



# MINUTES

## OCONEE COUNTY COUNCIL

### Regular Meeting

### December 17, 2019

**MEMBERS, OCONEE COUNTY COUNCIL**  
Mr. John Elliott, Chair Pro Tem, District I  
Mr. Paul Cain, Vice Chair, District III  
Mr. Julian Davis III, Chairman, District IV  
Mr. Glenn Hart, District V  
Mr. Wayne McCall, District II

Oconee County Council met at 6:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members, County Administrator Amanda F. Brock, County Attorney David Root, 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](http://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 & Jimmy Watt / 94.1 The Lake WSNW.

### **Call to Order:**

Mr. Davis called the meeting to order at 6:00 p.m.

### **Public Comment Session**

Mr. Jerry Barnett addressed Council regarding the Oconee County Boards and Commissions and the CATBus.

### **County Council Response to Public Comment**

Mr. McCall responded to the article in The Journal regarding the health clinic and noted it was a great article but that Mr. Elliott's role was downplayed.

Mr. Hart thanked Mr. Elliott and Mr. McCall for what they have accomplished regarding the Joseph F. Sullivan Center.

### **Moment of Silence**

Mr. Davis asked for a moment of silence prior to the Invocation by the County Chaplain.

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### **Invocation by County Council Chaplain:**

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

### **Pledge of Allegiance:**

Chief Charlie King 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 December 3, 2019 Regular Minutes as presented.

### **Administrator's Comments**

Ms. Brock briefly updated Council regarding the following:

- Thanked everyone in attendance for honoring the 9 and under and the 12 and under Westminster Recreation Volleyball teams and also thanked everyone from Emergency Services in attendance to wish Chief King farewell
- Westminster Magistrate facility update

## **ESTATE OF WILLIAM C. LYLES OCONEE COUNTY CONSERVATION BANK BOARD FEE SIMPLE PURCHASE**

OCCB UNANIMOUSLY APPROVED ON TUESDAY, DECEMBER 10, 2019 FOR COUNCIL TO APPROVE FUNDING IN THE AMOUNT OF \$66,100 OR 10% OF THE APPRAISED VALUE, WHICHEVER IS LESS, FOR A FEE SIMPLE PURCHASE TO UPSTATE FOREVER.

Mr. Hart made a motion, seconded by Mr. Elliott, to approve the funding in the amount of \$66,100 or 10% of the appraised value, whichever is less, for a fee simple purchase to Upstate Forever.

Ms. Brock noted these are designated funds that were donated by Duke Energy in 2016 for the sole purpose of establishing a conservation bank and to put properties in Oconee County in conservation easements.

Regarding the previous motion made by Mr. Hart, seconded by Mr. Elliott, it was approved 5 – 0, to approve the funding in the amount of \$66,100 or 10% of the appraised value, whichever is less, for a fee simple purchase to Upstate Forever.

Mr. Davis noted there was an ongoing basketball game at the Westminster Recreation Department and moved Proclamation 2019-16 first.

### **Proclamation 2019-16**

A PROCLAMATION RECOGNIZING OCONEE COUNTY EMERGENCY SERVICES DIRECTOR,  
CHIEF CHARLES V. KING

Mr. Davis read **Proclamation 2019-16** into the record.

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Mr. Cain made a motion, seconded by Mr. Elliott, approved 5 – 0, to approve **Proclamation 2019-16** on first & final reading.

Council members presented the proclamation and plaque to Chief King.

### **Proclamation 2019-15**

A PROCLAMATION RECOGNIZING THE 9 AND UNDER AND THE 12 AND UNDER WESTMINSTER RECREATION ALL-STAR VOLLEYBALL TEAMS FOR WINNING THE SOUTH CAROLINA ATHLETIC PROGRAM STATE CHAMPIONSHIP

Mr. Davis read **Proclamation 2019-15** into the record.

Mr. McCall made a motion, seconded by Mr. Cain, approved 5 – 0, to approve **Proclamation 2019-15** on first & final reading.

Coach Cheryl VanderWiele for the 9 and under team and Coach Tara White for the 12 and under team introduced their assistant coaches and players.

