



AMENDED AGENDA

OCONEE COUNTY COUNCIL MEETING

November 21, 2017

6:00 PM

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

Call to Order

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

Council Member Comments

Moment of Silence

Invocation by County Council Chaplain

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

Approval of Minutes

- November 7, 2017 Regular Meeting

Administrator Report & Agenda Summary

Public Hearings for the Following Ordinances

Ordinance 2017-26 "AN ORDINANCE TO AMEND ORDINANCE 2017-01 WHICH ESTABLISHED THE BUDGET FOR OCONEE COUNTY AND PROVIDED FOR THE LEVY OF TAXES FOR ORDINARY COUNTY PURPOSES, FOR THE TRI-COUNTY TECHNICAL COLLEGE SPECIAL REVENUE FUND, FOR THE ROAD MAINTENANCE SPECIAL REVENUE FUND, FOR THE VICTIM SERVICES SPECIAL REVENUE FUND, FOR THE BRIDGE AND CULVERT CAPITAL PROJECT FUND, AND FOR THE ECONOMIC DEVELOPMENT CAPITAL PROJECT FUND, AMONG OTHER MATTERS, ALL IN OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2017 AND ENDING JUNE 30, 2018, IN CERTAIN LIMITED REGARDS; AND OTHER MATTERS RELATED THERETO."

Third Reading of the Following Ordinances

Ordinance 2017-26 *[see caption above]*

Second Reading of the Following Ordinances

Ordinance 2017-25 "AN ORDINANCE AMENDING ARTICLE 8 OF CHAPTER 38 OF THE OCONEE COUNTY CODE OF ORDINANCES IN CERTAIN LIMITED REGARDS AND PARTICULARS PERTAINING TO "AMENDMENTS AND REZONING" GENERALLY AND "METHODS OF INITIAL REZONING" IN PARTICULAR; AND OTHER MATTERS RELATED THERETO."

First Reading of the Following Ordinances

Ordinance 2017-28 "AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A GROUND LEASE AGREEMENT BETWEEN OCONEE COUNTY

Items to be heard shall be called pursuant to the South Carolina Freedom of Information Act, Council's Rules, and the State Policy of Transparency. Proposed to South Carolina Governor's Council. This agenda is not to be construed as a guarantee of any specific action being taken by the Council. Items are listed in Council's agenda for public notice of the subject and items to be discussed. Items listed in agenda are subject to change during the meeting. Items listed in Council's agenda may be taken up, added, postponed, rescheduled, or otherwise disposed of as provided for under Council's Rules. All State Policy of Transparency provisions are subject to the South Carolina Freedom of Information Act. All other items listed are subject to Council's Rules.

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Ordinance 2017-29 “AUTHORIZING OCONEE COUNTY, SOUTH CAROLINA, TO ENTER INTO AN EQUIPMENT ACQUISITION AND USE AGREEMENT FOR THE PURPOSE OF ACQUIRING CERTAIN EQUIPMENT IN AN AMOUNT NOT TO EXCEED \$6,552,500; AUTHORIZING THE COUNTY ADMINISTRATOR TO DETERMINE CERTAIN MATTERS; AND OTHER MATTERS RELATING THERETO.”

Ordinance 2017-30 “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDMENT TO THE FEE AGREEMENT BETWEEN OCONEE COUNTY AND ITECH SOUTH, LLC, DATED AS OF APRIL 1, 2015, PROVIDING FOR THE INCLUSION OF EUGENE CARLTON MORRIS AND JUNE COPELAND MORRIS AS SPONSORS; AND OTHER MATTERS RELATED THERETO.”

Ordinance 2017-31 “AN ORDINANCE AMENDING CHAPTER 38 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING SETBACK LANGUAGE FOR MULTI-FAMILY HOUSING STRUCTURES; AND OTHER MATTERS RELATED THERETO.”

First & Final Reading for the Following Resolutions

Discussion Regarding Action Items

Drilling Services for Seneca Landfill - Groundwater Remediation Pilot Study / Solid Waste \$95,672.50

Budget: \$1,315,572.00 Project Cost: \$95,673.00 Balance: \$1,219,899.00

At the September 5, 2017 Council Meeting, Council approved awards to Smith Gardner, Inc. for related engineering services and to Regenes BioRemediation Products, Inc., to provide remediation products and their application to the Seneca Landfill for remediation as mandated by DHEC. Drilling services by an outside contractor are required for this remediation process. This bid is for drilling services for the installation of three soil borings, multiple injection wells, injection borings and one permanent groundwater monitoring well. The contractor must also drum any contaminated groundwater encountered during drilling.

On October 5, 2017 this bid was advertised and emailed to twelve bidders. On November 2, 2017, formal sealed bids were opened. Eight (8) companies originally submitted bids. One bid was a “No Bid”, two bids were rejected because of no Bid Bond and one bid was rejected because it was not signed, leaving four responsive bids. M & W Drilling, LLC, of Knoxville, TN, submitted the lowest responsive and responsible bid of \$86,975.00. A 10% contingency of \$8,697.50 has been added to this amount to allow for unforeseen drilling conditions and estimated amounts of contamination requiring disposal, bringing the award amount to \$95,672.50.

It is the staff’s recommendation that Council (1) approve the award of bid ITB 17-03, Drilling Services for the Seneca Landfill – Groundwater Remediation Pilot Study to M & W Drilling, LLC, of Knoxville, TN, in the amount of \$86,975.00, with a 10% contingency of \$8,697.50, for a total award of \$95,672.50 and (2) authorize the County Administrator to approve any Change Orders within the contingency amount.

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.

Roll Off Recycling Containers / Solid Waste / \$114,780.00

Budget: \$114,780.00

Project Cost: \$114,780.00

Balance: \$0

This Invitation to Bid was issued on October 10, 2017 for Roll Off Recycling Containers for the Solid Waste department. This bid is for (8) 40 yard open top containers, (6) 20 yard open top containers and (9) 20 yard enclosed containers with a 10 yard box style roof. These containers will be used in the convenience centers throughout the County for processing and hauling of recyclables.

On November 7, 2017, formal sealed bids were opened. Ten companies were originally notified of this bid opportunity. Five companies submitted bids with Nu-Life Environmental, Inc., of Easley, SC, submitting the lowest overall bid in the amount of \$114,780.00.

It is the staff's recommendation that Council approve the award of ITB 17-04 for Roll Off Recycling Containers to Nu-Life Environmental, Inc. of Easley, SC, in the amount of \$114,780.00.

Board & Commission Appointments (If Any)

[Seats listed are all ex-terminus seats]

Building Codes Appeal Board.....	1 At Large Seat
Conservation Bank Board.....	District II
Board of Zoning Appeals.....	District V
Agricultural Advisory Board.....	District III

Unfinished Business

(Do not include items which are on matters brought up for discussion, if required)

(None scheduled)

New Business

(Do not include items which may be scheduled for presentation at a future meeting, if required)

(None scheduled)

Council Committee Reports

Budget, Finance, & Administration / Ms. Cammick.....	11-14-2017
Real Estate, Facilities, & Land Management / Mr. Davis.....	11-14-2017
Recreation Review Task Force / Mr. Davis.....	10-24-2017

Executive Session

*(Do not include items which are on matters brought up for discussion at this meeting, if required)
For the following purposes, as allowed for in § 30-4-70(a) of the South Carolina Code of Laws:*

- (1) Discussion regarding an Economic Development matter, Project Omega.*

Second Reading of the Following Ordinances (continued)

Ordinance 2017-27 "An ordinance authorizing the execution and delivery of a Memorandum of Understanding ("MOU") by and between the Oconee Economic Alliance ("OEA"), Oconee County, and Project Omega which memorializes and authorizes certain economic development incentives for Project Omega, including the transfer by the County to the OEA of approximately twenty-two acres of County-owned real property located within the Oconee Industry and Technology Park, along with economic development funds to be determined on the basis of three appraisals for the purpose of OEA facilitating the construction of a building to house the expansion of Project Omega's manufacturing facilities, and authorizing the acceptance by the County of ownership of Project Omega's existing manufacturing facility for future use or resale; also authorizing the execution of all other agreements necessary to give effect to the MOU; all

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contingent on certain investment and the creation of jobs by Project Omega and all other matters related thereto."

Adjourn

County Council of Orange County shall adjourn to reconvene for the next work of a conventional meeting held in Orange County.

All requests shall be made to the Clerk of Council at least 30 days prior to the meeting start date.

County Council, County of Orange County will meeting schedule and dates posted in the County Council Administration Building at 100 North Orange Street, Orange, Florida.

STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
ORDINANCE 2017-26

AN ORDINANCE TO AMEND ORDINANCE 2017-01 WHICH ESTABLISHED THE BUDGET FOR OCONEE COUNTY AND PROVIDED FOR THE LEVY OF TAXES FOR ORDINARY COUNTY PURPOSES, FOR THE TRI-COUNTY TECHNICAL COLLEGE SPECIAL REVENUE FUND, FOR THE ROAD MAINTENANCE SPECIAL REVENUE FUND, FOR THE VICTIM SERVICES SPECIAL REVENUE FUND, FOR THE BRIDGE AND CULVERT CAPITAL PROJECT FUND, AND FOR THE ECONOMIC DEVELOPMENT CAPITAL PROJECT FUND, AMONG OTHER MATTERS, ALL IN OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2017 AND ENDING JUNE 30, 2018, IN CERTAIN LIMITED REGARDS; AND OTHER MATTERS RELATED THERETO.

WHEREAS, Oconee County, South Carolina ("County"), a body politic and corporate and a political subdivision of the State of South Carolina, acting by and through its governing body, the Oconee County Council ("Council"), has previously adopted and enacted the budget of the County for the fiscal year beginning July 1, 2017 and ending June 30, 2018, through the adoption and enactment of Oconee County Ordinance 2017-01; and,

WHEREAS, certain events and needs have occurred, necessitating the amendment of Ordinance 2017-01; and,

WHEREAS, Council desires to amend Section 1 of Ordinance 2017-01 to make more specific and clear the budgetary appropriations within the General Fund; and,

WHEREAS, Council desires to amend "Attachment A" as referenced in Section 13 of Ordinance 2017-01 to establish a new fee schedule for the adoption of dogs and cats and to provide for free annual passes to County parks for individuals who are 62 years of age or older, who are legally disabled, and/or who are veterans; and,

WHEREAS, Council desires to amend Sections 1 and 6 of the Budget Provisos for Fiscal Year 2017-2018 Ordinance 2017-01 to make clear the authorized transfers in light of the amendment to Section 1 of Ordinance 2017-01; and,

WHEREAS, Council desires to amend Section 11 of the Budget Provisos for Fiscal Year 2017-2018 Ordinance 2017-01 to allow for greater flexibility in allocating revenues received from economic development projects located in joint county industrial or business parks; and,

WHEREAS, Council therefore desires to amend Ordinance 2017-01 to achieve the foregoing;

NOW, THEREFORE, IT IS HEREBY ORDAINED by Council in meeting duly assembled, that:

SECTION I: Section 1 of Ordinance 2017-01 is hereby amended and modified to detail specific appropriations within the General Fund as shown on Exhibit "A," which is attached hereto and incorporated herein by reference.

SECTION II: "Attachment A" as referenced in Section 13 of Ordinance 2017-01 is hereby amended and modified to establish a new fee schedule for dog and cat adoptions and annual County park passes for certain persons, as shown on Exhibit "B," which is attached hereto and incorporated herein by reference.

SECTION III: Sections 1 and 6 of the Budget Provisos for Fiscal Year 2017-2018 Ordinance 2017-01 are amended to state as follows:

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 6

The 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 shall be authorized to transfer appropriations between departments within a fund. All transfers authorized by this section are subject to the overall fund appropriation limits of this Ordinance.

SECTION IV: Section 11 of the Budgetary Provisos for Fiscal Year 2017-2018 Ordinance 2017-01 is amended to state as follows:

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, 2017, unless the particular MCIP agreement dictates otherwise 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;⁽¹⁾ (3) all other taxing entities in Oconee the 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

⁽¹⁾ 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.

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 V:

- 1) All other sections of Ordinance 2017-01 not modified, directly or by implication, shall remain in full force and effect.
- 2) Should any part or provision of this Ordinance be deemed unconstitutional or unenforceable by any court of competent jurisdiction, such determination shall not affect the rest and remainder of this Ordinance, all of which is hereby deemed separable
- 3) All ordinances and resolutions inconsistent herewith are, to the extent of such inconsistency only, hereby revoked, repealed, and rescinded.
- 4) This ordinance shall take effect and be in force immediately upon enactment.

ORDAINED in meeting, duly assembled, this ____ day of _____, 2017.

ATTEST:

Katie Smith
Clerk to Oconee Clerk County Council

Edda Cammick
Chair, Oconee County Council

First Reading: October 17, 2017
Second Reading: November 7, 2017
Third Reading: November 21, 2017
Public Hearing: November 21, 2017

Exhibit A

General Fund

Administrator	670,170
Airport	944,375
Assessor	999,876
Board of Assessment Appeals	12,044
Chau Ram Park	244,015
Community Development	745,480
County Attorney	423,150
County Council	270,005
Debt Service Lease Payments	879,966
Delinquent Tax Collector	451,234
Department of Social Services	21,200
Economic Development	577,354
Emergency Services	4,290,196
Facilities Maintenance	1,191,123
Finance Office	487,197
Health and Human Services Direct Aid	628,645
Health Department	42,634
High Falls Park	362,199
Human Resources	269,990
Information Technology	836,877
Legislative Delegation	87,594
Library	1,354,774
Magistrate	795,476
Non-Departmental	1,227,764
Other Financing Uses	125,000
Parks, Recreation and Tourism	634,408
Procurement	160,996
Register of Deeds	326,075
Roads and Bridges	2,573,304
Soil and Water Conservation District	74,122
Solid Waste	3,792,875
South Cove Park	446,548
Vehicle Maintenance	866,498
Veterans' Affairs	198,861
Voter Registration and Elections	196,541
Total	<u>27,208,566</u>

Elected/Appointed Officials

Auditor	397,844
Clerk of Court	660,920
Coroner	175,940
Probate Court	333,188
Public Defender	200,000
Sheriff	7,993,636
Animal Control	579,236
Communications	1,593,484
Detention Center	3,888,245
Solicitor	886,415
Treasurer	480,027
Total Elected Officials	<u>17,188,935</u>

Total General Fund: 44,397,501

EXHIBIT B

ATTACHMENT A

Oconee County, South Carolina
Fees Schedule
2017-2018

Description	Rate	FY 2017 Fees	FY 2018 Fees
General County Fees			
(Applicable to all departments, unless otherwise noted within the Departmental Fees below.)			
Copies			
8 1/2 X 11	Per Page	\$1.25	\$0.25
8 1/2 X 14	Per Page	\$2.50	\$0.50
11 X 17	Per Page	\$5.50	\$0.50
County Road Maps			
County Road Map (Less Than 500)	Per Map	\$1.00	\$0.00
County Road Map (500 or More)	Per Map	\$1.50	\$1.50
Noise Ordinance Application Fee (P&S)	\$50.00	\$0.00	\$50.00
Departmental Fees			
Animal Control			
Dog Adoption Fee	Per Dog	\$75.00	\$75 - 125
Cat Adoption Fee	Per Cat	\$65.00	\$35 - 100
House Adoption Fee	Per House	\$100 - \$200	\$100-\$300
Euthanasia Fee		\$60.00	\$60.00
Owner Pick-Up Fee - City or Dog		\$10.00	\$10.00
Boarding Fee - City or Dog	Per Day	\$10.00	\$10.00
Owner Pick-Up Fee - Large Animal		\$20.00	\$20.00
Boarding Fee - Large Animal	Per Day	\$15.00	\$15.00
Airport			
T-Hanger Rental Rates - A - 14 Units	Per Month	\$225.00	\$225.00
T-Hanger Rental Rates - B - 5 Units	Per Month	\$175.00	\$175.00
T-Hanger Rental Rates - B - 2 Units	Per Month	\$150.00	\$150.00
T-Hanger Rental Rates - C - 8 Units	Per Month	\$150.00	\$150.00
T-Hanger Rental Rates - C - 1 Unit	Per Month	\$125.00	\$125.00
T-Hanger Rental Rates - D - 3 Units	Per Month	\$125.00	\$125.00
T-Hanger Rental Rates - E - 5 Units	Per Month	\$270.00	\$270.00
Travel - Lodging Only	Per Month	\$90.00	\$90.00
Long-Term Parking Fee	Per Month Per Vehicle	\$10.00	\$10.00
After-Hour Callout Fee		\$120.00	\$120.00
Event Fee		\$25.00 Single Engine \$50.00 M.U. Engine \$100.00 Jet Aircraft	\$25.00 Single Engine \$50.00 M.U. Engine \$100.00 Jet Aircraft
Ramp Fee - Temporary Business Planes Over 1,000 Pounds		\$90.00	\$90.00
Airport customers with an Oconee Airport based corporate aircraft who purchase 150 or more gallons of Jet A fuel at OPA time will receive a \$1.10 per gallon discount on the Oconee Airport's normal retail price for the Jet A Fuel.		low	N/A
Airport customers who purchase 200 gallons or more of Jet A Fuel at the time will receive a \$0.10 per gallon discount of the County Airport's normal retail price for the Jet A Fuel.		\$0.10 reduction for 200 gal. fuel or more	\$0.10 reduction for 200 gal. fuel or more
Airport			
Temporary Taps		\$5.00	\$5.00

