



MINUTES

OCONEE COUNTY COUNCIL

Regular Meeting

May 21, 2024

MEMBERS, OCONEE COUNTY COUNCIL

Mr. John Elliott, District I
Mr. Matthew Durham, Chairman, District II
Mr. Don Mize, Vice Chairman, District III
Mr. Julian Davis III, District IV
Mr. Glenn Hart, Chairman Pro Tem, District V

Oconee County Council met at 6:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members, County Administrator Amanda F. Brock, County Attorney David Root, & Jennifer C. Adams, 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: Andrea Kelley / The Journal, Dick Mangrum / 101.7 WGOG

Call to Order

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

Moment of Silence

Mr. Durham asked for a moment of silence prior to the Invocation.

Invocation

Mr. David Root, County Attorney, gave the invocation.

Pledge of Allegiance

Sargent Mulwee led the Pledge of Allegiance to the Flag of the United States of America.

Approval of Minutes

Mr. Davis made a motion, seconded by Mr. Elliott, approved 5 – 0, to approve the May 7, 2024 regular meeting minutes as presented.

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Attorney's Comments

None at this meeting.

Administrator's Comments

None at this meeting.

Public Comment Session

If you are not able to attend in person and you have a comment, you may submit it by contacting our Clerk to Council, Jennifer C. Adams at jennifercadams@oconeesc.com or 864-718-1023, so that she may receive your comment and read it into the record.

1. Mr. Tom Markovich address Council in opposition to **Ordinance 2024-18**.
2. Mr. Rannie Bond addressed Council with questions regarding a lawsuit and attorney selection.
3. Ms. Mary Smith addressed Council regarding a personal legal matter.
4. Mr. Mike Johnson, Oconee County Planning Commission Chair, addressed Council with details regarding **Ordinance 2024-18** and urged them to consider approval of this ordinance.
5. Mr. Kevin Christenberry, Fire Chief for the Corinth Shiloh Fire Department, addressed Council in opposition to **Resolution 2024-12** (later amended to 2024-13).
6. Mr. Danny Delmarco, a volunteer with the Corinth Shiloh Fire Department, addressed Council in opposition to **Resolution 2024-12** (later amended to 2024-13).
7. Mr. Tim Murphy, a volunteer with the Corinth Shiloh Fire Department, addressed Council in opposition to **Resolution 2024-12** (later amended to 2024-13).

Council Members Comments

Mr. Elliott urged all citizens of Oconee County to be safe during the upcoming Memorial Day holiday, then went on to add that he is in opposition of **Resolution 2024-12** (later amended to 2024-13), that would move the special election to become a Special Fire Tax District from July 30, 2024 to the general election on November 5, 2024.

Mr. Durham thanked Ms. Smith for her comments and went on to add that Deputy Lucas Watts will be returning home tomorrow.

Sargent Mulwee with the Oconee County Sheriff's Office announced that Deputy Watts received the Officer of the Year award in Columbia, where his family was there to accept on his behalf.

Public Hearing for the Following Ordinances

ORDINANCE 2024-13 AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF AD VALOREM TAXES AND SPECIAL SOURCE REVENUE CREDIT AGREEMENT, BY AND BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND CLARIOS, LLC (FORMERLY IDENTIFIED AS PROJECT CHERRY), A COMPANY ACTING FOR ITSELF, ONE OR MORE CURRENT OR FUTURE AFFILIATES, AND OTHER PROJECT COMPANIES (COLLECTIVELY "COMPANY"); PROVIDING FOR A FEE IN LIEU OF AD VALOREM TAXES INCENTIVE; PROVIDING FOR A SPECIAL SOURCE REVENUE CREDIT; CREATING OR MODIFYING A JOINT COUNTY INDUSTRIAL AND BUSINESS PARK BETWEEN OCONEE COUNTY AND PICKENS COUNTY SO AS TO DESIGNATE THE PROPERTY OF THE PROJECT AS PART OF SUCH PARK; AND OTHER RELATED MATTERS.

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Mr. Durham opened the floor for Public Comment.

8. Ms. Elizabeth Crockett addressed Council in opposition to **Resolution 2024-12** (later amended to 2024-13). (Ms. Crockett had inadvertently signed the wrong sign-in sheet when requesting to address Council.)

Mr. Durham closed the Public Hearing regarding **Ordinance 2024-13**.

