

## LIMITED IN-PERSON ATTENDANCE PERMITTED

*Due to the Novel Coronavirus pandemic and the ongoing state of emergency, in-person attendance at this Council meeting by members of the general public will be limited. Attendance will be limited to twenty percent of the stated maximum occupancy, which equates to thirty-four (34) persons (including Council members, other elected officials, and staff). Attendees will be required to sit in designated seats, appropriately spaced. In-person attendance will be allowed on a "first-come" basis.*

*Additionally, to ensure the meeting otherwise remains open to the public, we will continue to broadcast it live on the County's YouTube channel, which can be found via the County's website at [Oconeesc.com](http://Oconeesc.com). Further, the public may call in and listen by dialing **888-475-4499 OR 877-853-5257** and entering meeting ID # **895 3801 6047**. And, individuals parked in close proximity to Council Chambers may listen to the meeting on FM 92.3.*



## OCONEE COUNTY COUNCIL

### SPECIAL MEETING

**6:00 P.M., Tuesday, September 8, 2020**

Council Chambers

Oconee County Administrative Offices

415 South Pine Street, Walhalla, South Carolina 29691

## Call to Order

## Second Reading of the Following Ordinances

**Ordinance 2020-18** "AN ORDINANCE TO AMEND ORDINANCE 2020-01 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 BRIDGE AND CULVERT CAPITAL PROJECT FUND, FOR THE ECONOMIC DEVELOPMENT CAPITAL PROJECT FUND, FOR THE DEBT SERVICE FUND, FOR THE VICTIM SERVICES SPECIAL REVENUE FUNDS, FOR THE CAPITAL VEHICLE / EQUIPMENT FUND, ALL IN OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2020 AND ENDING JUNE 30, 2021."

## 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.

Council's meetings shall be conducted pursuant to the South Carolina Freedom of Information Act, Council's Rules and the Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition. This agenda may not be inclusive of all issues which Council may bring up for discussion at this meeting. Items are listed on Council's agenda to give public notice of the subjects and issues to be discussed, acted upon, received as information and/or disposed of during the meeting. Items listed on Council's agenda may be taken up, tabled, postponed, reconsidered, removed or otherwise disposed of as provided for under Council's Rules, and Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition, if not specified under Council's rules.

*The public is invited to attend the meeting, however, an opportunity for public comment **will not** be offered at this meeting.*

### COUNCIL MEMBERS

Julian Davis, III, Chairman, District IV    Paul Cain, Vice-Chair, District III

John Elliott, Chair Pro Tem, District I    Wayne McCall, District II

Glenn Hart, District V

## OCONEE CODE OF ORDINANCES

### Sec. 2-61. - Access to and conduct at county meetings, facilities and property.

(a) *Purpose.* The county council has determined that it is necessary to regulate access to county facilities, grounds and property in order to ensure the safety and security of the public who visit these areas or the county employees who serve them. The conduct of persons who visit county facilities and/or who have contact with county employees must also be regulated to preserve public order, peace and safety. The regulation of access and conduct must be balanced with the right of the public to have reasonable access to public facilities and to receive friendly, professional service from county employees. These regulations apply to all county facilities and meetings, as defined below, for and over which county council exercises control and regulation, and to the extent, only, not preempted by state or federal law.

(b) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

*Facility* means any building, structure, or real property owned, leased, rented, operated or occupied by the county or one of its departments, offices or agencies.

*Meeting* means any assemblage of persons for the purpose of conducting county governmental business, operations or functions or any assemblage of persons within a county governmental facility. The term "meeting" includes, but is not limited to, county council meetings, county board and committee and staff meetings, trials, hearings and other proceedings conducted in the courts of general sessions and common pleas, family court, master-in-equity, probate court and magistrate's court; and other meetings by entities duly authorized by the county council.

(c) *Prohibited acts.* It shall be unlawful for any person to:

- (1) Utter loud, obscene, profane, threatening, disruptive or abusive language or to engage in any disorderly or disruptive conduct that impedes, disrupts or disturbs the orderly proceedings of any meeting, or operations of any department or function of the county government, including, without limitation, speaking when not explicitly recognized and authorized to do so by the presiding official in such meeting.
- (2) Bring, carry, or otherwise introduce any firearm, knife with blade longer than two inches or other dangerous weapon, concealed or not concealed, into any facility or meeting. This prohibition does not apply to law enforcement personnel or any other person whose official, governmental duties require them to carry such firearm, knife, or other weapon.
- (3) Engage in partisan political activity, including speech, in any meeting not authorized and called for the purpose of partisan political activity and explicitly authorized for such purpose in the facility in which such activity is to be conducted, or refusing to cease such activity when the presiding official of the meeting in question has ruled that the activity in question is partisan political activity and has directed that such activity stop.
- (4) Interfere with, impede, hinder or obstruct any county governmental official or employee in the performance of his duties, whether or not on county government property.
- (5) Enter any area of a county government facility, grounds or property when such entry is prohibited by signs, or obstructed or enclosed by gates, fencing or other physical barriers. Such areas include rooms if clearly marked with signs to prohibit unauthorized entry.
- (6) Enter by vehicle any area of a county governmental facility, grounds or property when such area is prohibited by signs or markings or are obstructed by physical barriers; or park a vehicle in such restricted areas; or park in a manner to block, partially block or impede the passage of traffic in driveways; or park within 15 feet of a fire hydrant or in a fire zone; or park in any area not designated as a parking space; or park in a handicapped parking space without proper placarding or license plate; or park in a reserved parking space without authorization.