**Greene County, South Carolina
Fees Schedule
2017-2018**

Description	Rate	FY 2017 Fee	FY 2018 Fee
Community Development			
<i>(See Section 12 of Ordinance in the Greene County Budget for 2017)</i>			
All Building, Demolition, and Mechanical Trades \$10,000 and Less		\$50.00	\$60.00
All Building, Demolition, and Mechanical Trades \$10,000 and Up		\$100.00 + \$1.00 for each additional \$1,000 of trade-in amount	\$140.00 + \$1.00 for each additional \$1,000 of trade-in amount
Rem. - General Contractors		\$20.00	\$30.00
Manufactured Homes			
Single Point (Greene County Dept.)		\$100.00	\$100.00
Deck (City)		\$20.00	\$20.00
Manufactured Home De-Title Fee		\$30.00	\$40.00
Manufactured Home Moving Permit		\$20.00	\$30.00
Other Permits			
Moving Permits (Structure Other Than Manufactured Home)		\$80.00	\$80.00
Sign Fees			
Less Than 50 Square Feet		no fee	no fee
51 Square Feet to 200 Sq. Feet		\$100.00	\$100.00
Greater Than 200 Square Feet		\$300.00	\$300.00
Permits			
<i>(When work for each permit is required by the Ordinance or Standard or is existing permit, fee applied to the other trade/field)</i>			
Re-inspection Fee - Shall be charged for all inspections scheduled and the work is not ready for the inspector's review.		\$70.00	\$80.00
Stop Work Order Fee - Shall be charged when inspector issues a stop work order.		\$50.00	\$60.00
Communicable - Prior Review Fee		1/2 of fee plus permit fee	1/2 of fee plus permit fee
Basic Plan Review - New for FY 2018		\$25.00	\$35.00
Subdivision Review - Minor Subdivision, Less Than 4 Units		\$50.00	\$60.00
Subdivision Review - Minor Subdivision 4 to 10 Units		\$100.00	\$100.00
Subdivision Review - Major Subdivision		\$100.00	\$150.00
Communication Towers - New 50 ft		\$5,000.00	\$6,000.00
Communication Towers - Existing		\$3,000.00	\$3,000.00
Communication Tower Mast Fee - New for FY 2018	Annual Fee	\$1,000.00	\$1,000.00
WiFi Tower - New for FY 2018		\$200.00	\$200.00
Group Home		\$50.00	\$60.00
Severely Disabled Business	Annual Fee	\$1,000.00	\$1,000.00
Severely Disabled Business Employee	Per Employee	\$25.00	\$30.00
Sign Permit - B Banned		\$100.00	\$100.00
Utility Fees		\$1,000.00	\$1,000.00
Pre-Board Document - Less Than 50 Pages		\$5.00	\$5.00
Pre-Board Document - Greater Than 50 Pages	Per Page	\$2.00 - \$0.70 per page	\$5.00 - \$0.70 per page
Documents on CD		\$1.00	\$1.50
Maps - 8.5 X 11	Each	\$0.00	\$5.00
Maps - 10 X 14	Each	\$5.00	\$5.00
Maps - 24 X 36	Each	\$7.00	\$7.00
Maps - 36 X 48	Each	\$8.00	\$8.00
Custom Mapping - Planning and Zoning Projects Only	Per Hour	\$30.00	\$30.00
Net-CED Rezoning Application Fee	Per Review	\$25.00	\$25.00
Asphalt, Materials, and Special Inspection Application Fee		\$100.00	\$100.00
General Permit Fee - New for FY 2018		\$25.00	\$30.00

**Oconee County, South Carolina
Fees Schedule
2017-2018**

Description	Rate	FY 2017 Fee	FY 2018 Fee
County Council			
Ann. CD	Per Excl	\$0.00	\$1.00
Delegated Tax Collector			
Administrative Fee		\$10.00	\$10.00
GIS			
Custom Production - 2000 or 10 Hour Increments	Per Hour	\$35.00	\$35.00
Roads Directory - Microsoft Access Database CD	Per CD	\$20.00	\$19.99
Custom Scan and Print	Per Hour	\$30.00	\$30.00
GIS A - 8.5 X 11		\$3.00	\$3.00
GIS B - 11 X 17		\$5.00	\$5.00
GIS C - 15 X 24		\$8.00	\$8.00
GIS D - 24 X 36		\$14.00	\$14.00
GIS E - 36 X 48		\$24.00	\$24.00
GIS A - 8.5 X 11 (aerial imagery) New for 2015		\$7.00	\$7.00
GIS B - 11 X 17 (aerial imagery) New for 2015		\$10.00	\$10.00
GIS C - 15 X 24 (aerial imagery) New for 2015		\$16.00	\$16.00
GIS D - 24 X 36 (aerial imagery) New for 2015		\$28.00	\$28.00
GIS E - 36 X 48 (aerial imagery) New for 2015		\$48.00	\$48.00
Tax Map Grid with Roads		\$3.00	\$3.00
Using Plots and Council Districts		\$3.00	\$3.00
Library			
Overdue Fines			
Books, Magazines, or Music CD's - Up to a Maximum of \$2.00	Per Day	\$0.10	\$0.10
RS-Books, Magazines, or Music CD			
Videos and DVDs - Up to a Maximum of \$6.00 Per Item	Per Day	\$1.00	\$1.00
Items Borrowed Through Inter-Library Loan	Per Day, Per Item	\$0.50	\$0.50
Miscellaneous			
Lost Materials - Books, CDs, Videos, etc.		Digital price of item \$5.00 + price of photocopies	Digital price of item \$4.00 + price of photocopies
South Carolina Room Research (By Mail or E-Mail)			
Lost Library Cards		\$2.00	\$2.00
Book and Video Prints		\$0.75	\$0.75
Color Prints		\$0.50	\$0.50
Local County Maps	Annual Fee	\$50.00	\$50.00
*Not charged for adults from Anderson and Pickens Counties who are a local library.			
Assessor			
Custom Production - 2000 or 10 Hour Increments	Per Hour	\$35.00	\$35.00
Roads Directory - Microsoft Access Database CD	Per CD	\$20.00	\$19.99
Custom Scan and Print	Per Hour	\$30.00	\$30.00
GIS A - 8.5 X 11		\$3.00	\$3.00
GIS B - 11 X 17		\$5.00	\$5.00
GIS C - 15 X 24		\$8.00	\$8.00
GIS D - 24 X 36		\$14.00	\$14.00
GIS E - 36 X 48		\$24.00	\$24.00
GIS A - 8.5 X 11 (aerial imagery) New for 2015		\$7.00	\$7.00
GIS B - 11 X 17 (aerial imagery) New for 2015		\$10.00	\$10.00
GIS C - 15 X 24 (aerial imagery) New for 2015		\$16.00	\$16.00
GIS D - 24 X 36 (aerial imagery) New for 2015		\$28.00	\$28.00
GIS E - 36 X 48 (aerial imagery) New for 2015		\$48.00	\$48.00
Tax Map Grid with Roads		\$3.00	\$3.00
Using Plots and Council Districts		\$3.00	\$3.00

**Greene County, South Carolina
Fees Schedule
2017-2018**

Description	Rate	FY 2017 Fees	FY 2018 Fees
Parks, Recreation and Tourism			
Admission Fees (All Parks)			
Daily Parking	Per Vehicle	\$7.00	\$7.00
Daily Parking	Per Individual Person	\$5.00	\$5.00
Annual Pass - Calendar Year (Greene County Residents)		\$25.00	\$25.00
Annual Pass - Calendar Year - Discounted for Senior Citizen (62+ Years Old), Legally Blind and Veterans		\$15.00	Free
Annual Pass - Calendar Year - Grand County, South Carolina Resident		\$80.00	\$80.00
Annual Pass - Calendar Year - Discounted for Senior Citizen (62+ Years Old), Legally Blind and Veterans		\$40.00	\$40.00
Camping (All Parks)			
Greene County Resident	Per Night	\$20.00	\$20.00
Non-Resident	Per Night	\$25.00	\$25.00
Waterfront Site - Greene County Resident	Per Night	\$25.00	\$25.00
Waterfront Site - Non-Resident	Per Night	\$30.00	\$30.00
Waterfront Site - November 1 - February 28	Per Night	\$15.00	\$15.00
All campsites must have clean RV hook-ups. No site may be occupied for more than thirty (30) days.			
Building Reservations (All Parks)			
A security deposit is required for all buildings, tables and chairs.			
Reception Building - 1 to 50 People	1/2 Day	\$95.00	\$110.00
Reception Building - 51 to 100 People	1/2 Day	\$150.00	\$160.00
Reception Building - 101 to 150 People	1/2 Day	\$190.00	\$195.00
Reception Building - 151 to 200 People	1/2 Day	\$175.00	\$175.00
Reception Building - 201 to 300 People	1/2 Day	\$275.00	\$275.00
Reception Building - 301 or More People	Full Day Only	\$450.00	\$450.00
Picnic Shelters			
Chau Rom Park			
Shelter #1 - Maximum Number of 38 People	1/2 Day	\$30.00	\$30.00
Shelter #2 - Maximum Number of 36 People	1/2 Day	\$30.00	\$30.00
Shelter #3 - Maximum Number of 12 People	1/2 Day	\$20.00	\$20.00
Shelter #4 - Maximum Number of 12 People	1/2 Day	\$20.00	\$20.00
Shelter #5 - Maximum Number of 12 People	1/2 Day	\$20.00	\$20.00
South Gate Park			
Picnic	1/2 Day	\$95.00	\$95.00
High Falls Park			
Shelters - 1 to 50 People	1/2 Day	\$30.00	\$30.00
Shelters - 51 to 75 People	1/2 Day	\$40.00	\$40.00
Shelters - 76 to 100 People	1/2 Day	\$60.00	\$60.00
Shelters - 101 to 150 People	1/2 Day	\$80.00	\$80.00
Weddings and Receptions			
Wedding	1/2 Day	\$260.00	\$260.00
Wedding	Full Day	\$500.00	\$500.00
Rehearsal Dinners and Receptions (For Off-Site Weddings)			
Less Than 100 People	1/2 Day	\$180.00	\$180.00
Less Than 100 People	Full Day	\$300.00	\$300.00
101 or More People			
		See reception building rates	
Miscellaneous			
Tents	Per Hour to Remove	\$5.00	\$5.00
Miniature Golf	Per Game	\$5.00	\$5.00
Softball Field	Per Hour to Remove	\$5.00	\$5.00
Softball Field	Per Hour to Remove	\$5.00	\$5.00

**Georgetown, South Carolina
Fees Schedule
2017-2018**

Description	Rate	FY 2017 Fee	FY 2018 Fee
Probate			
Estates and Conservatorship Fees			
Writs and conservatorship proceedings, the fee shall be taken (jointly or severally of			
(1) Property Valuation Fees: From \$1,000		\$25.00	\$25.00
(2) Property Valuation of \$1,000.00 But Less Than \$20,000		\$45.00	\$45.00
(3) Property Valuation of \$20,000.00 But Less Than \$50,000		\$85.00	\$85.00
(4) Property Valuation of \$50,000.00 But Less Than \$100,000		\$95.00	\$95.00
(5) Property Valuation of \$100,000.00 But Less Than \$500,000		\$95.00 + 0.15 of the amount of the property valuation between \$100,000 and \$500,000	\$95.00 + 0.15 of the amount of the property valuation between \$100,000 and \$500,000
(6) Property Valuation of \$500,000.00 or Higher Amount		\$95.00 plus 0.25 of the portion of the property valuation above \$500,000	\$95.00 plus 0.25 of the portion of the property valuation above \$500,000
Filing Affidavit for Collection of Personal Property Under Section 62-5-1201, the Fee Pursuant to Items (1) Through (6) Above Based Upon Property Valuation Above		See Item (1) through (6)	See Item (1) through (6)
Filing Affidavit for Collection of Personal Property Where the Property Valuation is Less Than \$100.00		\$10.00	\$10.00
Filing a Will Petition in Any Action or Proceeding Other Than Item (1) Through (6) Above, Same Fee as Charge for Trust Collection in Court Fees		\$150.00	\$150.00
Issuing Certified Copy		\$0.00 - \$0.75 per page	\$0.00 - \$0.25 per page
Issuing Exemplified/Authenticated Copy		\$20.00	\$20.00
Filing Demands for Notice		\$5.00	\$5.00
Filing Conservatorship Accounting		\$10.00	\$10.00
Filing Conservatorship Orders		\$5.00	\$5.00
Recording Authoritative Certified Record		\$20.00	\$20.00
Recording Closed Estates		\$22.00	\$22.00
Appointment of Special Temporary or Successor Personal Representative		\$22.00	\$22.00
Filing and Issuing Will Under Section 62-5-901		\$10.00	\$10.00
Copying Appointed Record		\$10.00	\$10.00
Marriage Fees			
Marriage License - Domestic Services Fund Fee (Each Marriage Application) (State)		\$20.00	\$20.00
Marriage Ceremony Fee - Georgetown Resident		\$10.00	\$10.00
Marriage Ceremony Fee - Out of County Resident		\$25.00	\$25.00
Marriage License Fee (Total Cost) - Georgetown Resident		\$30.00	\$30.00
Marriage License Fee (Total Cost) - Out of County Resident		\$45.00	\$45.00
Certified Copy of Marriage License		\$5.00	\$5.00
Filing Marriage License Affidavit		\$1.00	\$1.00
Registration of Civil Union Marriage Record		\$6.00	\$6.00
Issuing Duplicate Marriage License		\$6.00	\$6.00
Newspaper Advertisement Fees			
Knowe's Courthouse/Starline News		\$25.00	\$25.00
City Journal		\$25.00	\$25.00
News to Chattoe/Day Journal		\$20.00	\$20.00
News to Chattoe - Knowe's Courthouse/Starline News		\$20.00	\$20.00

**Boonee County, South Carolina
Fees Schedule
2017-2018**

Description	Rate	FY 2017 Fees	FY 2018 Fees
Register of Deeds			
Books and Mortgages		\$10.00 more than 4 pages \$1.00 per additional	\$10.00 more than 4 pages \$1.00 per additional
Deed Stamp		\$5.70 per \$1,000 rounded up to next \$500	\$8.70 per \$1,000 rounded up to next \$500
Industrial/Wholesale Assigns, Transfers, or Mortgages Real Estate Mortgage Affidavit of Mailing <i>Applicable</i>		\$8.00 for first page \$1.00 for each additional \$1.50	\$6.00 for first page \$1.00 for each additional \$1.00
Lease, Contract or Sale, or Trust Instrument		\$10.00 more than 4 pages \$1.00 per additional	\$10.00 more than 4 pages \$1.00 per additional
Substitution of Real Estate Mortgage		\$5.00	\$5.00
Plat Larger Than 8.5 X 14		\$10.00	\$10.00
Plat of 7 or Less Sides Dimensions or Area in Feet Larger Than 17 X 24		\$5.00	\$5.00
Plat Larger Than 17 X 24		\$20.00	\$20.00
Any Other Paper Affecting Title to Possession of Real Estate Personal Property and Required by Law To Be Recorded, Except Judicial Records		\$10.00 more than 4 pages \$1.00 per additional	\$10.00 more than 4 pages \$1.00 per additional
Power of Attorney, Income Qualification, or Other Appointment		\$10.00 more than 4 pages \$1.00 per additional	\$10.00 more than 4 pages \$1.00 per additional
Mortgage Lien		\$10.00 more than 4 pages \$1.00 per additional	\$10.00 more than 4 pages \$1.00 per additional
Conservation of Mortgages from		\$5.00	\$5.00
		\$8.00 more than 2 pages \$10.00 more than two pages \$10.00 each additional page more than two \$2.00, continuations \$6.00 amendments \$1.00 assignments \$0.00 partial release \$3.00	\$8.00 more than 2 pages \$10.00 more than two pages \$10.00 each additional page more than two \$2.00; continuations \$6.00 amendments \$1.00 assignments \$0.00 partial release \$3.00
Uniform Commercial Code (UCC) Financing Statement Filing UCC-1 or UCC-9		\$6.00	\$6.00
Public Finance Transaction and Manufactured Home Transactions		\$20.00	\$20.00
Copies Mailed \$1.00 to Certify		\$2.00 for 4 pages then \$0.25 per additional page	\$5.00 for 4 pages then \$0.25 per additional page
Copies - 8.5 X 11	Per Page	\$0.25	\$0.25
Copies - 8.5 X 14	Per Page	\$0.25	\$0.25
Copies - 11 X 17	Per Page	\$0.25	\$0.50
Road and Bridge			
State Fee - Miscellaneous		material cost	material cost
State Fee - Other		1.5 times the material cost	1.5 times the material cost
Encroachment Fee - Residential Construction		\$60.00	\$60.00
Encroachment Fee - Commercial Site Fee (Contact for City)		\$250.00 + \$10.00 per sq. ft.	\$250.00 + \$10.00 per sq. ft.
Encroachment Fee - Paving Extension		\$10.00	\$10.00
Encroachment Fee - No Paving		\$40.00	\$40.00
Encroachment Fee - Longitudinal Work - ROW		\$60.00 + \$0.70 per linear ft.	\$60.00 + \$0.70 per linear ft.
Encroachment Fee - Area of Blank Form		\$1,000.00	\$1,000.00
Road Inspection Fee		\$1.50 per foot maximum \$500	\$1.50 per foot maximum \$500
Storm Water Fees		1.5 times the material cost	1.5 times the material cost