ORDINANCE 2024-14 AN ORDINANCE TO DEVELOP A JOINTLY OWNED AND OPERATED INDUSTRIAL/BUSINESS PARK IN CONJUNCTION WITH PICKENS COUNTY, SOUTH CAROLINA, SUCH INDUSTRIAL/BUSINESS PARK TO BE GEOGRAPHICALLY LOCATED IN PICKENS COUNTY AND ESTABLISHED PURSUANT TO SEC. 4-1-170 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED; TO PROVIDE FOR A WRITTEN AGREEMENT WITH PICKENS COUNTY TO PROVIDE FOR THE EXPENSES OF THE PARK, THE PERCENTAGE OF REVENUE APPLICATION, AND THE DISTRIBUTION OF FEES IN LIEU OF AD VALOREM TAXATION; AND OTHER MATTERS RELATED THERETO

Mr. Durham opened the floor for Public Comment.

Noting that no citizens signed up to address Council and no citizen submitted or presented any written comments for the record.

Mr. Durham closed the Public Hearing regarding **Ordinance 2024-14**.

ORDINANCE 2024-01 AN ORDINANCE TO ESTABLISH THE BUDGET FOR OCONEE COUNTY AND 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 FUNDS, FOR THE COMMUNITY HEALTH AND COMMUNITY SERVICES SPECIAL REVENUE FUND, FOR THE ECONOMIC DEVELOPMENT CAPITAL PROJECT FUND, FOR THE BRIDGE AND CULVERT CAPITAL PROJECT FUND, FOR THE CAPITAL VEHICLE / EQUIPMENT FUND, FOR THE PARKS, RECREATION, AND TOURISM CAPITAL PROJECTS FUND, FOR THE FIRE / EMERGENCY SERVICES CAPITAL VEHICLE AND EQUIPMENT FUND, FOR THE GENERAL ONE TIME CAPITAL FUND, AND FOR THE DEBT SERVICE FUND, ALL IN OCONEE COUNTY FOR THE **FISCAL YEAR BEGINNING JULY 1, 2024 AND ENDING JUNE 30, 2025**.

Mr. Durham opened the floor for Public Comment.

Noting that no citizens signed up to address Council and no citizen submitted or presented any written comments for the record.

Mr. Durham closed the Public Hearing regarding **Ordinance 2024-01**.

ORDINANCE 2024-02 AN ORDINANCE TO ESTABLISH THE BUDGET FOR THE SCHOOL DISTRICT OF OCONEE COUNTY AND TO PROVIDE FOR THE LEVY OF TAXES FOR THE OPERATIONS OF THE SCHOOL DISTRICT OF OCONEE COUNTY FOR THE FISCAL YEAR

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BEGINNING JULY 1, 2024 AND ENDING JUNE 30, 2025.

Mr. Durham opened the floor for Public Comment.

Noting that no citizens signed up to address Council and no citizen submitted or presented any written comments for the record.

Mr. Durham closed the Public Hearing regarding **Ordinance 2024-02**.

ORDINANCE 2024-03 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, 2024 AND ENDING JUNE 30, 2025.

Mr. Durham opened the floor for Public Comment.

Noting that no citizens signed up to address Council and no citizen submitted or presented any written comments for the record.

Mr. Durham closed the Public Hearing regarding **Ordinance 2024-03**.

Third Reading of the Following Ordinances

ORDINANCE 2024-13 *[see caption above]*

Mr. Davis made a motion, seconded by Mr. Elliott, to approve **Ordinance 2024-13** on third and final reading.

Mr. Durham extended his thanks to Clarios for choosing Oconee County.

Motion approved 5 – 0.

Mr. Durham then thanked Clarios representatives, Mr. Barron and Mr. Roland, for attending the meeting.

ORDINANCE 2024-14 *[see caption above]*

Mr. Davis made a motion, seconded by Mr. Elliott, approved 5 - 0, to approve **Ordinance 2024-14** on third and final reading.