- (7) Use any county governmental facility, grounds or other property for any purpose not authorized by law or expressly permitted by officials responsible for the premises.
  - (8) Enter without authorization or permission or refuse to leave any county governmental facility, grounds or other property after hours of operation.
  - (9) Obstruct or impede passage within a building, grounds or other property of any county governmental facility.
  - (10) Enter, without legal cause or good excuse, a county governmental facility, grounds or property after having been warned not to do so; or, having entered such property, fail and refuse without legal cause or good excuse to leave immediately upon being ordered or requested to do so by an official, employee, agent or representative responsible for premises.
  - (11) Damage, deface, injure or attempt to damage, deface or injure a county governmental property, whether real property or otherwise.
  - (12) Enter or attempt to enter any restricted or nonpublic ingress point or any restricted access area, or bypass or attempt to bypass the designated public entrance or security checkpoint of a facility without authorization or permission.
  - (13) Perform any act which circumvents, disables or interferes with or attempts to circumvent, disable or interfere with a facility's security system, alarm system, camera system, door lock or other intrusion prevention or detection device. This includes, without limitation, opening, blocking open, or otherwise disabling an alarmed or locked door or other opening that would allow the entry of an unauthorized person into a facility or restricted access area of the facility.
  - (14) Exit or attempt to exit a facility through an unauthorized egress point or alarmed door.
- (d) *Penalty for violation of section.* Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished in accordance with section 1-7. In addition, vehicles that are improperly parked on any county property, facility, or other premises may be towed at the owner's expense.

(Ord. No. 2003-04, §§ 1—4, 4-15-2003; Ord. No. 2012-06, § 1, 4-3-2012)

**STATE OF SOUTH CAROLINA  
COUNTY OF OCONEE  
ORDINANCE 2020-18**

AN ORDINANCE TO AMEND ORDINANCE 2020-01, 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 BRIDGE AND CULVERT CAPITAL PROJECT FUND, FOR THE ECONOMIC DEVELOPMENT CAPITAL PROJECT FUND, FOR THE DEBT SERVICE FUND, FOR THE VICTIM SERVICES SPECIAL REVENUE FUNDS, FOR THE CAPITAL VEHICLE / EQUIPMENT FUND, ALL IN OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2020 AND ENDING JUNE 30, 2021.

WHEREAS, events and needs have occurred, necessitating the amendment of Ordinance 2020-01 to reflect certain additional revenues and the expenditure of certain additional funds in relation to Ordinance 2020-01; and

WHEREAS, Council therefore desires to amend Ordinance 2020-01 to achieve the foregoing.

NOW, THEREFORE, IT IS HEREBY ORDAINED by Council in meeting duly assembled, that Ordinance 2020-01 is hereby amended and restated as follows:

**SECTION 1**

Pursuant to Section 4-9-140 of the South Carolina Code of Laws, 1976, as amended, the following amounts are hereby appropriated for the 2020-2021 fiscal year for Oconee County (the “County”) for ordinary county purposes.<sup>1</sup>

<b>General Fund:</b>	<b>Original Approved Budget 6.25.2020</b>		<b>Amended Budget approved by this Ordinance 2020-18</b>	
Administrator	711,573		1,296,749	
Airport	1,221,707		1,300,642	
Assessor	1,040,306		1,061,306	
Board of Assessment Appeals	12,001		12,001	
Building Codes	664,419		664,419	
Chau Ram Park	360,875		360,875	
County Attorney	369,283		399,783	
County Council	308,055		308,055	
Debt Service Lease Payments	1,414,143		1,414,143	
Delinquent Tax Collector	445,660		449,560	
Department of Social Services	21,200		13,200	
Economic Development	729,741		671,094	

<sup>1</sup> See Attachment A to Ordinance 2020-01, incorporated herein by reference, as modified by this ordinance, for detailed budgetary appropriations.



Emergency Services	4,441,956		5,391,956	
Facilities Maintenance	1,390,576		1,390,576	
Finance Office	670,929		670,929	
Health and Human Services Direct Aid	762,900		762,900	
Health Department	41,634		33,634	
High Falls Park	441,620		436,620	
Human Resources	326,404		326,404	
Information Technology	895,927		945,927	
Legislative Delegation	93,885		93,885	
Library	1,426,820		1,426,820	
Magistrate	849,591		849,591	
Non-Departmental	1,979,500		1,979,500	
Other Financing Uses	140,000		140,000	
Parks, Recreation and Tourism	756,728		756,728	
Planning	275,472		275,472	
Procurement	153,472		153,472	
Register of Deeds	317,069		319,069	
Roads and Bridges	2,836,830		2,839,330	
Soil and Water Conservation District	80,171		81,471	
Solid Waste	4,177,264		4,322,264	
South Cove Park	469,475		489,475	
Vehicle Maintenance	924,797		924,797	
Veterans' Affairs	197,448		199,698	
Voter Registration and Elections	249,682		254,682	
<b>Total General:</b>		<b>31,199,113</b>		<b>33,017,027</b>
<b>Elected/Appointed Officials</b>				
Auditor	554,485		571,485	
Clerk of Court	706,363		706,363	
Coroner	258,302		267,052	
Probate Court	357,171		357,171	
Public Defender	240,000		240,000	
Sheriff	8,908,806		9,166,806	
Animal Control	640,407		640,407	
Communications	1,581,694		1,630,629	
Detention Center	4,025,939		4,293,784	
Solicitor	943,375		943,375	
Treasurer	573,822		579,822	
<b>Total Elected Officials:</b>		<b>18,790,364</b>		<b>19,396,894</b>
<b>Special Revenue Funds:<sup>2</sup></b>				
Emergency Services Protection	1,447,000		1,447,000	

<sup>2</sup> See sections 3 – 11 below.