Oceane County, South Carolina
 Fees Schedule
 2017-2018

Description	Rate	FY 2017 Fees	FY 2018 Fees
Backflow			
#1 Grusher Run 1 1/2"		\$9.00	\$10.10
#2 Grusher Run (See Back)		\$7.75	\$8.95
#3 Steps 7' x 7'		\$11.00	\$12.65
#4 Screenings		\$8.00	\$9.80
#5 6" 1"		\$11.50	\$13.10
#6 10" 3/4" x 1/2"		\$11.00	\$12.60
#7 Class A R/R 8 1/2" x 1/2"		\$13.25	\$15.85
#8 Class B R/R 8 1/2" x 1/2"		\$13.50	\$16.10
#9 Asphalt Suro		\$8.75	\$9.95
#10 Class C R/R 8 1/2" (definition larger than #7)		\$18.75	\$21.35
#11 Red Backflow		\$21.75	\$24.35
#15 Class C R/R 8 1/2" x 2 1/2"		\$13.75	\$15.35
#16 Class D R/R 8 1/2" x 2 1/2"		\$14.00	\$15.60
#17 Det. Suro for Det. (New)		\$8.00	\$9.20
Septic			
Coal Fees			
Medicine Lense	Each	\$10.00	\$10.00
Specimens	Each	\$10.00	\$10.00
Forcolours	Each	\$25.00	\$25.00
Automats	Each	\$75.00	\$75.00
Wers	Each	\$25.00	\$25.00
Therapsy/Reloc	Each	\$15.00	\$15.00
Cher	Each	\$15.00	\$15.00
Woodburnese			
Incident Reports	Each	\$0.00	\$2.00
Record Copies	Each	\$6.00	\$7.00
Exceeding	Each	\$35.00	\$37.00
Solid Waste			
NEW Transfer Station Young Fee	Per Ton	\$45.00	\$48.00
0 and 1/2 Lyrns - Typing Fee (Rate was set at 0.45)	Per Ton	\$10.00	\$9.00
Waste	Per Scoop	\$10.00	\$10.00
Solids			
Worthless Check Fee		\$50 for checks up to \$500 \$100 per 100 for checks \$500 to \$1000 and \$150 for checks \$1000 or more	\$50 for checks up to \$500 \$100 per 100 for checks \$500 to \$1000 and \$150 for checks \$1000 or more
Treasurer			
Debit Fee	Each	\$1.00	\$1.00
Feed Check Fee	Each	\$30.00	\$30.00
Replacement Check Fee	Each	\$30.00	\$30.00

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE**

ORDINANCE 2017-25

AN ORDINANCE AMENDING ARTICLE 8 OF CHAPTER 38 OF THE OCONEE COUNTY CODE OF ORDINANCES IN CERTAIN LIMITED REGARDS AND PARTICULARS PERTAINING TO “AMENDMENTS AND REZONING” GENERALLY AND “METHODS OF INITIAL REZONING” IN PARTICULAR; AND OTHER MATTERS RELATED THERETO.

WHEREAS, Oconee County, South Carolina (the “County”), a body politic and corporate and a political subdivision of the State of South Carolina (the “State”), acting by and through its governing body, the Oconee County Council (the “County Council”), has adopted multiple ordinances for the effective, efficient governance of the County, which, subsequent to adoption, are codified in the Oconee County Code of Ordinances (the “Code of Ordinances”), as amended, from time to time; and

WHEREAS, the County, acting by and through the County Council, is authorized by Section 4-9-30(9) and Chapter 29 of Title 6 of the South Carolina Code of Laws, among other sources, to impose land use restrictions and development standards in the unincorporated areas of the County; and

WHEREAS, Chapter 38 of the Code of Ordinances contains terms, provisions, and procedures applicable to land use and zoning; and

WHEREAS, County Council recognizes that there is a need to revise the law of the County to meet the changing needs of the County and that there is a need to amend, specifically, certain sections of Chapter 38 of the Code of Ordinances involving “Amendments and Rezoning” in general and “Methods of Initial Rezoning” in particular; and

WHEREAS, the Oconee County Planning Commission has analyzed and reviewed the proposed revisions to Article 8 of Chapter 38 and has forwarded them to County Council for consideration; and

WHEREAS, County Council has therefore determined to modify Article 8 of Chapter 38 of the Code of Ordinances, and to affirm and preserve all other provisions of the Code of Ordinances not specifically or by implication amended hereby.

NOW, THEREFORE, it is hereby ordained by the Oconee County Council, in meeting duly assembled, that:

1. Article 8 of Chapter 38 of the Code of Ordinances, entitled *AMENDMENTS AND REZONING*, is hereby revised, rewritten, and amended to read as set forth in Attachment A, which is attached hereto and incorporated herein by reference.

2. County Council hereby declares and establishes its legislative intent that Attachment A amend Article 8 of Chapter 38 of the Code of Ordinances, from and after its adoption, states its intent to so adopt Attachment A, and directs that a public hearing thereon be undertaken by County Council or the Oconee County Planning Commission, in accord with and as required by Section 6-29-760 and by Section 4-9-130 of the South Carolina Code of Laws.

3. Should any part or provision of this Ordinance be deemed unconstitutional or unenforceable by any court of competent jurisdiction, such determination shall not affect the rest and remainder of this Ordinance, all of which is hereby deemed severable.

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

5. All other terms, provisions, and parts of the Code of Ordinances, and specifically, but without exception, the remainder of Article 8 of Chapter 38, not amended hereby, directly or by implication, shall remain in full force and effect.

6. This Ordinance shall be in full force and effect from and after third reading and enactment by County Council.

ORDAINED in meeting, duly assembled, this ____ day of _____, 2017.

ATTEST:

Katie Smith,
Clerk to Oconee County Council

Edda Cammick
Chair, Oconee County Council

First Reading: October 3, 2017 [postponed]
First Reading: November 7, 2017
Second Reading: November 21, 2017
Third Reading: _____
Public Hearing: _____

ATTACHMENT A

Sec. 38-8.1. - Consideration by planning commission and county council.

All proposed amendments to these regulations, official zoning map, or any other part of this document shall be reviewed by the Oconee County Planning Commission, who shall issue a recommendation to county council. Upon receipt of the planning commission report, county council shall act on the proposed amendment within 60 days.

Sec. 38-8.2. - Public notice requirements.

- (a) *Public hearings.* County council shall conduct all required public hearings for amendments and rezoning. No amendment to these regulations or official zoning map shall be considered for third and final reading until after the public notice and hearing requirements set forth in the South Carolina Code of Laws and this chapter have been met.
- (b) *Notice of hearing.* Notice of public hearing shall be published in a newspaper of general circulation at least 15 days prior to hearing. The notice shall carry an appropriate descriptive title and shall state the time, date, and place of the hearing. All interested parties shall be heard at the public hearing.
- (c) *Posting.* Pursuant to the provisions of the South Carolina Code of Laws, signs noting a rezoning for the small area method shall be posted on or adjacent to affected parcels along public thoroughfares. In the event less than ten effected parcels are so situated as to share frontage along the same public thoroughfare, a sign shall be located on each parcel, provided no two signs are closer than 100 feet of each other. In the event ten or more affected parcels are so situated as to share frontage along the same public thoroughfare, or any number of parcels are located off of the public thoroughfare, signs shall be posted as close as is practical in a manner sufficient to insure due public notice. At a minimum, signs shall be posted at the beginning and end of any continuous shared public frontage, with no more than one mile between signs; at least one sign shall be visible from all directions in each intersection adjacent to a parcel for which rezoning is proposed. The rezoning of lands owned by the United States, the State of South Carolina, Public Universities, or Oconee County shall be posted at any major identifying signs stating the identification of the property; in the event that no signs are present, state posting guidelines shall be followed. For all other rezoning, state posting guidelines shall be followed.
- (d) *Notification of property owners.* A written notice containing all pertinent information related to any public hearing shall be sent by first class mail to the registered owner of each affected parcel at least 15 days prior to the event. For the purposes of this section, the name and address of the owner of the parcel shall be that listed on tax records maintained by the Oconee County Tax Assessor.
- (e) *Action by council.* After conducting a duly advertised public hearing, county council shall consider all information presented at the hearing, staff review, and the recommendation received from the Oconee County Planning Commission, prior to making their decision.

Sec. 38-8.3. - Reconsideration of request for amendment.

When county council shall have denied a request for an amendment to this chapter, it shall not consider the same or a less restrictive reclassification for an amendment affecting the same property until one year from the date of said denial. A more restrictive classification is not subject to the one-year period.

Sec. 38-8.4. - Effective date of change.

Any ordinance effecting a change in the text of the zoning chapter or zoning maps shall become effective upon final adoption by council.

Sec. 38-8.5. - Methods of initial rezoning.

Upon adoption of this chapter, rezoning of a parcel or group of parcels shall be initiated by one of the following methods:

(1) *Method 1—Planning district request initiated by citizens.*

- a. Any group of citizens living within any planning district described within this section may petition for initial rezoning for the entirety of their district. The planning districts, which are based on the approximate boundaries traditionally used by local fire stations as service areas, are as follows:
 1. Oakway District
 2. Salem District
 3. Corinth-Shiloh District
 4. Mountain Rest District
 5. Walhalla District
 6. Westminster District
 7. Seneca District
 8. Fair Play District
 9. Long Creek District
 10. Cleveland District
 11. Keowee Ebenezer District
 12. Friendship District
 13. Cross Roads District
 14. Picket Post-Camp Oak District
 15. South Union District
 16. West Union District
 17. Keowee District

The boundaries of each planning district shall conform to the exterior property line of all parcels lying within; in no instance shall a single parcel lie in more than one planning district. Parcels shall be assigned to a planning district based on the location of its centroid, which shall be determined by the Oconee County Geographic Information System (GIS). The boundaries of the various planning districts are shown on the map of planning districts, which shall be adopted as part of these standards.

- b. Petitions by citizens to county council to initiate a rezoning of an entire planning district shall be made in the following manner:
 1. Citizen petition. Citizens wishing council to amend the map of their planning district shall acquire the signatures of a minimum of 15 percent of the owners of parcels lying within the boundaries of the said planning district. The petition shall contain the following statement of support:
 2. "I hereby certify that I own a parcel lying within the _____ Planning District, and I support the consideration by Oconee County Council of amending the zoning map."
 3. Presentation to county council. If county council finds the petition is within the parameters of this chapter, they may direct the planning commission and Community Development Department to proceed with amending the zoning chapter and map. Council may take first reading, in title only, on the zoning amendments at this time.
 4. Review of land use map. The planning commission shall undertake a review of the district's portion of the future land use map.
 5. Initial zoning meeting in district. Following the review of the future land use map, the Community Development Department will schedule a public meeting to begin working with citizens to develop a proposed zoning map. Nominations for the district planning advisory committee will be called for at this time.
 6. Appointment of district planning advisory committee. County council will review the nominations for the district planning advisory committee and appoint individuals to the committee. The committee shall consist of seven owners of parcels lying within the district. The committee shall elect a chair who shall conduct committee meetings, call subsequent meetings as necessary, and set forth the agenda for subsequent meetings.
 7. Creation of proposed district zoning map. With assistance from planning staff, the district planning advisory committee will use the future land use map as a guide in creating proposed changes to the district's portion of the official zoning map. All proposed amendments shall be chosen from the zoning districts and their corresponding regulations established in this chapter.
 8. Planning commission review of proposed zoning map. When completed, the committee shall present their draft map to the planning commission for review. The planning commission shall review the changes to ensure that they are

compatible with the comprehensive plan. During this time, the Community Development Department shall mail a survey to all district property owners soliciting their opinion of the proposed changes, with a deadline to respond of 30 days. At the end of the survey period, the commission shall forward a recommendation regarding the proposed changes to county council. A positive recommendation of the commission shall require both a finding of compliance with the comprehensive plan, and a minimum of 51 percent of the returned responses to the survey favoring the proposed changes.

9. Consideration of recommendation. County council shall consider the proposed zoning map amendments and may take second reading on the chapter at this time.
10. Comment period. A comment period of no less than 30 days shall be held at this time.
11. Consideration of survey results by county council. Upon the completion of the comment period, county council may hold a public hearing on the proposed amendments. Once the public hearing has been completed, county council may take third and final reading of an ordinance to amend the planning districts portions of the official zoning map.
12. Failed attempts to amend the zoning chapter. In the event county council formally rejects a citizen-initiated petition to amend a planning district's portion of the official zoning map for any reason, a new attempt to amend the map through citizen petition shall not be considered sooner than two years from the date of council's decision.

(2) *Method 2—Small area rezoning.*

- a. Any property owner, or group of property owners, of a parcel or parcels with a combined minimum ownership of at least fifty (50) acres may petition county council for initial rezoning. No parcel may be included within the rezoning petition under this method which is not contiguous to at least one other parcel that is included in the rezoning petition. Contiguous properties are those properties which are adjacent to one another and share a common border. Contiguity is not established by a road, waterway, right-of-way, easement, railroad track, or utility line which connects one property to another; however, if the connecting road, waterway, easement, railroad track, or utility line intervenes between two properties, which but for the intervening connector would be adjacent and share a continuous border, the intervening connector does not destroy contiguity.
- c. All persons owning a legal interest in the subject parcel(s) must sign the petition for rezoning under this method.
- d. Proposed rezonings pursuant to this method shall be subject to review by the planning commission, as set forth in [section 38-8.1](#), the public notice requirements contained in [section 38-8.2](#), and all standards set forth in these regulations, including compliance with the goals established in the Oconee County Comprehensive Plan, as well as all other applicable local, state, and federal laws.

(3) *Method 3—County initiated.* The governing body of the county may at any time after adoption of these standards rezone any parcel or parcels owned or maintained by Oconee County. Additionally, notwithstanding any effort to accomplish a prior rezoning, county council may at any time rezone any parcel or group of parcels to bring them into compliance with the goals established in the Oconee County Comprehensive Plan. Proposed changes to any part of these regulations shall be subject to review by the planning commission, as set forth in section 38-8.1 (above), and public notice requirements contained in section 38-8.2 (above), as well as other as well as all other applicable local, state, and federal laws.

Sec. 38-8.6. - Subsequent rezoning.

- (a) Subsequent to the initial change of zoning of any parcel or group of parcels following adoption of these regulations, any individual property owner may make application for rezoning of a parcel(s). All such rezonings shall be subject to the standards set forth in these regulations and South Carolina Code of Laws, 1976, as amended.
- (b) Notwithstanding any effort to accomplish a prior rezoning, county council may at any time rezone a parcel or group of parcels pursuant to the goals established in the Oconee County Comprehensive Plan.

**AGENDA ITEM SUMMARY
OCONEE COUNTY, SC**

**COUNCIL MEETING DATE: November 21, 2017
COUNCIL MEETING TIME: 6:00 p.m.**

ITEM TITLE [Brief Statement]:

First Reading of Ordinance 2017-28 “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A GROUND LEASE AGREEMENT BETWEEN OCONEE COUNTY AS LESSOR AND THE FOOTHILLS FARMSTEAD AS LESSEE; AND OTHER MATTERS RELATED THERETO.”

BACKGROUND DESCRIPTION:

Ordinance 2017-28 will authorize the County Administrator to execute and deliver a Ground Lease Agreement between Oconee County as Lessor and the Foothills Farmstead, a South Carolina nonprofit entity, as Lessee in relation to certain County-owned property consisting of approximately sixteen (16) acres located behind the former Oakway Intermediate School. The leased premises will be used for the purpose of constructing and operating a historical farmstead (the “Farmstead”) that will represent how many people in the Appalachian Foothills lived between the years 1900 and 1950; the Farmstead will include period-appropriate structures and activities such as crop and livestock farming, heritage festivals, woodworking, bee keeping, cotton ginning, and other activities that are related and ancillary thereto, all of which shall be for the public good and welfare in the form of heritage tourism and education as well as community and economic development; among other related activities.

SPECIAL CONSIDERATIONS OR CONCERNS [only if applicable]:

None

FINANCIAL IMPACT [Brief Statement]:

Check Here if Item Previously approved in the Budget.

Approved by : _____ **Finance**

COMPLETE THIS PORTION FOR ALL GRANT REQUESTS:

Are Matching Funds Available: /

If yes, who is matching and how much:

Approved by : _____ **Grants**

ATTACHMENTS

None

STAFF RECOMMENDATION [Brief Statement]:

It is staff’s recommendation that Council take first reading of Ordinance 2017-28.

Council has directed that they receive their agenda packages a week prior to each Council meeting, therefore, Agenda Items Summaries must be submitted to the Administrator for his review/approval no later than 12 days prior to each Council meeting. It is the Department Head / Elected Officials responsibility to ensure that all approvals are obtained prior to submission to the Administrator for inclusion on an agenda.

A calendar with due dates marked may be obtained from the Clerk to Council.