Second Reading of the Following Ordinances

ORDINANCE 2024-01 AN ORDINANCE TO ESTABLISH THE BUDGET FOR OCONEE COUNTY AND 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 FUNDS, FOR THE COMMUNITY HEALTH AND COMMUNITY SERVICES SPECIAL REVENUE FUND, FOR THE ECONOMIC DEVELOPMENT CAPITAL PROJECT FUND, FOR THE BRIDGE AND CULVERT CAPITAL PROJECT FUND, FOR THE CAPITAL VEHICLE / EQUIPMENT FUND, FOR THE PARKS, RECREATION, AND TOURISM CAPITAL

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PROJECTS FUND, FOR THE FIRE / EMERGENCY SERVICES CAPITAL VEHICLE AND EQUIPMENT FUND, FOR THE GENERAL ONE TIME CAPITAL FUND, AND FOR THE DEBT SERVICE FUND, ALL IN OCONEE COUNTY FOR THE **FISCAL YEAR BEGINNING JULY 1, 2024 AND ENDING JUNE 30, 2025.**

Mr. Davis made a motion, seconded by Mr. Hart, to approve **Ordinance 2024-01** on second reading.

Mr. Davis extended his thanks to Ms. Brock for spending the time to answer his questions related to the proposed budget, then went on to add remarks related to past public comment statements made by a current Council member, who was not on Council at the time, related to budget increases.

Mr. Durham noted that his previous public comment statements were made in 2019, when he was not a Council member, were not related to the budget and that they were related to a significant tax increase, further stating he would have the same speech today if the proposed budget included a tax increase.

Motion approved 5 – 0.

ORDINANCE 2024-02 AN ORDINANCE TO ESTABLISH THE BUDGET FOR THE SCHOOL DISTRICT OF OCONEE COUNTY 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, 2024 AND ENDING JUNE 30, 2025.

Mr. Davis made a motion, seconded by Mr. Elliott, approved 5 - 0, to approve **Ordinance 2024-02** on second reading.

ORDINANCE 2024-03 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, 2024 AND ENDING JUNE 30, 2025.

Mr. Elliott made a motion, seconded by Mr. Hart, approved 5 - 0, to approve **Ordinance 2024-03** on second reading.

ORDINANCE 2024-17 AN ORDINANCE TO REZONE A SERIES OF PARCELS, SPECIFIED HEREIN, FROM THE CONTROL FREE DISTRICT TO THE LAKE RESIDENTIAL DISTRICT (TWENTY-THREE (23) PARCELS, KEOWEE PLANTATION), PURSUANT TO OCONEE COUNTY CODE OF ORDINANCES CHAPTER 38, ARTICLE 8.

Mr. Elliott made a motion, seconded by Mr. Davis, approved 5 - 0, to approve **Ordinance 2024-17** on second reading.

First Reading of the Following Ordinances

ORDINANCE 2024-16 AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF AD VALOREM TAXES AND SPECIAL SOURCE REVENUE CREDIT AGREEMENT, BY AND BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND A COMPANY CURRENTLY IDENTIFIED AS PROJECT TURN, ACTING FOR ITSELF, ONE OR MORE CURRENT OR FUTURE AFFILIATES, AND OTHER PROJECT COMPANIES (COLLECTIVELY “COMPANY”); PROVIDING FOR A FEE IN LIEU OF AD VALOREM TAXES

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INCENTIVE; PROVIDING FOR A SPECIAL SOURCE REVENUE CREDIT; CREATING OR MODIFYING A JOINT COUNTY INDUSTRIAL AND BUSINESS PARK BETWEEN OCONEE COUNTY AND PICKENS COUNTY SO AS TO DESIGNATE THE PROPERTY OF THE PROJECT AS PART OF SUCH PARK; AND OTHER RELATED MATTERS.

Mr. Elliott made a motion, seconded by Mr. Hart, approved 5 - 0, to approve **Ordinance 2024-16** on first reading.

ORDINANCE 2024-18 AN ORDINANCE AMENDING CHAPTER 38 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING THE ESTABLISHMENT OF MINIMUM LOT SIZE AND MAXIMUM LOT DENSITY PROVISIONS FOR THE CONTROL FREE DISTRICT; AND OTHER MATTERS RELATED THERETO.

Mr. Elliott made a motion, seconded by Mr. Mize, to approve **Ordinance 2024-18** on first reading.

As requested by Mr. Hart, Mr. Root provided an explanation regarding why item number six was added back to **Ordinance 2024-18**, as approved by Council at the May 7, 2024 meeting.

Mr. Elliott clarified that with the addition of item number six to **Ordinance 2024-18**, it allows for a notice of public hearing before voting at second reading.

Motion approved 5 – 0.