Council members presented the proclamation to Coach VanderWiele and Coach White.

### **Public Hearings for the Following Ordinances**

**Ordinance 2019-23** “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN INFRASTRUCTURE TAX CREDIT AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND TECHNOLOGY SOLUTIONS OF SC INC.; AND OTHER MATTERS RELATING THERETO.”

Mr. Davis opened the floor for Public Comment.

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

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

Mr. Davis closed the Public Hearing regarding **Ordinance 2019-23**.

**Ordinance 2019-24** “AN ORDINANCE AUTHORIZING THE COUNTY ADMINISTRATOR TO ENTER INTO ADDENDA FOR LEASE AGREEMENTS TO WHICH THE COUNTY IS A PARTY, PROVIDING FOR ALTERNATE COMPREHENSIVE GENERAL LIABILITY INSURANCE REQUIREMENTS; AND OTHER MATTERS RELATED THERETO.”

Mr. Davis opened the floor for Public Comment.

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

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

Mr. Davis closed the Public Hearing regarding **Ordinance 2019-24**.

### **Third Reading of the Following Ordinances**

**Ordinance 2019-23** [see caption above]

Mr. Hart made a motion, seconded by Mr. Elliott, approved 5 – 0, to approve **Ordinance 2019-23** on third & final reading.

**Ordinance 2019-24** [see caption above]

Mr. Hart made a motion, seconded by Mr. Elliott, approved 5 – 0, to approve **Ordinance 2019-24** on third & final reading.

### **Second Reading of the Following Ordinances**

None at this meeting.

### **First Reading for the Following Ordinances**

**Ordinance 2019-25** “AN ORDINANCE AMENDING CHAPTER 30, ARTICLE III, OF THE OCONEE COUNTY CODE OF ORDINANCES, IN RELATION TO THE LOCAL ACCOMMODATIONS TAX, IN ORDER TO CLARIFY THE APPLICABILITY OF CERTAIN EXEMPTIONS AND COLLECTION STANDARDS, AS WELL AS RECORD INSPECTIONS, PENALTIES, AND OTHER MATTERS RELATED THERETO.”

Mr. Cain made a motion, seconded by Mr. Elliott, approved 5 – 0, to approve **Ordinance 2019-25** on first reading.

**Ordinance 2019-26** “AN ORDINANCE TO AMEND CHAPTER 6, ARTICLE III, OF THE OCONEE COUNTY CODE OF ORDINANCES, IN RELATION TO THE MEMBERSHIP OF THE OCONEE COUNTY BOARD OF BUILDING CODE APPEALS, AND OTHER MATTERS RELATED THERETO.”

Mr. Cain made a motion, seconded by Mr. Elliott, approved 5 – 0, to approve **Ordinance 2019-26** on first reading.

**Ordinance 2019-27** “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN OFFICE LEASE AGREEMENT BETWEEN OCONEE COUNTY AS LESSOR AND JULIE IBRAHIM AS LESSEE FOR CERTAIN REAL PROPERTY, INCLUDING ALL IMPROVEMENTS THEREON, LOCATED ADJACENT TO HANGAR E, OCONEE COUNTY REGIONAL AIRPORT, 365 AIRPORT ROAD, SENECA, SOUTH CAROLINA; AND OTHER MATTERS RELATED THERETO.”

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Mr. Elliott made a motion, seconded by Mr. Hart, approved 5 – 0, to approve **Ordinance 2019-27** on first reading.

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

**Resolution 2019-23** “A RESOLUTION CERTIFYING CERTAIN REAL PROPERTY IN OCONEE COUNTY AS AN ABANDONED TEXTILE MILL SITE, INCLUDING PARCELS IDENTIFIED BY TAX MAP NUMBERS 210-00-01-047 and 210-00-01-056.”

Mr. Cain made a motion, seconded by Mr. Hart, approved 5 – 0, to postpone **Resolution 2019-23** until after Executive Session.