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE**

ORDINANCE 2017-28

AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF
A GROUND LEASE AGREEMENT BETWEEN OCONEE COUNTY AS
LESSOR AND THE FOOTHILLS FARMSTEAD AS LESSEE; AND OTHER
MATTERS RELATED THERETO.

WHEREAS, Oconee County, South Carolina (the "County") is a body politic and corporate and a political subdivision of the State of South Carolina and is authorized by the provisions of Title 4, Chapter 9 of the Code of Laws of South Carolina 1976, as amended, to lease real property and to make and execute contracts; and,

WHEREAS, the County currently desires to execute and enter into a Ground Lease Agreement (the "Lease") with the Foothills Farmstead, a South Carolina nonprofit entity, ("Lessee") in relation to certain County-owned property consisting of approximately sixteen (16) acres, as shown on Exhibit "A," attached hereto, and designated thereon as Lease Parcel 2 ("Ground Lease Premises"); and,

WHEREAS, the Oconee County Council (the "Council") has reviewed the form of the Lease, attached hereto as Exhibit "B," and determined that it is in the best interest of the County and its residents and citizens for the County to execute and enter into the Lease, and the Council wishes to approve the same and to authorize the County Administrator to execute and deliver the Lease and all related agreements and documents necessary or incidental thereto; and,

WHEREAS, Lessee agrees to use the Ground Lease Premises for the purpose of constructing and operating a historical farmstead (the "Farmstead") that will represent how many people in the Appalachian Foothills lived between the years 1900 and 1950; the Farmstead will include period-appropriate structures and activities such as crop and livestock farming, heritage festivals, woodworking, bee keeping, cotton ginning, and other activities that are related and ancillary thereto, all of which shall be for the public good and welfare in the form of heritage tourism and education as well as community and economic development; among other related activities; and,

WHEREAS, the Ground Lease Premises are suitable for the uses proposed by Lessee.

NOW THEREFORE, be it ordained by Council in meeting duly assembled that:

Section 1. Lease Approved. The Lease is hereby approved, and the County Administrator is hereby authorized to execute and deliver the Lease in substantially the same form as Exhibit "B," attached hereto.

Section 2. Related Documents and Instruments; Future Acts. The County Administrator, with counsel from the County Attorney, is hereby authorized to negotiate such documents and instruments which may be necessary or incidental to the Lease and to execute and deliver any such documents and instruments on behalf of the County.

Section 3. Severability. Should any term, provision, or content of this Ordinance be deemed unconstitutional or otherwise unenforceable by any court of competent jurisdiction, such determination shall have no effect on the remainder of this Ordinance.

Section 4. General Repeal. All ordinances, orders, resolutions, and actions of the Oconee County Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked, and superseded.

Section 5. Effective Date. This Ordinance shall become effective and be in full force and effect from and after public hearing and third reading in accordance with the Code of Ordinances of Oconee County, South Carolina.

ORDAINED in meeting, duly assembled, this _____ day of _____, 2017.

ATTEST:

Katie Smith
Clerk to Oconee County Council

Edda Cammick
Chair, Oconee County Council

First Reading: November 21, 2017
Second Reading: _____
Third Reading: _____
Public Hearing: _____

EXHIBIT A

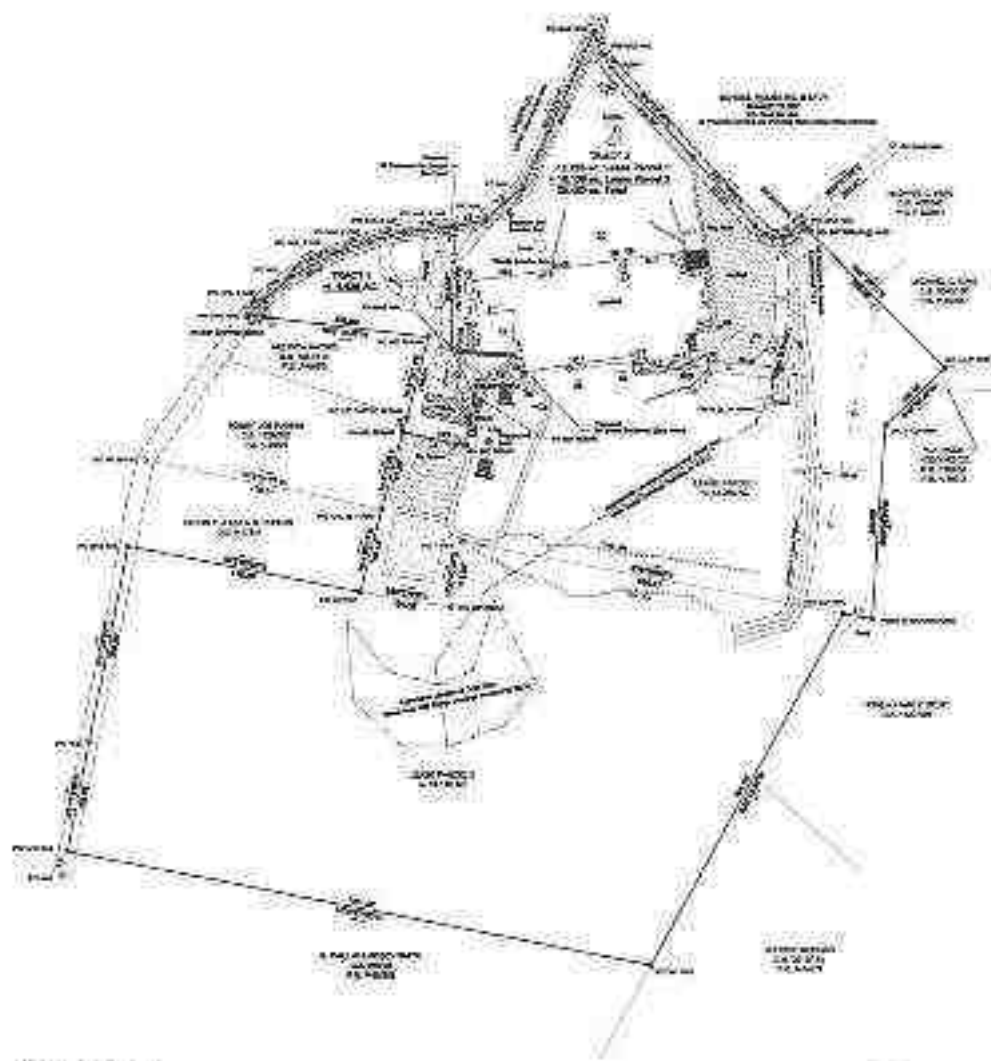
(See Attached)

EXHIBIT B

To be produced following negotiations and/or execution

Exhibit A

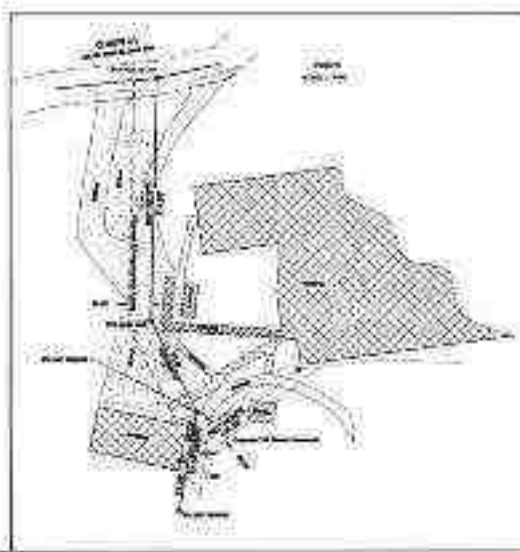
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SCHOOL DISTRICT OF OCONEE COUNTY
 BOARD OF SCHOOL DISTRICT SUPERVISORS
 BOARD OF SUPERVISORS
 1000 MARKET STREET, SUITE 100
 AUSTIN, TEXAS 78701
 TEL: 512/478-1234
 FAX: 512/478-5678
 WWW: www.sdsd.net



**AGENDA ITEM SUMMARY
OCONEE COUNTY, SC**

**COUNCIL MEETING DATE: November 21, 2017
COUNCIL MEETING TIME: 6:00 p.m.**

ITEM TITLE [Brief Statement]:

First Reading of Ordinance 2017-29 "AUTHORIZING OCONEE COUNTY, SOUTH CAROLINA, TO ENTER INTO AN EQUIPMENT ACQUISITION AND USE AGREEMENT FOR THE PURPOSE OF ACQUIRING CERTAIN EQUIPMENT IN AN AMOUNT NOT TO EXCEED \$6,552,500; AUTHORIZING THE COUNTY ADMINISTRATOR TO DETERMINE CERTAIN MATTERS; AND OTHER MATTERS RELATING THERETO."

BACKGROUND DESCRIPTION:

Ordinance 2017-29 will authorize Oconee County to enter into an equipment acquisition and use agreement or other agreement (the "Acquisition Agreement") in the aggregate principal amount of not exceeding \$6,552,500 with a bank or other financial institution selected by the County Administrator for the purpose of financing the acquisition of some or all of the various items of equipment (the "Equipment") for use at the Rock Quarry, described as follows: rock crushing equipment related to the operation of the Oconee County Rock Quarry - Such equipment is expected to include one (1) jaw crusher, two (2) cone crushers, two (2) tertiary cone crushers, and screen decks; provided, however, the specific equipment to be acquired may adjust depending on bids received by the County from equipment vendors to satisfy production demands and specifications.

SPECIAL CONSIDERATIONS OR CONCERNS [only if applicable]:

None

FINANCIAL IMPACT [Brief Statement]:

Check Here if Item Previously approved in the Budget.

Approved by : _____ Finance

COMPLETE THIS PORTION FOR ALL GRANT REQUESTS:

Are Matching Funds Available: /

If yes, who is matching and how much:

Approved by : _____ Grants

ATTACHMENTS

None

STAFF RECOMMENDATION [Brief Statement]:

It is staff's recommendation that Council take first reading of Ordinance 2017-29

Council has directed that they receive their agenda packages a week prior to each Council meeting, therefore, Agenda Items Summaries must be submitted to the Administrator for his review/approval no later than 12 days prior to each Council meeting. It is the Department Head / Elected Officials responsibility to ensure that all approvals are obtained prior to submission to the Administrator for inclusion on an agenda.

A calendar with due dates marked may be obtained from the Clerk to Council.

OCONEE COUNTY, SOUTH CAROLINA

ORDINANCE NO. 2017-29

AUTHORIZING OCONEE COUNTY, SOUTH CAROLINA, TO ENTER INTO AN EQUIPMENT ACQUISITION AND USE AGREEMENT FOR THE PURPOSE OF ACQUIRING CERTAIN EQUIPMENT IN AN AMOUNT NOT TO EXCEED \$6,552,500; AUTHORIZING THE COUNTY ADMINISTRATOR TO DETERMINE CERTAIN MATTERS; AND OTHER MATTERS RELATING THERETO.

Enacted: _____, 2017

BE IT ORDAINED BY THE COUNTY COUNCIL OF THE COUNTY OF OCONEE, SOUTH CAROLINA, IN COUNCIL ASSEMBLED:

Section 1. Findings and Determinations. The County Council (the "County Council") of Oconee County, South Carolina (the "County"), hereby finds and determines:

(a) Pursuant to Section 4-9-10, Code of Laws of South Carolina 1976, as amended (the "South Carolina Code"), the County operates under the Council-Administrator form of government and the Council constitutes the governing body of the County.

(b) Section 4-9-30 of the South Carolina Code empowers all counties to acquire real property by purchase or gift; to lease, sell or otherwise dispose of real and personal property; to acquire tangible personal property and supplies; and to make and execute contracts.

(c) The County owns and operates the Oconee County Rock Quarry (the "Rock Quarry") which provides crushed rock to be used on County roads and County property. Pursuant to Ordinance 91-10 enacted on October 1, 1991, the County has provided for a method of determining surplus gravel, stone and like products for sale to other parties after satisfaction of all present and reasonably foreseeable County future needs. There is a need to provide additional equipment for use at the Rock Quarry.

(d) The County desires to enter into an equipment acquisition and use agreement or other agreement (the "Acquisition Agreement") in the aggregate principal amount of not exceeding \$6,552,500 with a bank or other financial institution selected by the County Administrator for the purpose of financing the acquisition of some or all of the various items of equipment (the "Equipment") for use at the Rock Quarry and as described in Exhibit A attached hereto.

(e) The Acquisition Agreement will not constitute a "financing agreement" and the Equipment will not constitute an "asset" as such terms are defined in Section 11-27-110 of the South Carolina Code. Thus, the principal amount of the Acquisition Agreement will not be included when calculating the County's constitutional debt limit under Article X, Section 14 of the Constitution of the State of South Carolina.

(f) The County will have the option of making acquisition payments under the Acquisition Agreement from its general fund revenue or other approved revenue sources. Payments to be made under the Acquisition Agreement will be subject to annual appropriation by the County Council.

(g) It is in the best interest of the County to acquire the Equipment by entering into the Acquisition Agreement. The Acquisition Agreement will enable the County to purchase the Equipment which will used be in the operations of the Rock Quarry.

Section 2. Approval of Transaction. The Equipment described in Exhibit A shall be acquired pursuant to an equipment acquisition and use agreement which is hereby approved in the aggregate principal amount of not exceeding \$6,552,500.

Section 3. Authority to Determine Certain Matters Relating to the Transaction. Without further authorization, the County Council hereby authorizes the County Administrator to distribute a Request for Proposals for the financing of the Equipment in substantially the form set forth as Exhibit B hereto to various banks and other financial institutions in the County and other areas as the County's Director of Finance determines.

The County Council further authorizes and empowers the County Administrator to:

- (a) determine the principal amount of the Acquisition Agreement, if less than authorized by this Ordinance;
- (b) determine the Equipment (if different from such Equipment described herein) to be acquired pursuant to the Acquisition Agreement;
- (c) determine the payment schedule under the Acquisition Agreement;
- (d) determine the final payment date under the Acquisition Agreement;
- (e) determine the rate or rates of interest to be paid under the Acquisition Agreement;
- (f) determine the terms relating to any prepayment of the Acquisition Agreement;
- (g) determine the date and time for receipt of proposals under the Request for Proposals for the Acquisition Agreement; and
- (h) accept as well as negotiate with any responsible bidder under the terms of the Request for Proposals.

Section 4. Approval of Acquisition Agreement. Without further authorization, the County Administrator is authorized to approve the form, terms and provisions of the Acquisition Agreement proposed by the Bidder. The County Administrator is hereby authorized, empowered and directed to execute and deliver the Acquisition Agreement in the name and on behalf of the County and thereupon to cause the Acquisition Agreement to be delivered to the other party thereto. Any amendment to the Acquisition Agreement shall be executed in the same manner. The Acquisition Agreement is to be in the form as shall be approved by the County Administrator, his execution thereof to constitute conclusive evidence of such approval.

Section 5. Execution of Documents. The Chairman of County Council, County Administrator, Director of Finance, Clerk to County Council and County Attorney are fully empowered and authorized to take such further action and to execute and deliver such additional documents (including, but not limited to, any project fund agreements or escrow agreements) as may be reasonably requested by the bidder to effect the delivery of the Acquisition Agreement in accordance with the terms and conditions therein set forth, and the transactions contemplated hereby and thereby, and the action of such officers in executing and delivering any of such documents, in such form as the County Administrator shall approve, is hereby fully authorized.

Section 6. Filings with Central Repository. In compliance with Section 11-1-85 of the South Carolina Code, the County covenants that it will file or cause to be filed with a central repository for further availability in the secondary bond market when requested: (a) a copy of the annual audit of the County within thirty (30) days of the County's receipt thereof; and (b) within thirty (30) days of the occurrence thereof, relevant information of an event which, in the opinion of the County, adversely affects more than five percent (5%) of the County's revenue or its tax base.

Section 7. Employment of Professionals: Further Authorization. The County Council hereby authorizes the Chairman of the County Council, the County Administrator and the Director of Finance and the County Attorney to execute such documents and instruments as may be necessary to enter into the Acquisition Agreement or make modifications in any document including but not limited to the form of the Request for Proposals. The County Council hereby authorizes the County Administrator to retain McNair Law Firm, P.A., as special counsel, and Compass Municipal Advisors, LLC, as financial advisors, in connection with the execution and delivery of the Acquisition Agreement.

Section 8. Severability. All ordinances, orders, resolutions and parts thereof, procedural or otherwise, in conflict herewith or the proceedings authorizing the execution of the Acquisition Agreement are, to the extent of such conflict, hereby repealed and this Ordinance shall take effect and be in full force from and after its enactment.

Section 9. Effective Date. This Ordinance shall be effective upon its enactment by the County Council of Oconee County, South Carolina.

[Execution Page Follows]

Enacted this __ day of _____, 2017.

OCONEE COUNTY, SOUTH CAROLINA

(SEAL)

Chairman, County Council
Oconee County, South Carolina

ATTEST:

Administrator, Oconee County, South Carolina

Clerk to County Council,
Oconee County, South Carolina

Date of First Reading: November 21, 2017
Date of Second Reading: _____, 2017
Date of Public Hearing: _____, 2017
Date of Third Reading: _____, 2017

Exhibit A

Equipment

The equipment shall consist of rock crushing equipment related to the operation of the Oconee County Rock Quarry. Such equipment is expected to include one (1) jaw crusher, two (2) cone crushers, two (2) tertiary cone crushers, and screen decks; provided, however, the specific equipment to be acquired may adjust depending on bids received by the County from equipment vendors to satisfy production demands and specifications.