Victim Services - Sheriff's Office	123,336		123,336	
Victim Services - Solicitor's Office	74,319		74,319	
911 Fund	984,000		984,000	
Tri-County Technical College	1,604,000		1,604,000	
Road Maintenance Fund	2,520,000		2,520,000	
<b>Total Special Revenue Funds:</b>		<b>6,752,655</b>		<b>6,752,655</b>
<b>Capital Project Funds:<sup>3</sup></b>				
Economic Development	1,827,873		1,827,873	
Bridge & Culvert Fund	1,150,000		1,150,000	
Capital Equipment / Vehicle Fund	1,196,728		1,196,728	
<b>Total Capital Project Funds:</b>		<b>4,174,601</b>		<b>4,174,601</b>
<b>Enterprise Fund:</b>		<b>5,047,248</b>		<b>5,047,248</b>
<b>Debt Service Fund:</b>		<b>1,243,688</b>		<b>1,243,688</b>
<b>Grand Total of all Funds FY 2020-2021</b>		<b>67,207,669</b>		<b>69,632,113</b>

## SECTION 2

A tax of sufficient millage to fund the aforesated appropriations (see also Sections 3 through 10 below) for the Oconee County Budget for the fiscal year beginning July 1, 2020 and ending June 30, 2021, after crediting against such appropriations all other unrestricted revenue anticipated to accrue to Oconee County and any fund balance budgeted to be used during said fiscal year, is hereby directed to be levied upon all taxable property, eligible to be lawfully taxed for such purposes, in Oconee County. The Auditor of Oconee County is hereby requested to recommend to the Oconee County Council, for approval by Oconee County Council, a sufficient millage levy, and the Treasurer of Oconee County is herein directed to collect sufficient millage on taxable property in Oconee County to provide for the aforesated operations appropriations and direct expenditures of Oconee County for the fiscal year beginning July 1, 2020 and ending June 30, 2021. The Auditor and Treasurer of Oconee County are hereby directed to fund such bond repayment sinking fund(s) as are necessary to provide for an orderly and timely payment of the debt service of Oconee County and to satisfy any debt covenants.

## SECTION 3

A tax of 3.0 mills to provide funding for the Tri-County Technical College Special Revenue Fund is hereby levied on all taxable property, eligible to be lawfully taxed for such purposes, in Oconee County. The revenue from this levy is hereby appropriated for expenditures in the amount of \$1,604,000, for support of Tri-County Technical College. The Auditor of Oconee County is hereby requested to levy and the Treasurer of Oconee County is herein directed to collect the millage on taxable property in Oconee County to provide for the aforesated appropriations of the Tri-County Technical College Special Revenue fund for the fiscal year beginning July 1, 2020 and ending June 30, 2021. To the extent such levy results in revenues in excess of the amount appropriated above, all such revenues shall be retained and accounted for in the Tri-County Technical College Special Revenue Fund and shall be carried forward from year to year as fund balance in this fund to be appropriated by Oconee County Council through future budget adoption or budget amendments.

<sup>3</sup> See sections 3 – 11 below.

#### **SECTION 4**

A tax of 2.9 mills to provide funding for the Emergency Services Protection Special Revenue Fund is hereby levied on all taxable property eligible to be lawfully taxed for such purposes, in Oconee County. The combined revenue from this levy and a portion of fund balance as authorized by County Council is hereby appropriated for expenditures in the amount of \$1,447,000, for the Emergency Services Protection Special Revenue Fund. The Auditor of Oconee County is hereby requested to levy and the Treasurer of Oconee County is herein directed to collect the millage on taxable property in Oconee County to provide for the aforestated operations appropriations and direct expenditures of the Emergency Services Protection Special Revenue Fund for the fiscal year beginning July 1, 2020 and ending June 30, 2021. To the extent such levy results in revenues in excess of the amount appropriated above, all such revenues shall be retained and accounted for in the Emergency Services Protection Special Revenue Fund and shall be carried forward from year to year as fund balance in this fund to be appropriated by Oconee County Council through future budget adoption or budget amendments.

#### **SECTION 5**

A tax of 2.1 mills to provide funding for the Road Maintenance Special Revenue Fund is hereby levied on all taxable property, eligible to be lawfully taxed for such purposes, in Oconee County. The combined revenue from this levy and a portion of fund balance as authorized by County Council is hereby appropriated, for expenditures in the amount of \$2,520,000 for the Road Maintenance Special Revenue Fund. The Auditor of Oconee County is hereby requested to levy and the Treasurer of Oconee County is herein directed to collect the millage on taxable property within Oconee County to provide for the aforestated operations appropriations and direct expenditures of the Road Maintenance Special Revenue Fund for the fiscal year beginning July 1, 2020 and ending June 30, 2021. To the extent such levy results in revenues in excess of the amount appropriated above, all such revenues shall be retained and accounted for in the Road Maintenance Special Revenue Fund and shall be carried forward from year to year as fund balance in this fund to be appropriated by Oconee County Council through future budget adoption or budget amendments.

#### **SECTION 6**

A tax of 1 mill to provide funding for the Bridge and Culvert Capital Project Fund is hereby levied on all taxable property, eligible to be lawfully taxed for such purposes, in Oconee County. The combined revenue from this levy and a portion of fund balance as authorized by County Council is hereby appropriated, for expenditures in the amount of \$1,150,000, for the Bridge and Culvert Capital Project Fund. The Auditor of Oconee County is hereby requested to levy and the Treasurer of Oconee County is herein directed to collect the millage on taxable property in Oconee County to provide for the aforestated operations appropriations and direct expenditures of the Bridge and Culvert Capital Project Fund for the fiscal year beginning July 1, 2020 and ending June 30, 2021. To the extent such levy results in revenues in excess of the amount appropriated above, all such revenues shall be retained and accounted for in the Bridge and Culvert Capital Project Fund and shall be carried forward from year to year as fund balance in this fund to be appropriated by Oconee County Council through future budget adoption or budget amendments.

