



# UPDATED AGENDA

## OCONEE COUNTY COUNCIL MEETING

August 20, 2019

6:00 PM

Council Chambers, Oconee County Administrative Offices  
415 South Pine Street, Walhalla, SC

### Call to Order

**Public Comment Session** *[Limited to a total of forty (40) minutes, four (4) minutes per person.]*

### Council Member Comments

### Moment of Silence

### Invocation by County Council Chaplain

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

### Approval of Minutes

- July 16, 2019 Regular Minutes

### Administrator Comments

**Presentation to Council** *[Presentation limited to a total of ten (10) minutes.]*

- 2019 SC State of Homelessness Report / *Lorain Crowl, United Housing Connections, Executive Director*
- Update on Crime Data for Oconee County / *Sheriff Mike Crenshaw, Oconee County Sheriff's Office*

### Public Hearings for the Following Ordinances

**Ordinance 2019-17** “AN ORDINANCE TO AUTHORIZE THE CONVEYANCE OF EASEMENT RIGHTS TO AMERICAN LEGION, DEPARTMENT OF SOUTH CAROLINA, POST #124 FOR THE PURPOSE OF PROVIDING INGRESS, EGRESS, AND VEHICULAR PARKING ON CERTAIN COUNTY-OWNED PROPERTY; AND OTHER MATTERS RELATED THERETO.”

### Third Reading of the Following Ordinances

**Ordinance 2019-17** *[see caption above]*

### Second Reading of the Following Ordinances

**Ordinance 2019-18** “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A REAL PROPERTY LEASE AGREEMENT BETWEEN OCONEE COUNTY AS LESSOR AND TRI-COUNTY ENTREPRENEURIAL DEVELOPMENT CORPORATION AS LESSEE FOR CERTAIN REAL PROPERTY, INCLUDING CERTAIN IMPROVEMENTS THEREON, LOCATED AT 104 BROWN SQUARE DRIVE, WALHALLA, SOUTH CAROLINA; AND OTHER MATTERS RELATED THERETO.”

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**Ordinance 2019-19** “AN ORDINANCE AUTHORIZING THE CONVEYANCE OF EASEMENT RIGHTS FOR THE PURPOSE OF UTILITY CONSTRUCTION AT THE OCONEE INDUSTRY AND TECHNOLOGY PARK; AND OTHER MATTERS RELATED THERETO.”

### **First Reading of the Following Ordinances**

**Ordinance 2019-20** “AN ORDINANCE AUTHORIZING AND CONSENTING TO OR RATIFYING THE ASSIGNMENT AND ASSUMPTION OF AN INTEREST IN THAT CERTAIN FEE AGREEMENT DATED AS OF MARCH 1, 2008, SUCH ASSIGNMENT FROM LIFT, LLC, AND SUCH ASSUMPTION BY LIFT TECHNOLOGIES, INC., AND AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGREEMENT MEMORIALIZING SUCH ASSIGNMENT AND ASSUMPTION, AND CONSENT OR RATIFICATION, AND AN AMENDMENT TO THE FEE AGREEMENT; AND OTHER MATTERS RELATED THERETO.”

**Ordinance 2019-21** “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDED FEE AGREEMENT BETWEEN OCONEE COUNTY AND ACI PLASTICS SOUTH, LLC, INCLUDING THE INCLUSION OF ACI PROPERTIES SOUTH, LLC, AND GREENCYCLE U.S. HOLDING, INC. AS CO-SPONSORS, AND AMENDING THE FEE AGREEMENT DATED AS OF OCTOBER 1, 2014; AND OTHER MATTERS RELATED THERETO.”

### **First & Final Reading for the Following Resolutions**

#### **Discussion Regarding Action Items**

#### **Engineering Services for Groundwater Monitoring & Reporting / Solid Waste / Amount: \$65,000.00 (Estimated)**

**Budget: \$65,000      Project Cost: \$65,000      Balance: \$0.00**

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 with the option to extend the contract for four (4) consecutive one (1) year terms. The Solid Waste department wishes to contract with Smith Gardner to provide engineering services for groundwater and stream water sampling and monitoring at the Seneca and Five Forks landfills; and the required analysis and submission of reports to SCDHEC.

At the July 17, 2018 Council meeting, Council approved these services to Smith Gardner in the amount of \$58,818.00, for fiscal year 18-19, as these services are required annually by SCDHEC. RFP 16-09 has two (2) one (1) year terms remaining. We are asking that Council authorize the Administrator to renew the Groundwater Sampling and Reporting for the 2 remaining years as long as the funds are budgeted and the work is satisfactory. The dollar amount is estimated due to possibility of additional wells that may require testing and reporting.