Exhibit B

Form of Request for Proposals

REQUEST FOR PROPOSALS

Oconee County, South Carolina
Equipment Acquisition and Use Agreement, 2018 (Taxable)

**THE INTEREST PAID ON THE ACQUISITION AGREEMENT WILL NOT BE EXEMPT
FROM FEDERAL INCOME TAXATION**

Response Due: _____, 2018
_____, South Carolina Time

Time and Place of Sale: NOTICE IS HEREBY GIVEN that proposals addressed to the undersigned will be received on behalf of the County Council ("Council") of Oconee County, South Carolina (the "County"), in the County's offices, 415 South Pine Street, Wallhalla, South Carolina 29691, until ___:___ m., South Carolina time, on _____, 20__ at which time said proposals will be publicly opened.

Equipment Acquisition and Use Agreement: The Council has authorized the County to fund the cost of certain equipment as described in Exhibit A hereto (the "Equipment"). Such funding is anticipated to be accomplished through the execution and delivery of an Equipment Acquisition and Use Agreement (the "Agreement").

Mailed or Hand Delivered Bids: Each mailed or hand delivered proposal should be mailed or delivered to:

Oconee County, South Carolina
Attn: Scott Moulder, County Administrator
415 South Pine Street
Wallhalla, SC 29691

E-Mail Bids: Electronic proposals may be e-mailed to the attention of Scott Moulder, County Administrator, at smoulder@oconeesc.com, with a copy to Michael W. Burns, Esq., Special Counsel, at mburns@mcnair.net, and a copy to Brian Nutrick, Financial Advisor, at proposals@compassmini.com.

PROPOSALS MAY BE DELIVERED BY HAND, BY MAIL, OR BY E-MAIL, BUT NO PROPOSAL SHALL BE CONSIDERED WHICH IS NOT ACTUALLY RECEIVED BY THE COUNTY AT THE PLACE, DATE AND TIME APPOINTED, AND THE COUNTY SHALL NOT BE RESPONSIBLE FOR ANY FAILURE, MISDIRECTION, DELAY OR ERROR RESULTING FROM THE SELECTION BY ANY BIDDER OF ANY PARTICULAR MEANS OF DELIVERY OF BIDS.

Please note that this request for proposals is also being sent to a number of other institutions as well and that the County reserves the right to select the proposal determined to be the most advantageous to the County in its sole discretion. The selection process will be heavily weighted toward lowest financing costs; however, lowest financing cost is not the only factor that may be considered by the

County. The County reserves the right to reject any or all bid proposals as well as negotiate with the lowest bidder.

I. Terms and Conditions:

- (a) Amount to be Financed: Not exceeding \$6,552,500. The County reserves the right to reduce the principal amount financed under the Agreement by up to 10% after acceptance of the winning bid. A bid for less than the total principal amount of the Agreement will not be considered.
- (b) Payments: Annual principal and interest payments (“Acquisition Payments”) under the Agreement will be payable on December 1 in each of the years 2018 to and including 2029. The principal portion of such payments are anticipated to be in the amounts as follows:

<u>Year</u>	<u>Principal Amount</u>
2018	\$475,290.91
2019	450,619.22
2020	468,643.98
2021	487,389.74
2022	506,885.33
2023	527,160.75
2024	548,247.18
2025	570,177.06
2026	592,984.15
2027	616,703.51
2028	641,371.65
2029	667,026.52

The County reserves the right to adjust the principal repayment schedule of the Agreement. The County anticipates that it will adjust the principal repayment schedule of the Agreement in order to achieve approximately level annual debt service. In the event of any such adjustment, no rebidding or recalculation of the proposals submitted will be required or permitted. The successful bidder may not withdraw its bid as a result of any adjustment to the aggregate principal amount financed, or the principal repayment schedule as described above.

- (c) Interest: Bidders shall submit a bid containing one single fixed rate of interest. Unless otherwise designated by a bidder, interest on the Agreement will be calculated based on a 360-day year comprised of twelve 30-day months.

Bids containing rates of interest which may adjust upon the occurrence of specified events, including changes in the bidder’s capital requirements or cost of capital, or for any other reason, will be rejected.

- (d) Guarantee of Interest Rate: The interest rate, costs and other terms of the bid submitted must be guaranteed from the date of your proposal to the closing date (expected to be on or about _____, 2018).

- (e) Equipment: See attached Exhibit A.
- (f) Form of Equipment Acquisition and Use Agreement: The Agreement will be in such form as the County and the successful bidder (the “Bank”) agree upon.
- (g) Acquisition Payments and Release Dates: It is anticipated that Acquisition Payments will be made from the proceeds of general obligation bonds, general fund revenues or other approved sources. In return for each Acquisition Payment and on each Acquisition Payment date (December 1, being the “Release Date”) the County will obtain unencumbered ownership of certain percentage of the Equipment as set forth on Exhibit B hereto.
- (h) Non-appropriation: A non-appropriation provision acceptable to the County must be included in the Agreement. Any and all amounts due including, but not limited to, scheduled acquisition payments, reimbursements, penalties or fees under the Agreement or any Acquisition/Escrow Account (as defined below) must be subject to annual appropriation by the County.
- (i) Non-substitution: A non-substitution provision is not permitted to be included in the Agreement.
- (j) Deficiency Judgment: No deficiency judgment can be assessed or imposed against the County nor will the full faith, credit and taxing power of the County be pledged to the payment of the Agreement.
- (k) Title: Title to the Equipment will be in the name of the County subject to the Bank’s rights and security interest under the Agreement. The Agreement must allow the County to obtain full, unencumbered title to the various items of the Equipment on December 1 in each of the years 2018 to and including 2027 in accordance with the Equipment Release Schedule attached hereto as Exhibit B. Upon the closing of the Agreement, the successful bidder shall be responsible for taking all actions it deems necessary to impose its lien or perfect any security interest in the Equipment. The County will cooperate with the bidder to effect such result.
- (l) Use of Proceeds: At closing, the proceeds will be deposited into a special account (the “Acquisition Account”) created under the Agreement and disbursed to the County or a named vendor, either as reimbursement for or to pay the costs of issuance of the Agreement, and costs of the acquisition of the Equipment, upon receipt by the holder of the Acquisition Account of a disbursement request. The Acquisition Account must be an interest bearing account properly collateralized, if necessary, as required by South Carolina law. Interest earnings therein must accrue to the County. The Acquisition Account will be structured to allow payments therefrom to be made (1) to the County to reimburse it for amounts expended by the County on the Equipment; and (2) to the vendors for payment of the Equipment as directed by the County. Without limitation of the foregoing, funds on deposit in the Acquisition Account must be made available upon request of the County for periodic partial payments to Equipment vendors for the manufacture and/or assembly of Equipment prior to delivery and acceptance of such Equipment by the County. All funds invested or deposited in the Acquisition Account shall at all times be invested or deposited, as applicable,

in a manner which satisfies the requirements of the laws of the State of South Carolina relating to investment or deposit of public funds, including, without limitation, Section 6-5-10 or Section 6-5-15 of the Code of Laws of South Carolina 1976, as amended, as applicable.

- (m) **Costs of Issuance:** All costs relating to the preparation of the Agreement and fees of special counsel will be paid by the County. Any fees and costs of the bidder to be paid by the County must be stated in the response to this Request for Proposals. Any fees or charges of the bidder to be paid by the County will be treated as additional interest. The Agreement must allow the County to pay its legal fees and costs related to execution and delivery of the Agreement out of the proceeds of the Agreement.
- (n) **Insurance:** The County is insured through the South Carolina Insurance Reserve Fund. The Equipment will be insured in a similar manner at face value. The lessor may be listed as a loss-payee, but may not be listed as an additional insured under the County's insurance coverage.
- (o) **Federal Tax Exemption:** Interest on the Acquisition Agreement will NOT be exempt from federal income taxation.
- (p) **Closing:** The County expects to close the transaction on or about _____, 2018.
- (q) **Prepayment:** Unless otherwise specifically provided in a bidder's proposal and agreed to by the County, the Agreement will be subject to prepayment at the option of the County in whole or in part at any time without any prepayment penalty.

II. **Proposal Requirements.**

- (a) Proposals must be in writing. It is preferred that a bidder's proposal not be subject to further credit or underwriting approval.
- (b) No proposal may be modified by a bidder after it has been submitted.
- (c) Proposals should include: the name, address, and telephone number of your institution; the primary contact; and identity of legal counsel, if any.
- (d) Proposals must be accompanied with a list of all requirements and conditions associated with its bid.
- (e) Proposals must indicate a single interest rate for the lease term and it is requested that proposals include an amortization schedule showing annual payment amounts for the term of the financing.
- (f) Proposals must provide full disclosure of all financing costs, including any closing, legal, and tax opinion charges.
- (g) Any prepayment penalty or other fee requirements should be detailed in the proposal.

III. Evaluation of Proposals and Award.

The Acquisition Agreement will be awarded to the bidder that provides the most advantageous proposal, as determined by the County in its sole and absolute discretion. Proposals will be evaluated by the officials of the County based on various factors, including, but in no way limited to, the interest rate, redemption terms, additional credit or underwriting approval, additional covenants and terms, if any, and other conditions set forth therein. The County reserves the right to reject any and all bids or to waive irregularities in any proposal. The County expects to accept the successful proposal on _____, 2017.

IV. Legal Opinion. The execution and delivery of the Agreement is subject to the respective approving opinions of the McNair Law Firm, P.A., Special Counsel and David Root, Esq., the County Attorney.

V. Financial Advisor. Compass Municipal Advisors, LLC is acting as Financial Advisor to the County in connection with the Acquisition Agreement. In this capacity, Compass Municipal Advisors, LLC has provided technical assistance in the preparation of this Request for Proposals and assisted the County in preparing for this financing.

VII. Certificate of Lender: The successful purchaser of the Acquisition Agreement will be required to execute a Written Confirmation of Lender in substantially the form attached hereto as Exhibit C and incorporated herein by reference.

VIII. Additional Information

If you should have any questions regarding the Request for Proposals, you should contact:

Scott Maulder, ICMA-CM
Oconee County Administrator
864.638.4244
e-mail: smaulden@ococoesc.com

Ladale V. Price
Oconee County Finance Director
864.638.4235
email: lprice@ococoesc.com

Michael W. Burns, Esq.
McNair Law Firm, P.A.
864.271.4940
email: mwburns@mcnair.net

Brian Nurick
Compass Municipal Advisors, LLC
Managing Director
859.368.9616
e-mail: brian.nurick@compassmuni.com

Brandon T. Norris, Esq.
McNair Law Firm, P.A.
864.271.4940
email: bnorris@mcnair.net

Dated: _____, 2017

Exhibit A

Description of Equipment

<u>Description</u>	<u>Estimated Cost*</u>
One Jaw Crusher	\$ _____
Two Cone Crushers	_____
Two Tertiary Cone Crushers	_____
	<u>\$ _____</u>

*To be adjusted to reflect the actual cost of each item of the Equipment.

Exhibit B

Equipment Release Schedule

<u>Principal Paid</u>	<u>Percentage Released *</u>	<u>Release Dates (December 1)</u>
		2018
		2019
		2020
		2021
		2022
		2023
		2024
		2025
		2026
		2027

*The percentage of Equipment in the order set forth in Exhibit A hereto to be released upon a payment under the Agreement shall be revised as the time of closing of the Agreement to reflect any adjustment to the repayment schedule as permitted by Section I(b).

Exhibit C

Written Confirmation of Lender

[Date of Closing]

Oconee County, South Carolina
Walhalla, South Carolina

McNair Law Firm, P.A.
Greenville, South Carolina

Compass Municipal Advisors, LLC
Columbia, South Carolina

§ _____ Equipment Acquisition and Use Agreement

Ladies and Gentlemen:

The undersigned, on behalf of [NAME OF LENDER], as lessor under the above-referenced Agreement (the "Lender"), has agreed to enter into the above-referenced Agreement with Oconee County, South Carolina (the "County") in order to finance the acquisition of certain equipment to be used by the County.

The Lender hereby represents to you that:

- (1) The Agreement is non-transferable or restricted to transfer to acquirers similar to Lender.
- (2) The Agreement may be transferred through participation or syndication only.
- (3) The financing arrangement between the Lender and the County is represented solely by the Agreement, which is a contract between the parties thereto.
- (4) The Agreement is not rated by a credit rating agency.
- (5) The Agreement is not assigned a CUSIP number.
- (6) Assignment of Lender's rights under the Agreement is subject to the terms and conditions of the Agreement.
- (7) There is no agreement facilitating creation of a market for trading, such as a marketing or remarketing agreement or continuing disclosure agreement, with respect to the Agreement or any obligations thereunder.

- (8) The terms of the Agreement have been negotiated between Lender and the County.
- (9) The obligations of the Lender under the Agreement will be those of the Lender, not the securities affiliate of the Lender.
- (10) Lender will treat the transaction contemplated by the Agreement as a loan, not a security, for accounting and regulatory purposes.
- (11) [Registration is in physical form, in name of the Lender.]
- (12) The Lender has sufficient knowledge and experience in financial and business matters, including those involving loans to public bodies, to be able to evaluate the risks and merits of the credit represented by the execution and delivery of the Agreement.
- (13) The Lender understands that no official statement, prospectus, offering circular or other comprehensive offering statement containing material information with respect to the County and the Agreement is being issued, and that, in due diligence, it has made its own inquiry and analysis with respect to the County, the Agreement, and other material factors affecting the security for and payment of the County's obligations under the Agreement.
- (14) The Lender acknowledges that it has either been supplied with or has access to information, including financial statements and other financial information, regarding the County, to which a reasonable lender would attach significance in making credit decisions, and has had the opportunity to ask questions and receive answers from knowledgeable individuals concerning the County, the Agreement and the security therefor, so that as a reasonable lender, it has been able to make its decision to execute and deliver the Agreement.
- (15) The Lender understands that the scope of engagement of McNair Law Firm, P.A., as Special Counsel, with respect to the Agreement has been limited to matters set forth in their opinion based on their view of such legal proceedings as they deem necessary to approve the validity of the Agreement.

[LENDER]

**AGENDA ITEM SUMMARY
OCONEE COUNTY, SC**

**COUNCIL MEETING DATE: November 21, 2017
COUNCIL MEETING TIME: 6:00**

ITEM TITLE [Brief Statement]:

ORDINANCE 2017-30: AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDMENT TO THE FEE AGREEMENT BETWEEN OCONEE COUNTY AND ITECH SOUTH, LLC, DATED AS OF APRIL 1, 2015, PROVIDING FOR THE INCLUSION OF EUGENE CARLTON MORRIS AND JUNE COPELAND MORRIS AS SPONSORS; AND OTHER MATTERS RELATED THERETO.

BACKGROUND DESCRIPTION:

Ordinance 2017-30 will authorize the amendment of the FILOT agreement between Oconee County and Itech South, LLC, dated as of April 1, 2015 (Ordinance 2015-13), and allow the inclusion of Eugene Carlton Morris and June Copeland Morris as Sponsors along with Itech South, LLC, the original Sponsor.

SPECIAL CONSIDERATIONS OR CONCERNS [only if applicable]:

None

FINANCIAL IMPACT [Brief Statement]:

Check Here if Item Previously approved in the Budget. No additional information required.

Approved by : _____ **Finance**

COMPLETE THIS PORTION FOR ALL GRANT REQUESTS:

Are Matching Funds Available: Yes / No

If yes, who is matching and how much:

Approved by : _____ **Grants**

ATTACHMENTS

None

STAFF RECOMMENDATION [Brief Statement]:

It is staff's recommendation that Council take first reading of Ordinance 2017-30.

Council has directed that they receive their agenda packages a week prior to each Council meeting, therefore, Agenda Items Summaries must be submitted to the Administrator for his review/approval no later than 12 days prior to each Council meeting. It is the Department Head / Elected Officials responsibility to ensure that all approvals are obtained prior to submission to the Administrator for inclusion on an agenda.

A calendar with due dates marked may be obtained from the Clerk to Council.

**AGENDA ITEM SUMMARY
OCONEE COUNTY, SC**

**COUNCIL MEETING DATE: November 21, 2017
COUNCIL MEETING TIME: 6:00 PM**

ITEM TITLE [Brief Statement]:

First Reading of Ordinance 2017-31 "AN ORDINANCE AMENDING CHAPTER 38 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING SETBACK LANGUAGE FOR MULTI-FAMILY HOUSING STRUCTURES; AND OTHER MATTERS RELATED THERETO."

BACKGROUND DESCRIPTION:

Ordinance 2017-31 stems from work performed by the Planning Commission to make clearer the applicability of existing setback requirements in the Control Free District to multi-family housing structures by adding the following language:

Setback requirements do not apply to lot lines separating dwelling units which are part of a multi-family housing structure (e.g., townhouses).

As to multi-family housing structures located on one lot (e.g., duplexes or apartments), setback requirements apply only to the exterior perimeter wall of the entire structure.

SPECIAL CONSIDERATIONS OR CONCERNS [only if applicable]:

None

FINANCIAL IMPACT [Brief Statement]:

Check Here if Item Previously approved in the Budget. No additional information required.