#### **SECTION 7**

A tax of 2.4 mills to provide funding for the Economic Development Capital Project Fund is hereby levied on all taxable property, eligible to be lawfully taxed for such purposes, in Oconee County. The combined revenue from this levy, other anticipated restricted revenues, transfers, and a portion of fund balance as authorized by County Council is hereby appropriated for expenditures in the

amount of \$1,827,873 for the Economic Development Capital Projects Fund for projects approved by County Council. The Auditor of Oconee County is hereby requested to levy and the Treasurer of Oconee County is herein directed to collect the millage on taxable property in Oconee County to provide for the aforesated operations appropriations and direct expenditures of the Economic Development Capital Project Fund for the fiscal year beginning July 1, 2020 and ending June 30, 2021. To the extent such levy results in revenues in excess of the amount appropriated above, all such revenues shall be retained and accounted for in the Economic Development Capital Project Fund and shall be carried forward from year to year as fund balance in this fund to be appropriated by Oconee County Council through future budget adoption or budget amendments.

### **SECTION 8**

A tax of 3.0 mills to provide funding for the Debt Service Fund is hereby levied on all taxable property, eligible to be lawfully taxed for such purposes, in Oconee County. The combined revenue from this levy and a portion of fund balance as authorized by County Council is hereby appropriated for expenditures in the amount of \$1,243,688, for the Debt Service Fund. The Auditor of Oconee County is hereby requested to levy and the Treasurer of Oconee County is herein directed to collect the millage on taxable property in Oconee County to provide for the aforesated operations appropriations and direct expenditures of the Debt Service Fund for the fiscal year beginning July 1, 2020 and ending June 30, 2021. To the extent such levy results in revenues in excess of the amount appropriated above, all such revenues shall be retained and accounted for in the Debt Service Fund and shall be carried forward from year to year as fund balance in this fund to be appropriated by Oconee County Council through future budget adoption or budget amendments.

### **SECTION 9**

Oconee County receives certain recurring revenues that are restricted for certain purposes. These revenues are accounted for in various special revenue funds including the Victim Services-Sheriff's Office Fund, Victim Services-Solicitor's Office Fund, and 911 Fund, special revenue funds. Any surplus in these funds of the County or any moneys accruing therefrom shall be retained and accounted for in these funds and shall be carried forward from year to year as fund balances in such funds.

### **SECTION 10**

A tax of 2.0 mills to provide funding for the Capital Vehicle / Equipment Fund is hereby levied on all taxable property, eligible to be lawfully taxed for such purposes, in Oconee County. The combined revenue from this levy and a portion of fund balance as authorized by County Council is hereby appropriated for expenditures in the amount of \$1,196,728, for the Capital Vehicle / Equipment Fund. The Auditor of Oconee County is hereby requested to levy and the Treasurer of Oconee County is herein directed to collect the millage on taxable property in Oconee County to provide for the aforesated operations appropriations and direct expenditures of the Capital Vehicle / Equipment Fund for the fiscal year beginning July 1, 2020 and ending June 30, 2021. To the extent such levy results in revenues in excess of the amount appropriated above, all such revenues shall be retained and accounted for in the Capital Vehicle / Equipment Fund and shall be carried forward from year to year as fund balance in this fund to be appropriated by Oconee County Council through future budget adoption or budget amendments.

### **SECTION 11**

All capital projects and multi-year grant appropriations made by prior year budget ordinances for which the respective monies have been obligated or encumbered are hereby carried forward and reappropriated, as of July 1, 2020, as a part of the budget authorized by this Ordinance.



## SECTION 12

Capital projects are budgeted on a project basis instead of an annual basis and as such, unexpended appropriations for uncompleted capital projects are carried forward as a part of the budget authorized by this Ordinance.

## SECTION 13

All unexpended appropriations as of June 30, 2020, except for those specifically carried forward by this Ordinance shall lapse and expire and the monies involved shall revert to the fund balance of the fund from which the appropriation originated. The remaining unexpended appropriations will revert to the fund balance of the fund from which the appropriation originated, as stated herein.

## SECTION 14

The County Administrator, as required by state law, shall oversee and supervise the day-to-day implementation of this budget ordinance, including the execution and delivery, on behalf of the County, of all contractual documents necessary or required for the expenditure of funds authorized by this budget ordinance, for the purposes for which such funds are so authorized. Subject to the procurement policies of the County, the County Administrator is hereby authorized to contract and enter into contracts on behalf of the County for purposes, activities and matters budgeted for herein.

## SECTION 15

The fees authorized for all county departments to charge for services of the county and to use for operations of the county are as set forth in a schedule of fees. This schedule of fees attached hereto as **ATTACHMENT B**,<sup>4</sup> is incorporated herein by reference as fully as if set forth verbatim herein, and adopted as part of this ordinance, and the fees are hereby approved to be charged by the appropriate county departments. The County Administrator is hereby authorized to execute the Airport T-Hangar rental agreements, consistent with the rates established on **ATTACHMENT B**.