First & Final Reading for the Following Resolutions

RESOLUTION 2024-11 A RESOLUTION PROVIDING PRELIMINARY APPROVAL PURSUANT TO TITLE 12, CHAPTER 44 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, FOR THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF AD VALOREM TAXES AND SPECIAL SOURCE REVENUE CREDIT AGREEMENT BY AND BETWEEN OCONEE COUNTY, SOUTH CAROLINA, AND A COMPANY IDENTIFIED FOR THE TIME BEING AS PROJECT TURN, ACTING FOR ITSELF, ONE OR MORE CURRENT OR FUTURE AFFILIATES, AND OTHER PROJECT COMPANIES (COLLECTIVELY, “COMPANY”); PROVIDING FOR A FEE-IN-LIEU OF AD VALOREM TAXES INCENTIVE; PROVIDING FOR A SPECIAL SOURCE REVENUE CREDIT; CREATING OR MODIFYING A JOINT COUNTY INDUSTRIAL AND BUSINESS PARK AGREEMENT BETWEEN OCONEE COUNTY AND PICKENS COUNTY SO AS TO ESTABLISH OR ENLARGE THE PARK; AND OTHER RELATED MATTERS.

Mr. Elliott made a motion, seconded by Mr. Davis, approved 5 - 0, to approve **Resolution 2024-11** on first and final reading.

RESOLUTION 2024-12 A RESOLUTION REQUESTING AND DIRECTING THAT THE OCONEE COUNTY BOARD OF ELECTIONS AND VOTER REGISTRATION HOLD THE ELECTION REGARDING THE CREATION OF THE CORINTH-SHILOH SPECIAL PURPOSE TAX DISTRICT FOR FIRE PROTECTION ON THE SAME DAY AS THE 2024 GENERAL ELECTION; AND OTHER RELATED MATTERS.

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Mr. Hart made a motion, seconded by Mr. Mize, to approve **Resolution 2024-12** [later amended to 2024-13] on first and final reading.

Mr. Elliott made a motion to amend the motion to change the special election back to the original proposed date of July 30, 2024.

This motion did not receive a second, therefore it failed.

As requested by Mr. Root, Mr. Durham made a motion, seconded by Mr. Hart, approved 4 – 1 [Mr. Elliott opposed], to amend **Resolution 2024-12** to read **Resolution 2024-13**, correcting a scrivener's error.

Mr. Durham provided an explanation as to why he believes postponing this special election to coincide with the general election in November, noting it would give the citizens in this proposed special tax district more time to think about how they would like to vote.

Mr. Elliott commented that he hopes the 800 people who voted to have a special election to become a special tax district will remember this in the primary.

Mr. Root clarified that this would still be a special election but it would just be held on the same day as the general election in November.

Mr. Mize inquired as to how many citizens reside in the proposed special fire tax district.

Mr. Kevin Christenberry, Corinth Shiloh Fire Department Chief, stated the approximated number was around 7,000, noting state law requires 15% of voter signatures are needed to hold a special election to become a special tax district, adding that not all the citizens in this proposed area are registered to vote.

Mr. Christenberry continued to provide comments to Council as to why he believes that the special election needs to be held on the original proposed date of July 30, 2024 and not held during the November general election.

Mr. Durham inquired as to how much money was raised for the operation of the Corinth Shiloh Fire Department last year.

Mr. Christenberry stated that approximately \$90,000.00 was raised last year and provided an explanation to Council as to how they raise and expend their funds.

Mr. Mize added that he wants to see this special fire tax district happen for this area but also that he agrees with Mr. Davis' comments regarding the possible significant tax increases the citizens in this area could see.

Mr. Christenberry went on to note that they have had about 20-30 citizens at the three community meetings they have held to discuss this topic.

Mr. Durham noted he is not worried about the supporters of this proposed special fire tax district, he is more worried about those who may have to choose between paying their taxes and buying medication that month, further stating he want to represent these types of citizens by giving them ample time to consider this proposal.

Mr. Danny Delmarco, a volunteer for the Corinth Shiloh Fire Department, joined Mr. Christenberry at the podium and provided Council with his arguments against postponing this special election until November.

Mr. Delmarco went on to add that the funding for the municipal fire departments in the County is considerably more than the funding the Corinth Shiloh Fire Department receives.