Approved by : _____ **Finance**

COMPLETE THIS PORTION FOR ALL GRANT REQUESTS:

Are Matching Funds Available: Yes / No

If yes, who is matching and how much:

Approved by : _____ **Grants**

ATTACHMENTS

Attachment A.

STAFF RECOMMENDATION [Brief Statement]:

It is staff's recommendation that Council take first reading of Ordinance 2017-31.

Council has directed that they receive their agenda packages a week prior to each Council meeting, therefore, Agenda Items Summaries must be submitted to the Administrator for his review/approval no later than 12 days prior to each Council meeting. It is the Department Head / Elected Officials responsibility to ensure that all approvals are obtained prior to submission to the Administrator for inclusion on an agenda.

A calendar with due dates marked may be obtained from the Clerk to Council.

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
ORDINANCE 2017-31**

AN ORDINANCE AMENDING CHAPTER 38 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING SETBACK LANGUAGE FOR MULTI-FAMILY HOUSING STRUCTURES; AND OTHER MATTERS RELATED THERETO.

WHEREAS, consistent with the powers granted county governments by S.C. Code § 4-9-25 and S.C. Code § 4-9-30 Oconee County (“County”) a body politic and corporate and a political subdivision of the State of South Carolina, acting by and through its governing body, the Oconee County Council (the “County Council”), has the authority to enact regulations, resolutions, and ordinances, not inconsistent with the Constitution and the general law of the State of South Carolina, including the exercise of such powers in relation to health and order within its boundaries and respecting any subject as appears to it necessary and proper for the security, general welfare, and convenience of the County or for preserving health, peace, order, and good government therein; and,

WHEREAS, the County has adopted multiple ordinances for the effective, efficient governance of the County, which, subsequent to adoption, are codified in the Oconee County Code of Ordinances (the “Code of Ordinances”), as amended; and,

WHEREAS, the County is authorized by Section 4-9-30(9) and Chapter 29 of Title 6 of the South Carolina Code of Laws, among other sources, to impose land use restrictions and development standards in the unincorporated areas of the County; and,

WHEREAS, County Council recognizes that there is a need to revise the law of the County to meet the changing needs of the County and that there is a need to amend, specifically, certain sections of Chapter 38 of the Code of Ordinances involving setbacks requirements as relate to multi-family housing structures in the Control Free District; and,

WHEREAS, County Council has therefore determined to modify Chapter 38 of the Code of Ordinances and to affirm and preserve all other provisions of the Code of Ordinances not specifically, or by implication, amended hereby.

NOW, THEREFORE, it is hereby ordained by the Oconee County Council, in meeting duly assembled, that:

1. Section 38-10.2 of Chapter 38 of the Code of Ordinances, entitled *Control Free District (CFD)*, is hereby revised, rewritten, and amended to read as set forth in Attachment A, which is attached hereto and hereby incorporated by reference as fully as if set forth verbatim herein.

2. County Council hereby declares and establishes its legislative intent that Attachment A become the applicable zoning provisions of the County, or parts thereof, with regard to the sections amended by Attachment A, from and after its adoption, states its intent to so adopt Attachment A, and directs that a public hearing thereon be undertaken by County Council or the Oconee County Planning Commission, in accord with and as required by Section 6-29-760 and by Section 4-9-130, South Carolina Code, 1976, as amended.

3. Should any part or provision of this Ordinance be deemed unconstitutional or unenforceable by any court of competent jurisdiction, such determination shall not affect the rest and remainder of this Ordinance, all of which is hereby deemed separable.

4. All ordinances, orders, resolutions, and actions of County Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked, and rescinded. However, nothing contained herein, or in the attachment hereto, shall cancel, void, or revoke, or shall be interpreted as cancelling, voiding, or revoking, *ex post facto*, in any regard any prior performance standard, zoning or rezoning acts, actions, or decisions of the County or County Council based thereon, which were valid and legal at the time in effect and undertaken pursuant thereto, in any regard.

5. All other terms, provisions, and parts of the Code of Ordinances, and specifically, but without exception, the remainder of Section 38-10.2 of Chapter 38, not amended hereby, directly or by implication, shall remain in full force and effect.

6. This Ordinance shall take effect and be in full force and effect from and after third reading and enactment by County Council.

ORDAINED in meeting, duly assembled, this ____ day of _____, 2017.

ATTEST:

Katie D. Smith
Clerk to Oconee County Council

Edda Cammick
Chair, Oconee County Council

First Reading: November 21, 2017
Second Reading: _____
Third Reading: _____
Public Hearing: _____

ATTACHMENT A
To Ordinance 2017-31

Sec. 38-10.2. - Control free district (CFD).

The control free district is intended to be the initial zoning district for all parcels within the jurisdiction at the time of initial adoption of zoning in Oconee County, only; any parcel subsequently rezoned to any other district shall not be a part of the control free district at any future date.

Dimensional requirements:

Residential Uses	Density and Lot Size				Minimum Yard Requirements			Max. Height
	Min. Lot Size	Lot Size	Max. Density	Min. Width (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	Structure Height (ft.)
	N/A	Greater than or equal to ½ acre	N/A	N/A	25	5	10	65
	N/A	Less than ½ acre to greater than or equal to ¼ acre	N/A	N/A	15	5	5	65
	N/A	Less than ¼ acre	N/A	N/A	10	5	5	65
Nonresidential Uses	Minimum Lot Size:				Minimum Yard Requirements			Max. Height
	Min. Lot Size	Lot Size	Min. Width (ft.)		Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	Structure Height (ft.)
	N/A	Greater than or equal to ½ acre	N/A		25	5	10	65
	N/A	Less than ½ acre to greater than or equal to ¼ acre	N/A		15	5	5	65
	N/A	Less than ¼ acre	N/A		10	5	5	65

These setback requirements shall not apply to subdivision plats that were recorded in the Office of the Oconee County Register of Deeds prior to May 7, 2002.

Setback requirements do not apply to lot lines separating dwelling units which are part of a multi-family housing structure (e.g., townhouses).

As to multi-family housing structures located on one lot (e.g., duplexes or apartments), setback requirements apply only to the exterior perimeter wall of the entire structure.

PROCUREMENT - AGENDA ITEM SUMMARY

OCONEE COUNTY, SC

COUNCIL MEETING DATE: November 21, 2017

ITEM TITLE:

ITB 17-03 Title: **Drilling Services for Seneca Landfill –
Groundwater Remediation Pilot Study**

Department: **Solid Waste**

Amount: **\$95,672.50**

FINANCIAL IMPACT:

Procurement was approved by Council in Fiscal Year 2017-2018 budget process.

Finance Approval:



Assigned Solid Waste Reserves Balance: \$1,315,572

Project Cost: \$95,673

Ending Solid Waste Reserves Balance: \$1,219,899

BACKGROUND DESCRIPTION:

At the September 5, 2017 Council Meeting, Council approved awards to Smith Gardner, Inc. for related engineering services and to Regensis BioRemediation Products, Inc., to provide remediation products and their application to the Seneca Landfill for remediation as mandated by DHEC. Drilling services by an outside contractor are required for this remediation process. This bid is for drilling services for the installation of three soil borings, multiple injection wells, injection borings and one permanent groundwater monitoring well. The contractor must also drum any contaminated groundwater encountered during drilling.

On October 5, 2017 this bid was advertised and emailed to twelve bidders. On November 2, 2017, formal sealed bids were opened. Eight (8) companies originally submitted bids. One bid was a "No Bid", two bids were rejected because of no Bid Bond and one bid was rejected because it was not signed, leaving four responsive bids. M & W Drilling, LLC, of Knoxville, TN, submitted the lowest responsive and responsible bid of \$86,975.00. A 10% contingency of \$8,697.50 has been added to this amount to allow for unforeseen drilling conditions and estimated amounts of contamination requiring disposal, bringing the award amount to \$95,672.50.

ATTACHMENT(S):

1. Smith Gardner recommendation letter
2. Bid Tab

STAFF RECOMMENDATION:

It is the staff's recommendation that Council (1) approve the award of bid ITB 17-03, Drilling Services for the Seneca Landfill – Groundwater Remediation Pilot Study to M & W Drilling, LLC, of Knoxville, TN, in the amount of \$86,975.00, with a 10% contingency of \$8,697.50, for a total award of \$95,672.50 and (2) authorize the County Administrator to approve any Change Orders within the contingency amount.

Submitted or Prepared By:



Robyn Courtright, Procurement Director

Approved for Submittal to Council:



T. Scott Moulder, County Administrator

Council has directed that they receive their agenda packages a week prior to each Council meeting, therefore, Agenda Items Summaries must be submitted to the Administrator for his review/approval no later than 12 days prior to each Council meeting. It is the Department Head / Elected Officials responsibility to ensure that all approvals are obtained prior to submission to the Administrator for inclusion on an agenda.

A calendar with due dates marked may be obtained from the Clerk to Council.

Bidders	Earth Tech Drilling			Eco Technologies			Innovative Environment Technologies			MSW Drilling		
Address	Pompano Beach, FL			Garden, SC			Concord, NC			Knoxville, TN		
	QTY	Unit Price	Extended Price	QTY	Unit Price	Extended Price	QTY	Unit Price	Extended Price	QTY	Unit Price	Extended Price
DESIGN VERIFICATION TESTING (Estimate 2 Days to Complete)												
TRAVEL:												
Mobilization of Rig, each	1 each	\$4,000.00	\$4,000.00	1 each	\$450.00	\$450.00	1 each	\$350.00	\$350.00	1 each	\$500.00	\$500.00
Per Diem	1 each	\$1,000.00	\$1,000.00	1 each	\$250.00	\$250.00	1 each	\$250.00	\$250.00	2 each	\$270.00	\$540.00
DRILLING:												
Daily rate for Rig & Crew, per day (est. 2 Days)	2 days	\$4,000.00	\$8,000.00	2 days	\$1,550.00	\$3,100.00	2 days	\$1,750.00	\$3,500.00	2 days	\$1,620.00	\$3,240.00
(To include boring, core collection, decommission, etc.)												
OTHER:												
10W Drums with Marshalling	8 each	\$250.00	\$1,500.00	2 each	\$55.00	\$110.00	2 each	\$60.00	\$120.00	1 each	\$70.00	\$70.00
Total Estimated Cost (Design Verification Testing)			\$14,500.00			\$3,910.00			\$4,220.00			\$4,350.00

Bidders	Earth Tech Drilling			EPA Technologies			Innovative Environment Technologies			M & N Drilling		
Address	Pompano Beach, FL			Garden, SC			Concord, NC			Knoxville, TN		
	QTY	Unit Price	Extended Price	QTY	Unit Price	Extended Price	QTY	Unit Price	Extended Price	QTY	Unit Price	Extended Price
INJECTION WELL/BORING INSTALLATION (Estimate 14 days to Complete)												
TRAVEL:												
Mobilization of Rig, each	2 each	\$4,000.00	\$8,000.00	1 each	\$1,600.00	\$1,600.00	3 each	\$350.00	\$1,050.00	2 each	\$500.00	\$1,000.00
Per Diem	1 each	\$4,000.00	\$4,000.00	12 days	\$375.00	\$4,500.00	14 days	\$250.00	\$3,500.00	14 days	\$270.00	\$3,780.00
DRILLING / WELL INSTALLATION:												
2" Injection Well Installation - schedule 80 pipe	1500 ft	\$30.00	\$45,000.00	1500 ft	\$39.00	\$58,500.00	1500 ft	\$40.00	\$60,000.00	1500 ft	\$30.00	\$45,000.00
2' x 2' Concrete Pad, each	25 each	\$200.00	\$5,000.00	25 each	\$75.00	\$1,875.00	25 each	\$25.00	\$625.00	25 each	\$200.00	\$5,000.00
Stick-Up Surface Protection, each	25 each	\$200.00	\$5,000.00	25 each	\$75.00	\$1,875.00	25 each	\$75.00	\$1,875.00	25 each	\$200.00	\$5,000.00
Well Development, each	25 each	\$500.00	\$12,500.00	25 each	\$100.00	\$2,500.00	25 each	\$100.00	\$2,500.00	25 each	\$200.00	\$5,000.00
Direct-Push Borehole Installation, per foot	875 ft	\$28.00	\$24,500.00	875 ft	\$8.00	\$7,000.00	875 ft	\$15.00	\$13,125.00	875 ft	\$10.00	\$8,750.00
Borehole Abandonment, per foot	875 ft	\$10.00	\$8,750.00	875 ft	\$1.00	\$875.00	875 ft	\$3.00	\$2,625.00	875 ft	\$1.00	\$875.00
DECONTAMINATION:												
Steam Cleaner/pressure washer, per day	14 days	\$125.00	\$1,750.00	15 days	\$125.00	\$1,875.00	15 days	\$100.00	\$1,500.00	14 days	\$250.00	\$3,500.00
Decontamination Pad Set Up, lump sum	LS	\$1,000.00	\$1,000.00	LS	\$150.00	\$150.00	LS	\$100.00	\$100.00	LS	\$500.00	\$500.00
OTHER:												
IDW Drums with Marshalling, ea.	25 each	\$250.00	\$6,250.00	55 each	\$55.00	\$3,025.00	55 each	\$60.00	\$3,300.00	25 each	\$70.00	\$1,750.00
Standby Time, per hr	per hour	\$450.00		per hour	\$250.00					per hour	\$300.00	
Total Estimated Cost (Injection Well/Boring Installation)			\$121,750.00			\$83,675.00			\$90,200.00			\$80,155.00

Bidders	Earth Tech Drilling			Eto Technologies			Innovative Environmental Technologies			M & W Drilling		
Address	Pompano Beach, FL			Candler, NC			Concord, NC			Knoxville, TN		
	QTY	Unit Price	Extended Price	QTY	Unit Price	Extended Price	QTY	Unit Price	Extended Price	QTY	Unit Price	Extended Price
MONITORING WELL INSTALLATION (Estimate 1-2 days to Complete)												
TRAVEL:												
Include with Injection Well/Boring Installation												
WELL INSTALLATION:												
2" Monitoring Well Installation - schedule 40 pipe	60 ft	\$150.00	\$9,000.00	60 ft	\$37.00	\$2,220.00	60 ft	\$40.00	\$2,400.00	60 ft	\$30.00	\$1,800.00
2' x 2' Concrete Pad, each	1 each	\$200.00	\$200.00	1 each	\$75.00	\$75.00	1 each	\$25.00	\$25.00	1 each	\$200.00	\$200.00
Stick-Up Surface Protection, each	1 each	\$200.00	\$200.00	1 each	\$75.00	\$75.00	1 each	\$75.00	\$75.00	1 each	\$200.00	\$200.00
Well Development, each	1 each	\$500.00	\$500.00	1 each	\$100.00	\$100.00	1 each	\$100.00	\$100.00	1 each	\$200.00	\$200.00
DECONTAMINATION:												
Include with Injection Well/Boring Installation												
OTHER:												
IDW Drums with Marshalling	1 each	\$250.00	\$250.00	3 each	\$55.00	\$165.00	2 each	\$90.00	\$180.00	1 each	\$70.00	\$70.00
Total Estimated Cost (Monitoring Well Installation)			\$10,150.00			\$2,635.00			\$2,790.00			\$2,470.00
Project Grand Total			\$146,400.00			\$90,220.00			\$37,200.00			\$86,875.00

November 7, 2017

Robyn Courtright
 Procurement Director
 Oconee County
 415 S. Pine Street
 Walhalla, South Carolina 29691

RE: Bid Number #17-03
 Drilling Services for Seneca Landfill
 Groundwater Remediation Pilot Study
 Oconee County, South Carolina

Dear Ms. Courtright:

Smith Gardner, Inc. (S+G) has completed our review of the bids for the above-referenced project. Seven (7) bids were received of which four (4) were deemed qualified per the requirements set forth in the bid documents. A list of the qualified bidders along with their base bids (as received) is included below for your review.

Contractor	Base Bid	Order of Bids
M&W Drilling, LLC	\$86,975	1
Elite Techniques, Inc.	\$90,220	2
Innovative Environmental Technologies, Inc.	\$97,200	3
Earth Tech Drilling, Inc.	\$146,400	4

It is the opinion of S+G that the low bidder meets the requirement set forth in the *Instructions and Conditions* section of the bid documents. Therefore, we recommend the contract for drilling services be awarded to M&W Drilling, LLC.

We appreciate the opportunity to assist Oconee County. If you have any questions, or require further information, please contact us at (919) 828-0577 or by email below.

Sincerely,
 SMITH GARDNER, INC.



Bobby Wolf, P.G.
 Project Geologist, ext. 302
bobby@smithgardnerinc.com



C. Kevin Anderson, P.G.
 Senior Geologist, ext. 223
kevin@smithgardnerinc.com

PROCUREMENT - AGENDA ITEM SUMMARY

OCONEE COUNTY, SC

COUNCIL MEETING DATE: November 21, 2017

ITEM TITLE:

Procurement #: **ITB 17-04 Roll Off Recycling Containers** Department: **Solid Waste** Amount: **\$114,780.00**

FINANCIAL IMPACT:

Procurement was approved by Council in Fiscal Year 2017-2018 budget process.
Budget: **\$114,780** Project Cost: **\$114,780** Balance: **\$0**

Finance Approval:



BACKGROUND DESCRIPTION:

This Invitation to Bid was issued on October 10, 2017 for Roll Off Recycling Containers for the Solid Waste department. This bid is for (8) 40 yard open top containers, (6) 20 yard open top containers and (9) 20 yard enclosed containers with a 10 yard box style roof. These containers will be used in the convenience centers throughout the County for processing and hauling of recyclables.