## SECTION 16

The County began contributing to retiree health benefits (the "Retiree Health Benefit Plan" or "Plan") on behalf of employees and county retirees on January 1, 1985. Several amendments to the County's Plan guidelines have occurred since that time; however, nothing in the Plan amendments permits or affords grandfathering eligibility for any individual other than those outlined explicitly in the guidelines, which are incorporated herein by reference, as fully as if set forth verbatim, and adopted as part of this Ordinance, and the rates are hereby approved to be charged and administered according to the Retiree Health Plan Guidelines. The County Administrator is authorized to administer the Plan in accordance with these guidelines and to establish health reimbursement accounts for eligible retirees for contributory purposes for the fiscal year beginning July 1, 2020 and ending June 30, 2021. **DUE TO THE RISK OF UNKNOWN CIRCUMSTANCES, THIS PLAN MAY BE DEEMED NON-SUSTAINABLE AT SOME FUTURE TIME. THE RETIREE HEALTH BENEFIT GUIDELINES ARE DISCRETIONARY ON THE PART OF THE COUNTY AND THE EMPLOYEE AND DO NOT CREATE ANY EXPRESS OR IMPLIED CONTRACT OF THIS BENEFIT BEING PROVIDED IN THE FUTURE OR IN ANY PARTICULAR AMOUNT AT ANY TIME. NO PAST PRACTICES OR PROCEDURES, PROMISES OR ASSURANCES, WHETHER WRITTEN OR ORAL, FORM ANY EXPRESS OR IMPLIED AGREEMENT TO CONTINUE SUCH PRACTICES OR PROCEDURES. IT IS EXPLICITLY STATED AND RECOGNIZED BY THE COUNTY AND EVERY EMPLOYEE ACCEPTING BENEFITS UNDER THE PLAN THAT ALL EMPLOYMENT IN OCONEE COUNTY (EXCEPT FOR THE OCONEE COUNTY ADMINISTRATOR AND**

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<sup>4</sup> Adopted by 2020-01, incorporated hereby.

**SUCH OTHERS AS ARE SPECIFICALLY AUTHORIZED BY COUNTY COUNCIL TO BE BOUND TO AN EMPLOYMENT CONTRACT), IS “AT WILL” AND THAT ALL PROVISIONS OF ANY AND ALL EMPLOYMENT BENEFITS, INCLUDING WITHOUT LIMITATION, THOSE DESCRIBED IN THE PLAN IS ALWAYS SUBJECT TO ANNUAL APPROPRIATION BY OCONEE COUNTY COUNCIL, WHICH IS NEVER GUARANTEED AND NEVER WILL BE GUARANTEED.**

**SECTION 17**

If any clause, phrase, sentence, paragraph, appropriation, or section of this Ordinance shall be held invalid for any reason, it shall not affect the validity of this Ordinance as a whole or the remaining clauses, phrases, sentences, paragraphs, appropriations, or sections hereof, which are hereby declared separable.

**SECTION 18**

All other orders, resolutions, and ordinances of Oconee County, inconsistent herewith, are, to the extent of such inconsistency only, hereby revoked, rescinded, and repealed.

**SECTION 19**

This Ordinance shall become effective upon approval on third reading.

**SECTION 20**

The budget provisos attached hereto are hereby incorporated herein, by reference, as fully as if set forth verbatim herein, and adopted as part of this Ordinance.

Adopted in meeting duly assembled this \_\_\_\_ day of September, 2020.

OCONEE COUNTY, SOUTH CAROLINA

\_\_\_\_\_  
Julian Davis III  
Chairman, Oconee County Council

ATTEST

\_\_\_\_\_  
Katie Smith  
Clerk to County Council

First Reading: September 1, 2020

Second Reading:

Public Hearing:

Third Reading:

**STATE OF SOUTH CAROLINA**  
**COUNTY OF OCONEE**  
**BUDGET PROVISOS FOR FISCAL YEAR 2020-2021**  
**ORDINANCE 2020-18**

**Section 1**

The fund appropriations made herein shall not be exceeded without proper authority or amendment by Oconee County Council. Any officer incurring indebtedness on the part of the County in excess of the appropriations herein made or authorized shall be liable upon his official bond.

**Section 2**

The Finance Director and Treasurer of Oconee County shall prepare such separate records and books of account as may be required by the United States Government or any of its agencies or by the State of South Carolina or any of its agencies, reflecting the receipt and disposition of all funds.

**Section 3**

All purchasing and contracting for the acquisition of goods and services for County purposes shall be in accordance with procedures outlined in the County Procurement Ordinance, as codified. Subject to the provisions of Oconee County policies, whenever possible and practical, goods and services shall be purchased from firms and individuals located in Oconee County whenever goods and services of equal quality and specifications are available from local suppliers at prices less than or equal to prices submitted by nonresident suppliers. By prior action of Council, ancillary to Ordinance 2020-01, the County was limited in advertising and related media procurement, such that it could not utilize the Upstate Journal or affiliated publications unless legally necessary. (Due to certain content published by the Upstate Journal, Council deemed it an inappropriate vendor at that time.) The issue giving rise to that decision having been attenuated by time and the lack of additional similarly objectionable content, Council now revokes that decision. While advertising and related media procurement may be had from any source, when consistent with the County's procurement code, Council again states its intent that the County consider, among other things, any actions or positions known about potential vendors, which are objectionable in relation to race, gender, religion and the like in determining the responsiveness and responsibility of those vendors.

**Section 4**

No bills or claims against Oconee County shall be approved for payment and no check will be issued for same unless such bills or claims are properly itemized showing the goods purchased or services rendered, dated as of the date of delivery of said goods and/or services and signed by the person receiving said goods or services.

**Section 5**

No officer, elected official, or employee of Oconee County shall furnish any services or sell any materials or supplies to the County for pay, except upon open quote or bid in accordance with the County Procurement Ordinance, as codified.

**Section 6**

County Council may transfer funds from any fund, department, activity, or purpose to another by normal Council action, subject to all other applicable legal requirements.