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Mr. Tim Murphy, a volunteer for the Corinth Shiloh Fire Department, then joined the other gentleman at the podium and passionately addressed Council, urging them to support holding this special election in July and not November.

Mr. Christenberry provided Council with an explanation as to how they acquired a sprinkler system for the Corinth Shiloh Fire Department, noting the department applied for and received a grant for the funding.

Mr. Delnmarco explained to Council how the fire department uses the money they raise and how they use the funds allotted from the County.

Ms. Elizabeth Crockett then joined the three gentlemen at the podium and proceeded to add her comments as to why she believes this proposed special fire tax district is a benefit to her area and urged Council to again, hold this special election in July and not November.

Mr. Durham stated that he is still in favor of passing **Resolution 2024-13** and asked that discussions be held at the next Law Enforcement, Public Safety, Health and Welfare Committee meeting regarding the Corinth Shiloh Fire Department.

Mr. Davis then presented questions regarding the Corinth Shiloh Fire Department annual budget and went on to add comments related to fire safety within the County, asking for a future meeting of Council dedicated to discussing the future of fire safety and funding options.

Mr. Durham agreed with Mr. Davis, noting a meeting dedicated to this topic is a good idea.

Motion approved 3 – 2 [Mr. Davis and Mr. Elliott opposed].

Discussion Regarding Action Items

Council consideration of approval of conservation easement funding from the Oconee County Conservation Bank in the amount of \$35,000.00 for the Fall Creek Headwaters property.

Applicant's Name: Upstate Forever **Recommended Award:** \$35,000.00

Parcel Name: Fall Creek Headwaters **Acres:** 108.25

Location: 286 Red Mountain Rd., Mountain Rest, SC 29664

Tax Map(s): 102-00-01-013 / 102-00-01-005 / 102-00-01-029

****Funding is provided by Oconee County Conservation Bank; no County funds are used for this request. ****

Oconee County Conservation Bank Board recommends approval of support and funding of a grant request of \$35,000.00 by Council for a conservation easement on Fall Creek Headwaters.

Mr. Davis made a motion, seconded by Mr. Elliott, approved 5 - 0, approving the support and funding of a grant request of \$35,000.00 for a conservation easement on Fall Creek Headwaters from the Oconee County Conservation Bank.

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PRT Commission State and Local ATAX Recommendations for FY 2025

Amount: \$1,077,196

These requests were unanimously approved by the PRT Commission on 05/2/24.

PRT Commission and PRT staff recommends \$589,959 from Local ATAX for the FY25 Local ATAX Supplemental budget (attached) for routine expenditures eligible to offset general fund expenditures. Grant cycles and project specific funds will continue to be recommended at the quarterly meetings.

PRT Commission and PRT staff recommends \$332,237 from the 65% State ATAX Fund and an estimated \$155,000 from the 30% ATAX Fund for a total of \$487,237 for the FY25 Visit Oconee SC Budget. The 65% Funds are utilized for salaries to operate the Visit Oconee office and are reimbursed to the County quarterly to offset the general fund. The 30% Funds, by state law, are specifically for tourism advertising and promotion, distributed quarterly and are market dependent.

Local ATAX balance including encumbrances as of 5.1.24 = \$573,325.23

Local ATAX FY25 Revenue projection is \$1,040,000.00

65% State ATAX balance as of 5.1.24 = \$479,661.00

65% State ATAX FY24 Revenue projection = \$350,000.00

It is the staff's recommendation that Council approve the ATAX recommendations from the PRT Commission.

Mr. Davis made a motion, seconded by Mr. Elliott, to approve the ATAX recommendations as presented by the PRT Commission.

Mr. Davis extended his thanks to the PRT Commission for their work on the ATAX recommendations.

Motion approved 5 – 0.

Title: Purchase of Gravix Block

Department: Rock Quarry

Amount: \$168,888.00

Contingency (10%): \$16,888.80

Total Award: \$185,776.80

\$55,000.00 of the Procurement was included in the 2023-2024 Budget process.

\$130,776.80 of Procurement has been requested in the FY 24-25 budget process.