It is the staff’s recommendation that Council [1] approve the award of an estimated \$65,000.00 to Smith Gardner, Inc., of Raleigh, NC for engineering services for groundwater monitoring and reporting and [2] authorize the County Administrator to renew the Engineering Services for Groundwater Sampling and Reporting for the remaining 2 years under the RFP 16-09 Contract, as long as all work is deemed satisfactory.

## **Hyundai HX300L Excavator / Solid Waste / \$216,567.00**

**Budget:** \$235,000      **Project Cost:** \$216,567      **Balance:** \$18,433

This Excavator will be used mainly at the landfill to accomplish tasks such as loading the mulcher, excavating and loading dirt, and annual sediment basin cleanouts. After researching excavators with a minimum operating weight of 68,000 lbs., it was determined that the Hyundai HX300L with a 54" heavy duty bucket, heavy duty rake, with hydraulic thumb and quick coupler, best met the needs of the Solid Waste Department.

The County is utilizing the North Carolina Sheriffs' Association contract through a cooperative purchasing agreement. The contract discount is 46% off the list price of the equipment and 8% off the list price of attachments. National Equipment Dealers are also offering a "dealer discretionary discount" of \$14,344.54 the contract price for the excavator and the attachments.

The County will be trading in Solid Waste's current excavator, a Kobelco SK200LC. National Equipment Dealers (dba: May/RHI) has agreed to \$18,000.00 for the trade-in.

It is the staff's recommendation that Council approve the purchase of the Hyundai Excavator from National Equipment Dealers (dba: May/RHI) of Columbia, SC in the amount of \$216,567.00.

## **Fuel Truck Lease / Airport / \$ 18,000.00 for year one**

**Budget:** \$24,000      **Project Cost:** \$18,000      **Balance:** \$6,000

Titan Aviation Fuels supplies the Oconee County Regional Airport ("Airport") with fuel for resale. The Airport is in need of a suitable refueling truck to facilitate its fuel sales. Titan Aviation Fuels is offering a refueling truck lease to complement its fuel supply agreement with the County.

It is the staff's recommendation that Council [1] approve and authorize the execution of an Equipment Lease Agreement with Titan Aviation Fuels for an aviation refueling truck for the Oconee County Regional Airport and [2] authorize the County Administrator to renew the Lease for up to four-one year periods (\$18,000.00 per year), provided their service is satisfactory.

## **Request to authorize direct negotiations and the execution of negotiated contracts with construction professionals for the repair of fire damaged portions of the Oconee County Law Enforcement Center pursuant to O.C. Code § 2-428(a), which provides an exemption from various competitive bid procurement methods, upon County Council approval.**

In late 2017, portions of the Oconee County Law Enforcement Center ("LEC") were damaged by a fire of unknown origin. A lengthy negotiation process ensued in attempts to settle the County's claim (the "Claim") for insurance proceeds in relation to fire-damaged real and personal property. Part of the negotiation process involved the County acquiring estimates for various aspects of the repair in order to substantiate its claim. The repair of the LEC will involve construction pursuant to design materials that are highly security sensitive due to the nature of the areas to be repaired, and thus widespread dissemination of the design materials is disfavored.

Staff requests Council approve direct negotiations and contracting with construction professionals, including those who participated in providing data to assist in resolving the Claim, so as to expedite the long-awaited repairs to the LEC and to minimize dissemination of the security sensitive design materials.

## **Hitachi ZW550-6 Wheel Loader / Rock Quarry / \$629,810.00**

**Budget:** \$700,000 / **Project Cost:** \$629,810.00 / **Balance:** \$70,190.00

This Wheel Loader is a Hitachi ZW550-6. Its main use will be in the pit loading haul trucks to transport crushed rock from the jaw crusher to the secondary and tertiary cone crushers at the Quarry. The County is

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utilizing the North Carolina Sheriffs' Association contract through a cooperative purchasing agreement. The contract discount is 38% off the list price of the equipment and 10% off the list price of attachments. National Equipment Dealers (dba: May/RHI) are also offering an additional dealer discount of \$25,056.66 off of the contract price for the wheel loader and the attachments.