The County Administrator is authorized to:

- (1) Transfer non-salary appropriations within a department, or between departments within a fund, provided that no such transfer exceeds Fifty Thousand and 00/100 (\$50,000.00) Dollars; this restriction may not be circumvented by way of multiple transfers.
- (2) Transfer salary appropriations within a department, or between departments within a fund, provided that the sum of such transfers for the entire fiscal year does not exceed One Hundred Thousand and 00/100 (\$100,000.00) Dollars.
- (3) Transfer between salary appropriations and non-salary appropriations within a department, or between departments within a fund, provided that no such transfer exceeds Ten Thousand and 00/100 (\$10,000.00) Dollars; this restriction may not be circumvented by way of multiple transfers; and, the sum of such transfers for the entire fiscal year shall not exceed One Hundred Thousand and 00/100 (\$100,000.00) Dollars.
- (4) Any other transfers by the County Administrator require Council authorization.
- (5) Transfers by the County Administrator shall be reflected on the budgetary reports regularly submitted to Council.

All transfers authorized by this section are subject to the overall fund appropriation limits of this Ordinance

### **Section 7**

For any equipment, vehicle, or any other item that is approved in the budget as a replacement for existing items, the item being replaced will be relinquished to the Procurement Director for disposal or reassignment.

### **Section 8**

The standard mileage rate reimbursed to County employees for use of their personal vehicles will be equal to the amount set, as the authorized rate at the applicable time, by the Internal Revenue Service.

### **Section 9**

Oconee County will pay County employees a per diem for meals while traveling on County business, including travel related to training. No per diem will be paid for meals that are included in registration fees. The rates will be \$8 for breakfast, \$12 for lunch and \$15 for dinner. Per Diem for breakfast will be reimbursed if the employee is required to leave home before 7:30 a.m. Per Diem for dinner will be reimbursed if the employee returns home after 6 p.m. For non-overnight travel reimbursement for meals will be based on actual expenditures for meals, limited to the per diem amounts above. Receipts for meals will be required for reimbursements.

### **Section 10**

The first \$1500 of Oconee County building permit fees and related and associated building code fees are, to the extent permitted by law, hereby waived and set at \$0 for any Oconee County non-profit or eleemosynary entity duly recognized as such by the State of South Carolina and granted tax exempt status by the Internal Revenue Service of the United States ("IRS"), to the extent the building project is for the general public good, and only for so long as such entity maintains such non-profit or eleemosynary status and tax exempt recognition by the IRS. All building permit fees and building code fees in excess of \$1500, per applying non-profit, eleemosynary entity per application, will be applied and collected as usual, per this budget, this proviso, and the attached and incorporated Oconee County Departmental Fees Schedule. Oconee County Council hereby determines and finds that this reduction in fees is appropriate and justified by the provision of public services which these non-profit, eleemosynary entities provide to Oconee County and the public of Oconee County –

services of public use and public benefit which would otherwise have to be provided by some unit of local government.

### **Section 11**

For all economic development projects in a joint county industrial or business park (“MCIP”) in the unincorporated portion of the County, for which revenue is first received on or after July 1, 2020, excluding any MCIP agreements now in existence (or which have been previously approved by County ordinance) wherein a different allocation is in place, and subject to any superior agreements allocating portions of such revenue, all revenue or remaining revenue, as the case may be, received from such MCIP which is/was attributable to the levy of all general fund millages shall be divided and distributed in the following percentages, in order to offset the costs of economic development which made the project(s) possible: (1) Oconee County General Fund – 33%; Oconee County Economic Development Capital Projects Fund – 34%; School District of Oconee County - 33%; (2) all other taxing entities levying millage at the site in question - 1% each;<sup>[1]</sup> (3) all other taxing entities in Oconee County - 0%. Revenue attributable to the levy of debt service millage or other non-general fund millage shall be distributed to the taxing entity levying such millage. For joint county industrial or business parks located within municipal limits, the intergovernmental agreement governing the creation of such MCIP shall govern distribution of revenues. Any unused revenues in such fund at the end of any fiscal year shall be carried over to the succeeding fiscal year.

### **Section 12**

Pursuant to authority given to governing bodies of South Carolina counties by the South Carolina General Assembly in Section 12-43-360 of the South Carolina Code of Laws, 1976, as amended, the Oconee County Council hereby reduces the assessment ratio otherwise applicable in determining the assessed value of general aviation aircraft subject to property tax in Oconee County to a ratio of four percent (4%) of the fair market value of such general aviation aircraft. Such assessment ratio shall apply uniformly to all general aviation aircraft subject to *ad valorem* property taxation in Oconee County. This proviso first became effective in the 2011-2012 budget ordinance and is a part of the budget ordinance beginning July 1, 2020 and ending June 30, 2021.

### **Section 13**

Oconee County seeks to increase and maintain its unassigned fund balance to and at an amount not less than twenty-five percent (25%) of its regular general fund operating expenditures. (See Oconee Code of Ordinances Section 2-476.) Oconee County’s unassigned fund balance as of the last audited fiscal year (2019) was \$6,412,141. Oconee County’s assigned fund balance as of the last audited fiscal year (2019) was as follows:

Assigned funds for the Solid Waste Reserve General Fund balance:	\$ 912,806
Assigned funds for the Healthcare Reserve General Fund balance:	\$2,000,000
Assigned funds for the OPEB Reserve General Fund Balance:	\$1,207,715
Assigned funds for Old Courthouse Fund Balance:	\$ 500,000
Assigned funds for Transportation Fund Balance:	\$ 300,000

### **Section 14**

County Council adopts the employee benefit plan and ratifies the designation of the County Administrator to act as the Plan Administrator and affirms all plan amendments prior to the date hereof, attached hereto as **ATTACHMENT C**.<sup>5</sup>

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<sup>[1]</sup> If there are other taxing entities levying millage at the site in question, then the County and the SDOC percentages shall apply to the remainder.