### **Discussion Regarding Action Items**

#### **Foothills Farmstead Main Farm House Reconstruction / Grants / \$79,500.00**

The Foothills Farmstead is a project with the goal of creating a living history farm to preserve the way of life in this region in the early 20<sup>th</sup> century, and to educate the public on this way of life. On November 20, 2018, Oconee County Council approved \$50,000 in matching funds to go along with the Foothills Farmstead’s Undiscovered SC grant application to South Carolina Parks, Recreation and Tourism. On July 16, 2019, Council moved to not require the Foothills Farmstead to reimburse the \$50,000 in matching funds back to Oconee County. The Foothills Farmstead is located at 150 School House Road, Westminster, SC.

It is the staff’s recommendation that Council approve the Sole Source Award for the reconstruction of the Foothills Farmstead house to Old Oakway Architectural Salvage in the amount of \$79,500.00.

Mr. McCall made a motion, seconded by Mr. Hart, to approve the Sole Source Award for the reconstruction of the Foothills Farmstead house to Old Oakway Architectural Salvage in the amount of \$79,500.00.

Ms. Brock noted that last year the Foothills Farmstead applied for and received a grant notification for \$100,000 of which they had a 50% match requirement. She noted the Foothills Farmstead had raised 50% of the funding and the County had matched the additional 50% of the funding to be utilized for the grant purposes only.

Regarding the previous motion made by Mr. McCall, seconded by Mr. Hart, it was approved 5 – 0, to approve the Sole Source Award for the reconstruction of the Foothills Farmstead house to Old Oakway Architectural Salvage in the amount of \$79,500.00.

#### **Physicals for Firefighters / Emergency Services / Not to exceed 54,000.00**

**Remaining Budget: \$66,963.00 / Project Cost: \$54,000.00 / Balance: \$12,963.00**

Oconee County Fire and Emergency Services has approximately 300 personnel for 14 volunteer fire stations, one Haz-Mat station, and nine rescue stations, including rescue divers and emergency first responders. OSHA guidelines mandate that any personnel who fight fire and/or wear an air pack or bunker gear, and can pass a qualified face fit test, must have an annual physical provided by their employer. This bid requested blood testing, thorough stress and cardio testing, and physical exams that would be administered within Oconee County.

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Upstate Medical Associates is a brick and mortar service location in Seneca, SC and North Greenville fitness provides the required physicals at our location(s) via mobile units. In order to provide options and flexible schedules for our staff and volunteers, staff is requesting the award be made to both vendors. We are requesting approval for a not-to-exceed amount which will not exceed the approved budget(s) for physicals.

It is the staff's recommendation that Council [1] approve award of ITB #19-01, Physicals for Firefighters, to Upstate Medical Associates, P.A., of Seneca, SC, and North Greenville Fitness, of Travelers Rest, SC, for a combined not-to-exceed amount of \$54,000.00, for a period of one year with the option to renew for four additional one-year periods and [2] authorize the County Administrator to renew the contracts, not to exceed the future fiscal years approved budget amounts, for up to four one year periods, provided their work is satisfactory.

Mr. McCall made a motion, seconded by Mr. Hart, approved 5 – 0, to [1] approve award of ITB #19-01, Physicals for Firefighters, to Upstate Medical Associates, P.A., of Seneca, SC, and North Greenville Fitness, of Travelers Rest, SC, for a combined not-to-exceed amount of \$54,000.00, for a period of one year with the option to renew for four additional one-year periods and [2] authorize the County Administrator to renew the contracts, not to exceed the future fiscal years approved budget amounts, for up to four one year periods, provided their work is satisfactory.

### **2021 Freightliner 114SD with Roll-Off Cable Hoist / Solid Waste / \$159,732.24**

**Budget:** \$159,732.24

**Project Cost:** \$159,732.24

**Balance:** \$0.00

*Funding to be allocated from the Capital Vehicle Replacement Fund*

This Roll-Off truck is a 2021 Freightliner cab and chassis with a Galfab hoist, the hoist system consists of the rail system and cables used to pick-up waste containers and a tarp system to cover any open containers. The truck will be used to service roll-off containers at the County's 11 recycling centers, parks, other departments as needed, as well as, for recycling activities at industries and commercial facilities that participate in the commercial recycling program. The 2021 Freightliner Roll-Off truck meets the specifications required by the Solid Waste department. This truck will replace a 1994 Ford roll-off truck which will be taken out of service and sold at a future public auction or on GovDeals.