It is the staff's recommendation that Council approve the purchase of the Hitachi ZW550-6 Wheel Loader from National Equipment Dealers (dba: May/RHI) of Columbia, SC in the amount of \$629,810.00.

### **2019 Edward Byrne Memorial JAG Grant Notification**

Oconee County Sheriff's Department may receive an allocation of \$12,944 from the Bureau of Justice Assistance. The grant program requires the notification of intent be made available for the County Council and the public to review and comment on the proposed use of funds. The Sheriff's Department plans to use the funds from this program to purchase 2 sniper rifles and optical equipment.

### **Funding Commitment for Infrastructure Improvements at Seneca Rail Park / Up to \$327,712.00**

On March 19, 2019, Oconee County Council approved the commitment of the balance of funding for the Seneca Rail Park Waterline and Sewer Infrastructure Project, up to \$263,650.00. Certain costs associated with the project do not meet the parameters for grant funding; therefore, the balance of funding needed from the County has increased to \$327,712.00.

Oconee County owns the Seneca Rail Park, a 111-acre industrial park located along Shiloh Road. Although sewer and water lines run to the edge of the property, there is currently no water or sewer within the Park. The City of Seneca commissioned a master plan to get needed water and sewer in to the park. This plan included two phases; the estimated construction cost for phase 1 is \$827,712.00, which includes engineering, design, permitting, and construction of water and gravity sewer lines. Oconee County and Oconee Economic Alliance has been awarded the South Carolina Rural Infrastructure Authority FY19 Economic Infrastructure grant for \$500,000 to offset the cost of construction of this critical water and sewer infrastructure.

It is the staff's recommendation that Council approve the commitment for the remaining balance of funds for the Seneca Rail Park Waterline and Sewer Infrastructure Project.

### **Engineering Services for Seneca Rail Infrastructure / Economic Development / \$95,500.00**

The Seneca Rail Site resides in the city limits of Seneca and the City of Seneca is the water/sewer provider to the park.

Goodwin Mills Cawood (GMC) has been working with the City of Seneca for 5 years. The City of Seneca instructed and paid GMC to complete the initial study for infrastructure at the Seneca Rail site and completed the Norfolk Southern Encroachment permitting needed for the bore under the railroad.

GMC assisted the County in preparing the grant application to RIA for this infrastructure project. The County was awarded this grant of \$500,000 due to GMC's expertise and assistance in providing all the supporting documentation.

It is the staff's recommendation that Council approve the Sole Source Award for Engineering Services for Seneca Rail Infrastructure to Goodwin, Mills and Cawood in the amount of \$95,500.00

### **To direct staff to investigate, and as appropriate, initiate discussions with the Army Corps of Engineers for a lease agreement in relation to a public lake**

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**access area / boat ramp adjacent to property commonly known as Lakeside Lodge, with the lease area to be subleased for maintenance and operation by Lakeside Lodge / Clemson Family Investors, LLC or an appropriate affiliate.**

### **Council Committee Reports**

Planning & Economic Development / Mr. Cain.....[06/04/2019]  
Real Estate, Facilities, & Land Management / Mr. Davis.....[06/04/2019]  
Law Enforcement, Public Safety, Health & Welfare / Mr. McCall.....[07/16/2019]

**Board & Commission Appointments (IF ANY)** [Seats listed are all co-terminus seats]  
**\*Building Codes Appeal Board.....1 At Large Seats**

*\*No questionnaires on file for the seat listed above*

**Unfinished Business** [to include Vote and/or Action on matters brought up for discussion, if required] [None scheduled.]

**New Business** [may include items which may be scheduled for final action at a future meeting, if required] [None scheduled.]

### **Executive Session**

*[upon reconvening Council may take a Vote and/or take Action on matters brought up for discussion in Executive Session, if required]*

*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 Aztec.*

*[2] Discussion regarding an Economic Development matter, Project Trout.*

*[3] Receive legal advice and discuss contractual matter related to land development.*

*[4] To receive legal advice and discuss personnel matters related to the following departments: The Rock Quarry, Auditor, Finance, Assessor, Information Technology, Human Resources, Sheriff's Office, Airport, Treasurer, Facilities Maintenance, Roads and Bridges, Planning, Solid Waste, Registration & Elections, Procurement, and Administration, including internal review procedures.*

*[5] To discuss employment and personnel matters related to the County's Information Technology staff, including their scope of responsibilities and duties.*

### **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, Board & Commission meeting schedules, agendas are posted at the Oconee County Administration Building & are available on the County Council Website.

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