On November 7, 2017, formal sealed bids were opened. Ten companies were originally notified of this bid opportunity. Five companies submitted bids with Nu-Life Environmental, Inc., of Easley, SC, submitting the lowest overall bid in the amount of \$114,780.00.

SPECIAL CONSIDERATIONS OR CONCERNS:


The SC DHEC FY18 Solid Waste Management Grant and the Waste Tire Grant will provide funding of \$50,000 and \$60,500, respectively for a total of \$110,500. The remaining amount of \$4,280 is available in the Fiscal Year 2017-2018 Budget for the General Fund – Solid Waste Department – Maintenance of Buildings and Grounds account. This amount will be transferred to the Capital Equipment account to complete the necessary amount of \$114,780.

ATTACHMENT(S):

1. Bid Tab

STAFF RECOMMENDATION:

It is the staff's recommendation that Council approve the award of ITB 17-04 for Roll Off Recycling Containers to Nu-Life Environmental, Inc., of Easley, SC, in the amount of \$114,780.00.

Submitted or Prepared By: 
Robyn Courtright, Procurement Director

Approved for Submittal to Council:


T. Scott Moulder, County Administrator

Council has directed that they receive their agenda packages a week prior to each Council meeting, therefore, Agenda Items Summaries must be submitted to the Administrator for his review/approval no later than 12 days prior to each Council meeting. It is the Department Head / Elected Officials responsibility to ensure that all approvals are obtained prior to submission to the Administrator for inclusion on an agenda.

A calendar with due dates marked may be obtained from the Clerk to Council.

Boards & Commissions	State / DC Code Reference	Reps (DX-At Large)	Co-Terminus	Term Limits	4 Year Term	Meeting Date to Appoint	Edr. Carr	Wayne McCall	Paul Cain	Julian Davis	Glenn Hart				
							2015-2018	2017-2020	2015-2018	2017-2020	2017-2020	2015-2018	2017-2020		
							District I	District II	District III	District IV	District V	At Large	At Large		
Aeronautics Commission	2-262	5 - 2	YES	2X	YES	Jan - March	Randy Renz [2]	David Bryant [1]	Edward Perry [2]	Marion Lyles [1]	Ronald Chiles [2]	A. Brightwell [1]	Michael Gray [1]		
Ag. Advisory Board	2016-17	5 - 2	YES	n/a	YES	Jan - March	DODDIE Sewell [1]	Doug Hollifield [1]	OPEN	Ed Lamb [1]	Vickie Wiloughby [1]	Kim Alexander [1]	Rex Stanton [1]		
Arts & Historical Commission	2-321	5 - 2	YES	2X	YES	Jan - March	Bete Boreman [1]	Libby Imbody [1]	Mariam Nooral [1]	Tony Adams [1]	Stacy Smith	Shawn Johnson [1]	Janel Gorman [1]		
Board of Zoning Appeals	38-8-1	5 - 2	YES	2X	YES	Jan - March	Allen Medford [2]	Given Fowler [1]	Bill Guster [1]	Marby McKee [2]	OPEN	Josh Lusk [1]	Charles Morgan [1]		
Building Codes Appeal Board		5 - 0	YES	2X	YES	Jan - March	George Smith [1]	Mat Rochester [1]	Bob DuBose [2]	Kevin Knight	Kenneth Owen				
Conservation Bank Board	2-381	Appointed by Category Preferred		2X	YES	Jan - March	Shea Airey [2]	OPEN	Jennifer Moss [1]	Marvin Prater [2]	Frank Ables [1]	Richard Cain [2]	Frances Rundlett [1]		
Destination Oconee Action Committee	n/a	5 - 2	n/a	n/a	n/a	n/a	David Washburn	Luther Lyle [2]	Al Shadwick	Matthew Smith [1]	Bob Hill [2]	Robert Moore	Hal Welch [2]		
PRT Commission (members do not reappointment due to initial stagger)	6-4-25 2-361	Appointed by Industry		2X	YES	Jan - March	Shane Smith [1]; Andrew Conkey [1]; Kevin Evans [1]			Becky Wise [2], Rick Lacey [2], Mike Wallace [2]			Darlene Greene		
Scenic Highway Committee	26-151	0 - 2	YES	2X	YES	Jan - March						Scott Lusk [1]	Staley Powell [1]		
Library Board	4-9-35 / 18-1	0 - 9	YES	2X	YES	Jan - March	M. McDaniel [P, 1-15]; M. Jacobson [P, 1-15]; W. Gaster [2, 1-15]			B. Brackett [1-17]; A. Griffin [1-17]; K. Holliman [P1-17]; L. Martin [P1-17]; A. Suddeth [2]; C. Morrison [1-17]					
Planning Commission	6-28-310 32-4	5 - 2	YES	N/A	YES	Jan - March	Brad Kisker	Andrew Gramling [1]	Alex Vassey	Frankie Pearson [1]	Stacy Lyles [1]	Gwen McPhail	Mike Johnson		
Anderson-Oconee Behavioral Health Services Commission	2-291	0 - 7	YES	2X	3-yr	N/A	Steve Jenkins [1], Harold Alley [1], Louie Holleman [1], Wanda Long [1], Priscila Taylor [1], Joan Black [1], Jere DuBois [1]							BHS contacts Council w/ recommendations when seats open	
Capital Project Advisory Committee (end 1-17)															
Oconee Business Education Partnership	N/A	N/A	NO	N/A	NO	January	Mr. Julian Davis, District IV								
Oconee Economic Alliance	N/A	N/A	NO	N/A	NO	January	Mr. Paul Cain, Council; Mr. Scott Moulder, Administrator; Mr. Sammy Dickson								
Ten At The Top (TAT)				NO	NO	January	Mr. Dave Eldridge								
ACOG BOD				N/A	NO	January	Council Rep: Ms. Gammick [yearly]; 2 yr terms Citizen Rep: Bob Winchester, Minority Rep: Bennie Cunningham								
Worklink Board						N/A	Worklink contacts Council w/ recommendations when seats open [Current: B. Dobbins]								

[1] - denotes term, [2] denotes a member who has served one term and less than one half of an additional term making them eligible for one additional appointment.
 [SHADING = reappointment requested - questionnaire on file] Denotes individual who DOES NOT WISH TO BE REAPPOINTED
 Bold Italic TEXT denotes member ineligible for reappointment - having served or will complete serving max # of terms at the end of their current term.

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE**

ORDINANCE 2017-27

AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A MEMORANDUM OF UNDERSTANDING (“MOU”) BY AND BETWEEN THE OCONEE ECONOMIC ALLIANCE (“OEA”), OCONEE COUNTY, AND PROJECT OMEGA WHICH MEMORIALIZES AND AUTHORIZES CERTAIN ECONOMIC DEVELOPMENT INCENTIVES FOR PROJECT OMEGA, INCLUDING THE TRANSFER BY THE COUNTY TO THE OEA OF APPROXIMATELY TWENTY-TWO ACRES OF COUNTY-OWNED REAL PROPERTY LOCATED WITHIN THE OCONEE INDUSTRY AND TECHNOLOGY PARK, ALONG WITH ECONOMIC DEVELOPMENT FUNDS TO BE DETERMINED ON THE BASIS OF THREE APPRAISALS FOR THE PURPOSE OF OEA FACILITATING THE CONSTRUCTION OF A BUILDING TO HOUSE THE EXPANSION OF PROJECT OMEGA’S MANUFACTURING FACILITIES, AND AUTHORIZING THE ACCEPTANCE BY THE COUNTY OF OWNERSHIP OF PROJECT OMEGA’S EXISTING MANUFACTURING FACILITY FOR FUTURE USE OR RESALE; ALSO AUTHORIZING THE EXECUTION OF ALL OTHER AGREEMENTS NECESSARY TO GIVE EFFECT TO THE MOU; ALL CONTINGENT ON CERTAIN INVESTMENT AND THE CREATION OF JOBS BY PROJECT OMEGA; AND ALL OTHER MATTERS RELATED THERETO.

WHEREAS, Oconee County, South Carolina (the “County”) is a body politic and corporate and a political subdivision of the State of South Carolina and is authorized by the provisions of Title 4, Chapter 9 of the Code of Laws of South Carolina 1976, as amended, to acquire real property by purchase or gift, to sell or otherwise dispose of real property, and to make and execute contracts; and

WHEREAS, the County currently desires to execute and enter into a Memorandum of Understanding (“MOU”) by and between the Oconee Economic Alliance (“OEA”), Oconee County, and Project Omega which memorializes and authorizes certain economic development incentives for Project Omega, including, among other things, the transfer by the County to the OEA of approximately twenty-two (22) acres of County-owned real property located within the Oconee Industry and Technology Park, along with economic development funds to be determined on the basis of three (3) appraisals of Project Omega’s existing manufacturing facility, for the purpose of the OEA facilitating the construction of a building to house the expansion of Project Omega’s manufacturing facilities, and authorizing the acceptance by the County of ownership of Project Omega’s existing manufacturing facility for future use or resale; and

WHEREAS, the Oconee County Council (the “Council”) has reviewed the form of the MOU, attached hereto as Exhibit “A” and determined that it is in the best interest of the County and its residents and citizens for the County to execute and enter into the MOU, and the Council wishes to approve the same and to authorize the County Administrator to execute and deliver the MOU and all related agreements and documents necessary or incidental thereto; and

WHEREAS, Oconee County is the owner of that certain tract of land situate in Oconee County, commonly known as the Oconee Industry and Technology Park (“OITP”), TMS No.: 221-00-01-001; and

WHEREAS, it is contemplated by the MOU that a portion of the OITP, as shown on Exhibit “B” (the “Property”) will be transferred from the County to the OEA (“County Land Transfer”) in order for the OEA to effect construction of a manufacturing facility purposed to house Project Omega’s expanded operations and then transfer the Property to Project Omega; and

WHEREAS, it is contemplated by the MOU that the County will pay for, or otherwise cause, the moving of suitable soils from within the OITP to an agreed upon expansion area for Project Omega, to allow for future growth (“County Grading”); and

WHEREAS, it is contemplated by the MOU that the County will purchase (“County Funding”) the land, including all improvements thereon, where Project Omega is currently located, as shown on Exhibit “C” attached hereto (collectively the “Existing Building”), and that the County Funding will be paid over to the OEA for partial funding of the construction of a fifty thousand (50,000 ft²) square foot building for the purpose of housing Project Omega’s expanded manufacturing facility (the “Facility”); and

WHEREAS, it is contemplated by the MOU that the County Land Transfer, the County Grading, and the County Funding are contingent on the County first obtaining acceptable environmental, structural, and other necessary (as determined by the County) inspections of the Existing Building; and

WHEREAS, it is contemplated by the MOU that as soon as practicable after construction of the Facility, the Parties will conduct concurrent closings (the “Closings”) whereby title to the Property, as improved by the Facility, will be transferred from the OEA to Project Omega, and Project Omega’s Existing Building will be transferred to the County; and

WHEREAS, it is contemplated by the MOU that if the Existing Building, once transferred to the County, is not sold by the County within four (4) years of the date it is transferred to the County, then Project Omega will repurchase the Existing Building from the County at an agreed upon price; and

WHEREAS, it is contemplated by the MOU that the OEA will be responsible for the bidding and construction management of the Facility, that the OEA will use the County Funding along with funding from Project Omega for construction of the Facility, and that the OEA will transfer the Facility to Project Omega upon completion of construction; and

WHEREAS, it is contemplated by the MOU that the County will retain certain refund and reversionary interests as to the County Funding and the Property if the Facility is not constructed and/or transferred to Project Omega, or if the Existing Building is not transferred to the County; and

WHEREAS, it is contemplated by the MOU that, subject to a separate and specific ordinance therefor, the County and Project Omega will enter into a fee in lieu of property tax (FILOT) agreement, and that the FILOT agreement and all other economic development incentives provided to Project Omega are premised on Project Omega's commitment to locate its new manufacturing facility in Oconee County, create at least twenty-five (25) new jobs within five (5) years of the date of the Closings, and invest not less than four million (\$4,000,000.00) dollars in taxable investment for, or in relation to, the Facility within five (5) years of the Closings.

NOW THEREFORE, be it ordained by Council in meeting duly assembled that:

Section 1. MOU Approved. The MOU is hereby approved, and the County Administrator is hereby authorized to execute and deliver the MOU in substantially the same form as Exhibit "A" attached hereto.

Section 2. County Land Transfer Approved. The transfer of the Property, consistent with the terms of the MOU and the terms of a land transfer agreement with the OEA (the form of which is attached as Exhibit "D" ("OEA Land Transfer Agreement")) is hereby approved, and the County Administrator is hereby authorized and directed to execute the OEA Land Transfer Agreement, in substantially the same form as attached hereto, deliver a deed and/or such other conveyance documents, and take all other steps as are necessary and appropriate to transfer the Property to the OEA.

Section 3. County Grading Approved. The County Grading, as detailed in the MOU, is hereby approved, and the County Administer is directed to effect such grading, consistent with the terms of the MOU.

Section 4. County Funding Approved. The County Funding as detailed in the MOU, which is premised on the transfer of Project Omega's Existing Building to the County consistent with the terms of the MOU and the terms of a land transfer agreement with Project Omega (the form of which is attached as Exhibit "E" (Project Omega Land Transfer Agreement")) is hereby approved, and the County Administrator is hereby authorized and directed to effect the County Funding, execute the Project Omega Land Transfer Agreement, in substantially the same form as

attached hereto, and take all other steps as are necessary and appropriate to effect conveyance of Project Omega's Existing Building to the County.

Section 5. Related Documents and Instruments; Future Acts. The County Administrator is hereby authorized to negotiate such other documents and instruments which may be necessary or incidental to the MOU and the Land Transfer Agreements and to execute and deliver any such documents and instruments on behalf of the County.

Section 6. Severability. Should any term, provision, or content of this Ordinance be deemed unconstitutional or otherwise unenforceable by any court of competent jurisdiction, such determination shall have no effect on the remainder of this Ordinance so long as the intent of the whole is maintained.

Section 7. General Repeal. All ordinances, orders, resolutions, and actions of the Oconee County Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked, and superseded.

Section 8. Effective Date. This Ordinance shall become effective and be in full force and effect from and after public hearing and third reading in accordance with the Code of Ordinances of Oconee County, South Carolina.

ORDAINED in meeting, duly assembled, this _____ day of _____, 2017.

ATTEST:

Katie Smith
Clerk to Oconee County Council

Edda Cammick
Chair, Oconee County Council

First Reading: November 7, 2017
Second Reading: November 21, 2017
Third Reading: _____
Public Hearing: _____

EXHIBIT A

Attached.

EXHIBIT B

Attached.

EXHIBIT C

Attached.

EXHIBIT D

Attached.

EXHIBIT E

Attached.

Katie Smith

From: Katie Smith
Sent: Tuesday, October 31, 2017 3:21 PM
To: 'classadmgr@upstatetoday.com'
Subject: RE: Classified Ad# 23380 Confirmation

Looks good: thanks!

Katie

Katie D. Smith
Clerk to Council
Oconee County
415 S. Pine St. Walhalla
864.718.1023
Fx. 864.718.1024
ksmith@oconeesc.com

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From: classadmgr@upstatetoday.com [<mailto:classadmgr@upstatetoday.com>]
Sent: Tuesday, October 31, 2017 12:12 PM
To: Katie Smith
Subject: Classified Ad# 23380 Confirmation

Katie, Please let me know if you approve this to run tomorrow, Wed., Nov. 1 Thank you, Jenny White

THE JOURNAL

Classified Advertising

**OCONEE COUNTY COUNCIL
415 S PINE ST
WALHALLA, SC 29691**

**Acct#:63488
Ad#:23380
Phone#:864-718-1023
Date:10/31/2017**

Salesperson: JWHITE Classification: Legals Ad Size: 1.0 x 3.50

Advertisement Information:

Description	Start	Stop	Ins.	Cost/Day	Total
The Journal	11/01/2017	11/01/2017	1	49.98	49.98

Payment Information:

**Date: Order# Type
10/31/2017 23380 BILLED ACCOUNT**

Total Amount: 49.98

Amount Due: 49.98

Comments: PUBLIC HEARING - ORDINANCE 2017-26

Attention: Please return the top portion of this invoice with your payment including account and ad number.

Ad Copy

NOTICE OF PUBLIC HEARING
There will be a public hearing on
Tuesday, November 21, 2017 at 6pm
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 2017-26

AN ORDINANCE TO AMEND ORDINANCE 2017-01 WHICH ESTABLISHED THE BUDGET FOR OCONEE COUNTY AND PROVIDED FOR THE LEVY OF TAXES FOR ORDINARY COUNTY PURPOSES, FOR THE TRI-COUNTY TECHNICAL COLLEGE SPECIAL REVENUE FUND, FOR THE ROAD MAINTENANCE SPECIAL REVENUE FUND, FOR THE VICTIM SERVICES SPECIAL REVENUE FUND, FOR THE BRIDGE AND CULVERT CAPITAL PROJECT FUND, AND FOR THE ECONOMIC DEVELOPMENT CAPITAL PROJECT FUND, AMONG OTHER MATTERS, ALL IN OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2017 AND ENDING JUNE 30, 2018, IN CERTAIN LIMITED REGARDS; AND OTHER MATTERS RELATED THERETO.