<sup>5</sup> Adopted by 2020-01, incorporated hereby.

### **Section 15**

County Council adopts the retiree health benefit plan as modified and ratifies the designation of the County Administrator to act as the Plan Administrator and affirms all plan amendments prior to the date hereof, attached hereto as **ATTACHMENT D**.<sup>6</sup>

### **Section 16**

Oconee County receives federal, state, and local grants for specified purposes. Oconee County is hereby authorized, absent any other factor, to apply for, receive, and expend all such grants for which no local match is required or for which such funds are budgeted herein, in addition to all other authority elsewhere given, and in accordance with all other policies and directives of Oconee County. These grants, including any local match, are deemed budgeted for the specified purposes upon acceptance of such grants. These grants are budgeted for on a project basis in accordance with the grantors' terms and conditions instead of an annual basis and as such, unexpended appropriations for uncompleted grant projects are carried forward as a part of the budget authorized by this Ordinance. The Oconee County Administrator, or his or her duly authorized representative, is hereby authorized to apply for all federal, state, and other grants for which no County matching funds are required, if all necessary operating funds for the County facility, institution, or programs in question have been made available by County Council through the County's operating and capital budgets or are available in applicable County enterprise fund balances, or for those grants for which County matching funds are required when all necessary County matching funds have been made available by County Council through the annual County operating and capital budgets or are available in applicable County enterprise fund balances, for County Council authorized programs, institutions, and facilities of the County, and to receive and expend such federal and state grant funds, for the purposes authorized in the respective grant applications.

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<sup>6</sup> Adopted by 2020-01, incorporated hereby.



ted party should consider performing an independent title examination of the subject property as no warranty is given. THE SALE WILL NOT be held unless either Plaintiff's attorney or Plaintiff's bidding agent is present at the sale and either Plaintiff's attorney or Plaintiff's bidding agent enters the authorized bid of Plaintiff for this captioned matter. In the alternative, Plaintiff's counsel, if permitted by the Court, may advise this Court directly of its authorized bidding instructions. In the event a sale is inadvertently held without Plaintiff's Counsel or Counsel's bidding agent entering the authorized bid of Plaintiff for this specifically captioned matter, the sale shall be null and void and the property shall be re-advertised for sale on the next available sale date. NEITHER THE PLAINTIFF nor its counsel make representations as to the integrity of the title or the fair market value of the property offered for sale. Prior to bidding you may wish to review the current state law or seek the advice of any attorney licensed in South Carolina.

**Beverly H. Whitfield**  
Clerk of Court for Oconee County  
Scott and Corley, P.A.  
Attorney for Plaintiff

Notice of Public Hearing  
There will be a public hearing at 6pm, Thursday, September 17, 2020 in Oconee County Council Chambers located at 415 South Pine Street, Walhalla, SC 29691 for the following ordinance:

STATE OF SOUTH CAROLINA  
OCONEE COUNTY  
Ordinance 2020-18

AN ORDINANCE TO AMEND ORDINANCE 2020-01 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 BRIDGE AND CULVERT CAPITAL PROJECT FUND, FOR THE ECONOMIC DEVELOPMENT CAPITAL PROJECT FUND, FOR THE DEBT SERVICE FUND, FOR THE VICTIM SERVICES SPECIAL REVENUE FUNDS, FOR THE CAPITAL VEHICLE / EQUIPMENT FUND, ALL IN OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2020 AND ENDING JUNE 30, 2021.

Public Notice  
The Oconee County Council meeting scheduled for 6pm, Tuesday, September 1, 2020 will have changes to the Public Comment Session as indicated below. Due to the Novel Coronavirus pandemic and the ongoing state of emergency, in-person attendance at this Council meeting by members of the general public will be limited. Attendance will be limited to twenty percent of the stated maximum occupancy, which equates to thirty-four (34) persons (including Council members, other elected officials, and staff). Attendees will be required to sit in designated seats, appropriately spaced. In-person attendance will be allowed on a "first-come" basis. Please contact Katie Smith, Clerk to Council at ksmith@oconeesc.com or 864-718-1023 regarding the follow-

NOTICE OF SALE  
C.A. No. 2020-CP-37-00169  
AgSouth Farm Credit, ACA,  
Plaintiff,  
vs.  
Bradley C. Smith,  
Defendant.

Pursuant to Decree of Foreclosure in the above-captioned case, the undersigned will sell at public auction to the highest bidder at the Oconee County Courthouse, 205 W. Main Street, Walhalla, South Carolina on September 8, 2020 at 11:00 a.m. the following property:  
The Following Described Property: The decedent's undivided interest in, of and to all that certain piece, parcel or lot of land consisting of 30 acres, more or less, being the property conveyed to Frank Smith by Deed as recorded in Deed Book 3-U, Page 228, records of Oconee County, South Carolina. See Plat Book P-39, Page 291.  
Derivation: This is the same property inherited by William Elmer Smith from the estate of Frank Smith who died intestate as shown by a Devise/Descent of Real Estate and Description dated May 16, 1975 in the Office of the Clerk of Court for Oconee County in Deed Book 12-F at page 123.

