Mobilize the primary and secondary portion of the plant so the first part of the process plant is close to the face as possible
- Powered by diesel or electrical
- Rebates
- For the next three years, they will be providing service inspections and detailed reports and is incorporated into the price of the unit

Regarding the previous motion made by Mr. Davis, seconded by Mr. McCall, it was approved 5 – 0, to approve the award of RFP 17-02, Mobile Mine Duty Crushing Plant to Sandvik Mining & Construction USA, LLC, of Smyrna, GA, in the amount of \$5,802,281.00.

Old / Unfinished Business

Mr. Cain thanked the members of the BZA Ad Hoc Committee and appreciates the Committee's hard work and this was for the benefit of the County.

Mr. Hart asked Mr. Root where we stood regarding the deed to the Sewer Authority for the southern connection. Mr. Root noted the following communication:

- Emailed Mr. Larry Brandt requesting the revisions that were talked about
- Mr. Brandt called Mr. Root and noted Mr. Chris Eleazer had a concern with some language regarding reimbursement and he would get back with him regarding the with specifics. Mr. Root told him if he can't get the revisions in writing to call him and they would work it out over the phone.
- Mr. Brandt did get married in between this time

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- Mr. Root emailed Mr. Brandt late last week and has not heard back at this time

New Business

None at this meeting.

Council Committee Reports:

Mr. Cain read from a prepared statement [copy filed with these minutes] outlining the discussions held at the June 5, 2018 Planning & Economic Development Committee Meeting.

Ms. Cammick noted since the budget was passed on third & final reading, the notes from the June 11, 2018 Budget, Finance, & Administration Committee Meeting were not necessary.

Executive Session:

Mr. McCall 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] Receive legal advice and discuss a contractual matter related to Chau Ram park.

[2] Receive legal advice and discuss lease agreement regarding Rosa Clark clinic.

[3] Discuss employment matter and receive legal advice related to search for permanent County Administrator.

[4] Discussion of an Economic Development matter related to extension of Salem water lines on Highway 11.

Council entered Executive Session at 9:01 p.m.

Council returned from Executive Session at 10:06 p.m. on a motion made by Mr. Cain, seconded by Mr. Davis, approved 5 – 0.

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

Mr. Davis made a motion, seconded by Mr. Cain, approved 5 – 0, to direct staff to negotiate and execute an option to purchase the property adjacent to the Chau Ram County Park allowing time for due diligence to investigate the site and funding as discussed.

Mr. Hart made a motion, seconded by Mr. McCall, approved 5 – 0, to direct staff to post for the County Administrator consistent with the discussion and to remain open for 30 days and for the Appalachian Council of Governments [ACOG] to complete the initial vetting.

Mr. McCall made a motion, seconded by Mr. Hart, approved 3 – 2 [Mr. Davis & Mr. Cain opposed] to direct staff to investigate the Economic Development matter related to the extension of the Salem water lines on Highway 11 as discussed.

First Reading of the Following Ordinances

Ordinance 2018-24 “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A REAL PROPERTY LEASE AGREEMENT BETWEEN OCONEE COUNTY AS LESSOR AND THE ROSA CLARK MEDICAL CLINIC ASSOCIATION, INC. AS LESSEE; AND OTHER MATTERS RELATED THERETO.”

Mr. Hart made a motion, seconded by Mr. McCall, to approve **Ordinance 2018-24** on first reading.

Mr. Davis made a motion to table this matter to have additional time to investigate as we work with the partnership with Rosa Clark as we are moving forward with the Economic Development matter.

Mr. Root asked Mr. Davis if he could complete the negotiation and investigation contemporaneously with the lease negotiations so they can proceed with the grant.

Mr. Davis noted that is what he was wanting to make sure would happen and not to table the ordinance and withdrew his motion to table.

Regarding the previous motion made by Mr. Hart, seconded by Mr. McCall, it was approved 5 – 0, to approve **Ordinance 2018-24** on first reading.

Authorize Interim County Administrator to execute letter to Rosa Clark Clinic consenting to certain limited alterations to County-owned property located at 210 South Oak Street, Seneca, South Carolina in order to accommodate proposed use as a medical / dental facility providing free and subsidized services.

Mr. Davis made a motion, seconded by Mr. Hart, approved 5 – 0, to Authorize Interim County Administrator to execute letter to Rosa Clark Clinic consenting to certain limited alterations to County-owned property located at 210 South Oak Street, Seneca, South Carolina in order to accommodate proposed use as a medical / dental facility providing free and subsidized services.

Appropriate \$210,000 from Economic Development fund (current fiscal year) to improvement of Salem water system by extending a water line along the east side of Highway 11 from Park Avenue southward for roughly one mile, to allow for improvements and expansion of existing businesses and provide an impetus for growth along that route.

Mr. McCall made a motion, seconded by Mr. Hart, approved 5 – 0, to table the appropriation of \$210,000 from the Economic Development fund (current fiscal year) to improvement of Salem water system by extending a water line along the east side of Highway 11 from Park Avenue southward for roughly one mile, to allow for improvements and expansion of existing businesses and provide an impetus for growth along that route.

Adjourn:

Mr. Hart made a motion, approved unanimously, to adjourn at 10:10 p.m.

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Respectfully Submitted:

Katie D. Smith
Clerk to Council

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