It is the staff's recommendation that Council approve the purchase of the 2021 Freightliner 114SD with roll-off hoist from Iron Containers, Inc. (dba: Nu-Life Environmental) of Easley, SC in the amount of \$159,732.24.

Mr. McCall made a motion, seconded by Mr. Elliott, approved 5 – 0, to approve the purchase of the 2021 Freightliner 114SD with roll-off hoist from Iron Containers, Inc. (dba: Nu-Life Environmental) of Easley, SC in the amount of \$159,732.24.

### **Request Council approval for staff to investigate the costs and feasibility of demolishing the former Fair Play School building**

Discussion regarding the Fair Play School building followed to include:

- Oconee County was asked to look at the possibility of taking ownership of the previous Fair Play school, which is currently owned by Fair Oak Youth Center [FOYC]

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- Sliver of the property is still owned by the School District of Oconee County [SDOC]
- Building is in deteriorating conditions
- Completed Phase I and contaminant analysis on the building and structure in 2018
- Received a cost estimate for the abatement, demolition, and disposal of the building
- Less expensive option is to purchase a piece of property and build rather than tear down and remove
- Rural fire departments receive \$60,000 per station for station expenses

Chief Larry Wilkerson, Chief of Fair Play Fire Department, addressed Council highlighting the following:

- SDOC deeded property to FOYC years ago
- Building is in considerable disrepair, drug activity, etc.
- FOYC no longer needs property since they obtained the property in Oakway
- FOYC Board of Directors voted to turn property over to the Fair Play Fire Department
- Fair Play Fire Department Board and members voted to accept the property but the transfer has not been completed
- Parking is an issue
- Potentially turn the building into a community center

Mr. Davis wrapped up the discussion thanking Chief Wilkerson.

## **Board & Commission Appointments**

### **Building Codes Appeal Board**

No questionnaires were submitted for the 1 At Large seat.

### **Arts & Historical Commission**

No questionnaires were submitted for the District III seat.

## **Unfinished Business**

None at this meeting.

## **New Business**

Mr. Elliott noted the City of Clemson is in the process of putting a moratorium on apartment complexes and he noted he has a major concern that this will push mid-rise wood framed apartment complexes into Oconee County. He asked for Council to address this at a future meeting regarding wood structures that are fire hazards and pose a danger to the residents in those apartment complexes and the residents that live near the apartment complexes.

Ms. Brock asked for a broadening to include based standard structures, not just wood but anything that is built only to a minimum standard.

It was the consensus of Council to have a special called County Council meeting to discuss building standards in Oconee County on Tuesday, January 21, 2020 at 4:30 p.m. and to have the County building codes officials attend the meeting.

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Before entering into Executive Session, Mr. Davis noted item #1 was not needed and was removed from the agenda.

**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:

~~—Receive legal advice and discuss an ongoing litigation matter related to a contractual matter.~~

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

[3] Discussion regarding an Economic Development matter, Project Aztec.

Council entered Executive Session at 6:53 p.m.

Council returned from Executive Session at 7:37 p.m. on a motion made by Mr. Cain, seconded by Mr. Hart, approved 5 – 0.

Mr. Davis stated that no action was taken in Executive Session.

Mr. Cain made a motion, seconded by Mr. Elliott, approved 5 – 0, to continue negotiations as discussed regarding Project Aztec.

**First & Final Reading of the Following Resolutions**

**Resolution 2019-23** “A RESOLUTION CERTIFYING CERTAIN REAL PROPERTY IN OCONEE COUNTY AS AN ABANDONED TEXTILE MILL SITE, INCLUDING PARCELS IDENTIFIED BY TAX MAP NUMBERS 210-00-01-047 and 210-00-01-056.”

Mr. Hart made a motion, seconded by Mr. McCall, approved 5 – 0, to postpone **Resolution 2019-23** on first & final reading.

**Adjourn:**

Mr. Hart made a motion, approved unanimously, to adjourn at 7:38 p.m.

Respectfully Submitted:

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Katie D. Smith  
Clerk to Council

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