TMS #098-00-02-004  
Property Address: 441  
David Lusk Dr.  
Salem, SC 29676

The total judgment debt set forth in the Decree is \$98,583.63. The successful bidder must pay interim interest from the date of the sale through the date of compliance at the rate of Twenty-One and 08/100ths (\$21.08) Dollars per day. The property will be sold subject to any past due or accruing property taxes, existing easements, rights-of-way, and restrictions, including those that may appear of record on the recorded plats or on the premises. Each successful bidder other than plaintiff at time the bid is accepted will be required to deposit with the undersigned as evidence of good faith five (5.00%) percent of the bid in cash or certified check. In event purchaser fails or refuses to comply with the terms of the sale within twenty (20) days, the deposit shall be forfeited and applied first to costs and then to Plaintiff's debt, and the undersigned shall forthwith re-advertise and resell said property upon the same terms on some subsequent day at the risk of former purchaser until obtaining full compliance with the terms of the sale. Plaintiff has waived deficiency judgment in this matter by written stipulation. As such, bidding will close on sales day.  
Terms of sale: Cash, purchaser to pay for deed and stamps.

The Oconee County Council will hold a special meeting at 6pm, Thursday, September 17, 2020 in Council Chambers at the Oconee Administrative Offices located at 415 South Pine Street, Walhalla, SC for the purpose of third & final reading of Ordinance 2020-18.

The Oconee County Council will hold a special meeting at 6pm, Tuesday, September 8, 2020 in Council Chambers at the Oconee Administrative Offices located at 415 South Pine Street, Walhalla, SC for the purpose of second reading of Ordinance 2020-18.

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**General Fund Budget Amendments for FY 2020-2021**

<b>Department</b>	<b>Description</b>	<b>Increase/(Decrease)</b>
<b>101 Sheriff Office (101)</b>		
	Remove salary savings	150,000.00
	Professional	10,000.00
	Data Processing	25,000.00
	Staff Development	7,000.00
	Small Equipment	8,000.00
	IT Replacement	8,000.00
	Uniforms (Vests)	50,000.00
	<b>258,000.00</b>	
<b>103 Coroner (103)</b>		
	Maint on Equipment	750.00
	Pauper Funerals(move from DSS)	8,000.00
	<b>8,750.00</b>	
<b>104 Communication (104)</b>		
	Dispatcher II	48,935.00
<b>106 Detention Center (106)</b>		
	<b>48,935.00</b>	
	Correctional Officer	49,345.00
	Remove salary savings	100,000.00
	Data Processing	6,500.00
	Medical Contract & State Inmates	112,000.00
	<b>267,845.00</b>	
<b>107 Fire/Emergency Services (107)</b>		
	Fire Truck Balance for the 1.3M	800,000.00
	OMH Funding Increase	150,000.00
	<b>950,000.00</b>	
<b>203 High Falls Park (203)</b>		
	Equipment Rental	(10,000.00)
	electricity	5,000.00
	<b>(5,000.00)</b>	
<b>204 South Cove Park (204)</b>		
	Electricity	20,000.00
	<b>20,000.00</b>	
<b>301 Assessor (301)</b>		
	Data Processing	21,000.00
	<b>21,000.00</b>	
<b>302 Auditor (302)</b>		
	New Employee.	17,000.00
	<b>17,000.00</b>	
<b>305 Delinquent Tax Collector (305)</b>		
	Salary Correction	3,900.00
	<b>3,900.00</b>	
<b>306 Treasurer (306)</b>		
	Postage and operational	
	Postage	4,000.00
	Operational (Printer Cartages)	2,000.00
	<b>6,000.00</b>	
<b>402 Department of Social Services (402)</b>		
	Move Pauper to Coroner	(8,000.00)
	<b>(8,000.00)</b>	
<b>403 Health Department (403)</b>		
	Decrease Funding or leave for Waihalla, building funds will roll approved by Council	(8,000.00)
	<b>(8,000.00)</b>	
<b>404 Veterans' Affairs (404)</b>		
	Misc Increases	
	Operational	1,500.00
	Small Equipment	500.00
	Staff Development	250.00
	<b>2,250.00</b>	

**General Fund Budget Amendments for FY 2020-2021**

Department	Description	Increase/(Decrease)
<b>601</b>	<b>Roads and Bridges (601)</b>	
	Operational	2,500.00
		2,500.00
<b>707</b>	<b>Economic Development (707)</b>	
	Graphic Designs Position Removed	(58,647.00)
		(58,647.00)
<b>711</b>	<b>Information Technology (711)</b>	
	New Position	50,000.00
		50,000.00
<b>715</b>	<b>Voter Registration and Elections (715)</b>	
	Data Processing	5,000.00
		5,000.00
<b>716</b>	<b>Soil and Water Conservation District (716)</b>	
	Dam Insurance	600.00
	Coop Extension Service Increase	700.00
		1,300.00
<b>717</b>	<b>Administrator (717)</b>	
	\$1,500 employee pay increase	585,176.00
		585,176.00
<b>718</b>	<b>Solid Waste (718)</b>	
	Capital Expenditures - Compactors	50,000.00
	Transfer Station Repairs	95,000.00
		145,000.00
<b>720</b>	<b>Airport (720)</b>	
	Parking Lot	30,000.00
	Airport Attendant	48,935.00
		78,935.00
<b>735</b>	<b>Register of Deeds (735)</b>	
	Equipment Maintenance	2,000.00
		2,000.00
<b>741</b>	<b>County Attorney (741)</b>	
	Salary Correction/Professional	30,500.00
		30,500.00
	<b>Total of Amendments for General Fund</b>	<b>2,424,444.00</b>

**Summary**

Public Safety	1,533,530.00	63%
Public Works/Transportation	226,435.00	9%
General Government	721,876.00	30%
Culture and Recreation	15,000.00	1%
Health and Welfare	(13,750.00)	-1%
Economic Development	(58,647.00)	-2%
<b>Total By Function</b>	<b>2,424,444.00</b>	<b>100%</b>