This request is for the purchase of Gravix block for the Rock Quarry. These materials are needed to construct the headwall for the new Vertical Hopper that was approved at the March 19, 2024 County Council Meeting. The headwall will be 30' high and must be able to carry extreme loads due to the loaded haul trucks that will back to the edge of the wall to dump material into the vertical hopper. In normal applications, a headwall would either consist of a concrete structure that would be poured in place or by using retaining wall blocks that tie back into the earth using geofabric. This type of application would ultimately cost more and does not allow for moving the wall in the future. The Gravix block removes the need for the geofabric and will allow for the wall to be dismantled and reinstalled at a future location within the Rock Quarry. The Gravix system includes all necessary engineering and technical support, and will allow Quarry staff to construct and install the headwall without the use of outside contractors providing a significant cost savings for the county. Earth Wall Products is the sole proprietor of the Gravix wall system and the materials / product can only be purchase through their company.

This proposal includes PE Stamped Design including wall drawings for construction, Internal Stability Design of the walls and Precast concrete conforming to DOT specifications.

Rock Quarry staff has reviewed other prefabricated wall systems and have found the Earth Wall Products Gravis retaining wall system best meets their need.

This purchase is a Sole Source purchase.

Staff is requesting a 10% contingency to cover any unforeseen items that may arise. The number of blocks is estimated and could be more or less once construction has been completed.

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This purchase will cross over two fiscal years. A portion of the funding is in FY 23-24 approved budget and the remaining funding has been included in the FY 24-25 requested budget.

FY 23-24 \$55,000.00

FY 24-25 \$130,776.80 – Pending Approval of FY 24-25 Budget

Earth Wall Products, LLC. Of Smyrna, GA is the sole proprietor of the Gravix wall system.

It is the staff's recommendation that Council;

- 1. Approve the purchase of a Gravix Wall System Materials to Earth Wall Products of Smyrna, GA, in the amount of \$168,888.00, plus a 10% contingency in the amount of \$16,888.80, for a total award of \$185,776.80. Contingent on the approval of the FY 24-25 Budget.*
- 2. Authorize the County Administrator to execute the General Terms and Conditions in substantially the same form as attached hereto (or with such material changes as benefit the County, upon advice of the County Attorney), along with such other documents necessary to make this purchase.*
- 3. Authorize the County Administrator to approve any change orders within the contingency amount.*
- 4. Authorize the County Administrator to transfer funds to the appropriate line item(s).*

Mr. Mize made a motion, seconded by Mr. Hart, approved 5 - 0, to (1) approve purchase of a Gravix Wall System Materials to Earth Wall Products of Smyrna, GA, in the amount of \$168,888.00, plus a 10% contingency in the amount of \$16,888.80, for a total award of \$185,776.80. Contingent on the approval of the FY 24-25 Budget, (2) authorize the County Administrator to execute the General Terms and Conditions in substantially the same form as attached hereto (or with such material changes as benefit the County, upon advice of the County Attorney), along with such other documents necessary to make this purchase, (3) authorize the County Administrator to approve any change orders within the contingency amount and (4) authorize the County Administrator to transfer funds to the appropriate line item(s).

Council Committee Reports

Budget, Finance and Administration Committee / Mr. ElliottMay 7, 2024

Mr. Elliott provided information outlining discussions held at the May 7, 2024 Budget, Finance and Administration Committee meeting.

Board & Commission Appointments

Conservation Bank Board

1 At-Large seat: No questionnaires on file for this seat.

No nominations were made by Council for the vacant At-Large seat on the Conservation Bank Board.

Executive Session

Mr. Davis made a motion, seconded by Mr. Elliott, approved 5 – 0, to enter into Executive Sessions for the following purposes, as allowed for § 30-4-70(a) of the South Carolina Code of Laws:

- 1. Receive legal advice and discuss litigation in relation to pending code enforcement cases.*

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2. *Receive legal advice and discuss potential acquisition related to Emergency Services.*

3. *Discussion regarding an Economic Development matter, Project Ship.*

Council entered into Executive Session at 7:30 p.m.

Council returned from Executive Session at 7:59 p.m. on a motion made by Mr. Hart, seconded by Mr. Elliott, approved 5 – 0.

As requested by Mr. Root, Mr. Hart made a motion, seconded by Mr. Elliott, approved 4 – 1 [Mr. Davis opposed] to pursue negotiations and due diligence as discussed associated with a potential property acquisition related to Emergency Services.

Adjourn:

Mr. Elliott made a motion, approved unanimously, to adjourn at 8:00 p.m.

Respectfully Submitted:

Jennifer C. Adams
Clerk to Council

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