PUBLISHER'S AFFIDAVIT

STATE OF SOUTH CAROLINA
COUNTY OF OCONEE

OCONEE COUNTY COUNCIL

IN RE: PUBLIC HEARING - ORDINANCE 2017-26

BEFORE ME the undersigned, a Notary Public for the State and County above named, This day personally came before me, Hal Welch, who being first duly sworn according to law, says that he is the General Manager of THE JOURNAL, a newspaper published Tuesday through Saturday in Seneca, SC and distributed in Oconee County, Pickens County and the Pendleton area of Anderson County and the notice (of which the annexed is a true copy) was inserted in said papers on 11/01/2017 and the rate charged therefore is not in excess of the regular rates charged private individuals for similar insertions.

Hal Welch
General Manager

Subscribed and sworn to before me this
11/01/2017

Jennifer A. White
Notary Public
State of South Carolina
My Commission Expires July 1, 2024

JENNIFER A WHITE
NOTARY PUBLIC
State of South Carolina
My Commission Expires July 1, 2024

LEGAL NOTICES

LEGALS

Rock Creek Hoed
S. Reports
7. Other Items
B. Adjourn

LEGAL NOTICE

NOTICE IS HEREBY GIVEN under Section 57-9-10 of the Code of Laws of South Carolina, 1976, as amended, that a petition will be filed by William G. Collins, LLC (the "Petitioner") with the Court of Common Pleas for Oconee County, South Carolina seeking the closure of that portion of Gibbs Road consisting of 5.07 acres as more fully described and shown on the survey entitled "Boundary Survey for William G. Collins, LLC" recorded in the Oconee County Register of Deeds on October 13, 2017 in Book 2610 at Page 8 and as shown in the Deed from the South Carolina Department of Transportation to the Petitioner recorded in the Oconee County Register of Deeds office on August 29, 2017 in Deed Book 2295 at Page 48 and recorded in the Oconee County Register of Deeds Office on September 8, 2017 in Deed Book 2295 at Page 348. Cecil H. Nelson, Jr., Attorney at Law Nelson & Salvestri, LLC 25 East Court Street, Ste 201 Greenville, SC 29601 (864) 233-8700 Attorney for the Petitioner

NOTICE OF APPLICATION

Notice is hereby given that WAL-GREEN CO. intends to apply to the South Carolina Department of Revenue for a license/permit that will allow the sale and OFF premises consumption of BEER AND WINE at 1020 EAST NORTH 1ST ST., SENECON, SC 29678. To object to the issuance of this permit/license written protest must be postmarked no later than NOVEMBER 11, 2017. For a protest to be valid it must be in writing and should include the following information: (1) the name, address and telephone number of the person filing the protest; (2) the specific reasons why the application should be denied; (3) that the person protesting is willing to attend a hearing if one is requested by the applicant; (4) that the person protesting resides in the same county where the proposed place of business is located or within five miles of the business; and; (5) the name of the applicant and the address of the premises to be licensed. Protests must be mailed to: S.C. Department of Revenue, A&S SECTION, P.O. Box 125, Columbia, SC 29214-0907, or faxed to: (803)895-0110.

LEGAL NOTICES

LEGALS

NOTICE OF APPLICATION
Notice is hereby given that WAL-GREEN CO. intends to apply to the South Carolina Department of Revenue for a license/permit that will allow the sale and OFF premises consumption of BEER AND WINE at 201 EAST MAIN STREET, WILLIAMSTON, SC 29697. To object to the issuance of this permit/license written protest must be postmarked no later than MONDAY, NOVEMBER 11, 2017. For a protest to be valid it must be in writing and should include the following information: (1) the name, address and telephone number of the person filing the protest; (2) the specific reasons why the application should be denied; (3) that the person protesting is willing to attend a hearing if one is requested by the applicant; (4) that the person protesting resides in the same county where the proposed place of business is located or within five miles of the business; and; (5) the name of the applicant and the address of the premises to be licensed. Protests must be mailed to: S.C. Department of Revenue, A&S SECTION, P.O. Box 125, Columbia, SC 29214-0907, or faxed to: (803)895-0110.

NOTICE OF APPLICATION

Notice is hereby given that WAL-GREEN CO. intends to apply to the South Carolina Department of Revenue for a license/permit that will allow the sale and OFF premises consumption of BEER AND WINE at 325 COLLEGE AVENUE, CLEMSON, SC 29631. To object to the issuance of this permit/license written protest must be postmarked no later than MONDAY, NOVEMBER 11, 2017. For a protest to be valid it must be in writing and should include the following information: (1) the name, address and telephone number of the person filing the protest; (2) the specific reasons why the application should be denied; (3) that the person protesting is willing to attend a hearing if one is requested by the applicant; (4) that the person protesting resides in the same county where the proposed place of business is located or within five miles of the business; and; (5) the name of the applicant and the address of the premises to be licensed. Protests must be mailed to: S.C. Department of Revenue, A&S SECTION, P.O. Box 125, Columbia, SC 29214-0907, or faxed to: (803)895-0110.

NOTICE OF PUBLIC HEARING

There will be a public hearing on Tuesday, November 21, 2017 at 6:00 p.m. in Oconee County Council Chambers located at 415 South Pine Street, Walhalla, SC 29691 for the following ordinance:
STATE OF SOUTH CAROLINA
OCONEE COUNTY

LEGAL NOTICES

LEGALS

Ordinance 2017-28
AN ORDINANCE TO AMEND ORDINANCE 2017-01 WHICH ESTABLISHED THE BUDGET FOR OCONEE COUNTY AND PROVIDED FOR THE LEVY OF TAXES FOR ORDINARY COUNTY PURPOSES FOR THE TRI-COUNTY TECHNICAL COLLEGE SPECIAL REVENUE FUND, FOR THE ROAD MAINTENANCE SPECIAL REVENUE FUND, FOR THE VICTIM SERVICES SPECIAL REVENUE FUND, FOR THE BRIDGE AND CULVERT CAPITAL PROJECT FUND, AND FOR THE ECONOMIC DEVELOPMENT CAPITAL PROJECT FUND, AMONG OTHER MATTERS, ALL IN OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2017 AND ENDING JUNE 30, 2018, IN CERTAIN LIMITED REGARDS, AND OTHER MATTERS RELATED THERE TO.

PUBLIC AUCTION

Graber Mtn Warehouse
420 Sibley Shoals Rd.
Seneca, SC 29678
864-878-9787
WILL BE AT public auction, Friday, Nov. 10, 2017 at 9 a.m.
Unit #102 Betty Mace - beds, book, sweeper vacuum, clothes, furniture & etc.
Unit #126 R. 125 Martha Hepshé - gott club, fridge, heater, bike, tv, toys, fishing poles, tool chest, sweeper & etc.
Unit #128 Chrissa Grompton - fridge, clothes, bed, table, dresser, chairs, books & etc.
Unit #151 Sheri Johnson - beds, furniture, mirrors, clothes, shoes, chairs, pet carrier, tv, white couch & etc.
Unit #157 Neil Gay - rock pet, chairs, glasses, pots, pans & etc.
Unit #211 Sheri Johnson - crutches, artificial plants, fridge, shoes, clothes, fishing poles, flashlight, gas can, appliances & etc.

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SERV

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Used Electric Stoves...\$250
Used Refrigerators...\$250 & Up

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Temporary Help Wanted**
Monday through Friday, day and nights available.

1-800-444-4444

Katie Smith

From: Katie Smith
Sent: Monday, October 30, 2017 11:33 AM
To: ncannada@upstatetoday.com; dickmangrum@gacaradio.com
Cc: Katie Smith
Subject: Legal Ad Request

.....**LEGAL AD**.....

**PLEASE ADVERTISE IN THE NEXT ISSUE
OF YOUR NEWSPAPER**

“The Oconee County Council will hold a Public Hearing at 6 p.m., Tuesday, November 21, 2017 at 6pm in Oconee County Council Chambers located at 415 South Pine Street, Walhalla, SC 29691 for **Ordinance 2017-26:**

AN ORDINANCE TO AMEND ORDINANCE 2017-01 WHICH ESTABLISHED THE BUDGET FOR OCONEE COUNTY AND PROVIDED FOR THE LEVY OF TAXES FOR ORDINARY COUNTY PURPOSES, FOR THE TRI-COUNTY TECHNICAL COLLEGE SPECIAL REVENUE FUND, FOR THE ROAD MAINTENANCE SPECIAL REVENUE FUND, FOR THE VICTIM SERVICES SPECIAL REVENUE FUND, FOR THE BRIDGE AND CULVERT CAPITAL PROJECT FUND, AND FOR THE ECONOMIC DEVELOPMENT CAPITAL PROJECT FUND, AMONG OTHER MATTERS, ALL IN OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2017 AND ENDING JUNE 30, 2018, IN CERTAIN LIMITED REGARDS; AND OTHER MATTERS RELATED THERETO.”

Please confirm receipt of this email by way of reply.

Best Regards,
Katie

Katie D. Smith

Clerk to Council
Oconee County
415 S. Pine St. Walhalla
864.718.1023
Ex: 864.718.1024
ksmith@oconeesc.com

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**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
ORDINANCE 2017-30**

AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDMENT TO THE FEE AGREEMENT BETWEEN OCONEE COUNTY AND ITECH SOUTH, LLC, DATED AS OF APRIL 1, 2015, IN THE FORM OF AN AMENDED FEE AGREEMENT, PROVIDING FOR THE INCLUSION OF EUGENE CARLTON MORRIS AND JUNE COPELAND MORRIS AS CO-SPONSORS; AND OTHER MATTERS RELATED THERETO.

WHEREAS, as of April 1, 2015, the County of Oconee, South Carolina (the "County"), a body corporate and politic and a political subdivision of the State of South Carolina, acting by and through its governing body, the Oconee County Council (the "County Council") entered into a Fee in Lieu of Tax Agreement (the "Fee Agreement") with Itech South, LLC ("ITECH") to provide a fee in lieu of tax for ITECH for its investments in a manufacturing facility in Oconee County; and

WHEREAS, ITECH agreed to invest not less than \$5,000,000 in qualified economic development property in the Oconee County facility within five (5) years of the end of the year of execution of the Fee Agreement, and ITECH has to date reported that it has invested over \$8,000,000 in the facility and has thus exceeded its commitment to the County; and

WHEREAS, ITECH desires to include Eugene Carlton Morris and June Copeland Morris as co-sponsors (the "Co-Sponsors") in the Fee Agreement as such co-sponsors are defined in Title 12, Chapter 44 of the Code of Laws of South Carolina, 1976, as amended (the "Act"); and

WHEREAS, the investments made to date qualify the Company to have Co-Sponsors pursuant to the terms of the Act.

NOW, THEREFORE, BE IT ORDAINED, by the County Council, in meeting duly assembled, that

1. The County hereby agrees that the Fee Agreement shall be amended, in the form of an Amended Fee Agreement (attached hereto, and hereby incorporated herein by reference, as Attachment A), in all necessary aspects so as to include the Co-Sponsors pursuant to the Amended Fee Agreement and the terms of the Act, and the Amended Fee Agreement and all other documents related thereto, once executed and delivered, are deemed to be in the name of and running fully to the benefit of ITECH and the Co-Sponsors.
2. The Chairman of County Council, the County Administrator, and the Clerk to County Council are hereby authorized and directed to execute and deliver the Amended Fee Agreement in the name of and on behalf of the County. The Amended Fee Agreement is to be in substantially the form now before this meeting and hereby approved, or with such minor changes therein as shall not be

materially adverse to the County and as shall be approved by the officials of the County executing the same, upon the advice of counsel to the County, their execution thereof to constitute conclusive evidence of their approval of any and all changes or revisions therein from the form of Amended Fee Agreement now before this meeting.

3. The provisions of this Ordinance are hereby declared to be separable and if any section, phrase or provisions shall for any reason be declared by a court of competent jurisdiction to be invalid or unenforceable, such declaration shall not affect the validity of the remainder of the sections, phrases and provisions hereunder.

4. All orders, resolutions, ordinances and parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed and this Ordinance shall take effect and be in full force from and after its passage and approval.

5. The County hereby agrees to waive, to the full extent allowed by law, the requirements of Section 12-44-55 of the Act with regard to the Fee Agreement for the Project, to the extent and so long as the Company makes and continues to make all filings required by the Act and provide copies thereof to the County within thirty (30) days of the date of filing.

6. This Ordinance shall take effect immediately on enactment and the consent for inclusion in the Amended Fee Agreement by the Co-Sponsors, will be given retroactive recognition and ratification of the events described herein, respectively, to the extent allowed by law.

Done in meeting duly assembled this ____ day of December, 2017

OCONEE COUNTY, SOUTH CAROLINA

By: _____
Edda Cammick, Chair of County Council
Oconee County, South Carolina

ATTEST:

By: _____
Katie D. Smith, Clerk to County Council
Oconee County, South Carolina

First Reading: November 21, 2017
Second Reading: December 5, 2017
Public Hearing: December 19, 2017
Third Reading: December 19, 2017



November 21, 2017

Public Comment
SIGN IN SHEET
6:00 PM

The Public Comment Sessions at this meeting is limited to a total of 40 minutes, 4 minutes per person. Please be advised that citizens not utilizing their full four [4] minutes may not "donate" their remaining time to another speaker.

PLEASE PRINT

	FULL NAME	PURPOSE OF COMMENT
1	<i>Al Shuler</i>	
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Everyone speaking before Council will be required to do so in a civil manner. Council will not tolerate personal attacks on individual council members, county staff or any person or group. Racial slurs will not be permitted. Council's number one priority is to conduct business for the citizens of this county. All citizens who wish to address Council and all Boards and Commission appointed by Council should do so in an appropriate manner.



**PUBLIC HEARING
SIGN IN SHEET
OCONEE COUNTY COUNCIL MEETING
DATE: November 21, 2017 6:00 p.m.**

Ordinance 2017-26 "AN ORDINANCE TO AMEND ORDINANCE 2017-01 WHICH ESTABLISHED THE BUDGET FOR OCONEE COUNTY AND PROVIDED FOR THE LEVY OF TAXES FOR ORDINARY COUNTY PURPOSES, FOR THE TRI-COUNTY TECHNICAL COLLEGE SPECIAL REVENUE FUND, FOR THE ROAD MAINTENANCE SPECIAL REVENUE FUND, FOR THE VICTIM SERVICES SPECIAL REVENUE FUND, FOR THE BRIDGE AND CULVERT CAPITAL PROJECT FUND, AND FOR THE ECONOMIC DEVELOPMENT CAPITAL PROJECT FUND, AMONG OTHER MATTERS; ALL IN OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2017 AND ENDING JUNE 30, 2018, IN CERTAIN LIMITED REGARDS; AND OTHER MATTERS RELATED THERETO."

Written comments may be submitted at any time prior to the hearing for inclusion in the official record of the meeting.

Everyone speaking before Council will be required to do so in a civil manner.

Council will not tolerate personal attacks on individual council members, county staff or any person or people. Racial slurs will not be permitted. Council's number one priority is to conduct business for the citizens of this county. All citizens who wish to address Council and all Boards and Commissions appointed by Council should do so in an appropriate manner.

Public comment during a public hearing is not limited to five minutes per person.

Sign up sheets will be available thirty minutes prior to the hearing for those interested in addressing Council.

Written comments may be submitted at any time prior to the hearing for inclusion in the official record of the meeting.

Please submit written comments to the Clerk to Council, 115 South Pine Street, Wallhalla, South Carolina, 29697.

Please PRINT your name

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OCONEE COUNTY COUNCIL
RECUSAL FORM

Council Member Name:

Wayne McCall

(Please Print)

Council Member Signature:

Handwritten signature of Wayne McCall in blue ink.

Meeting Date:

November 21, 2017

Item for Discussion/Vote:

Executive Session #

Ordinance 2017-27

Reason for Recusal

I was not present for original meeting/discussion

I have a personal/familial interest in the issue.

Other:

Potential Economic Conflict

Handwritten signature of Katie Smith in blue ink.
Katie Smith
Clerk to Council

[This form to be filed as part of the permanent record of the meeting.]



NOTES

BUDGET, FINANCE & ADMINISTRATION COMMITTEE November 14, 2017

Fees, Impact Fees, & Fines

Lengthy discussion followed regarding the topics indicated below, with various opinions expressed, to include but not limited to:

Park fees for non-residents

- Complaints from residents due to fees to attend parks
- Levy taxes to pay for maintenance of the parks
- Other surrounding states & counties have non-resident park fees
- In researching other counties, most of the county parks that had non-resident fees applied them to annual passes
- One standard fee for each classification
- Reserve America
- Out-of-county residents annual pass is a little higher than in-county residents

Impact fees for new developments, shopping centers, etc. to offset increase in law enforcement & emergency services [fire & EMS]

- Revenue to help with increasing cost of law enforcement & emergency services
- Recreation
- Alternative revenue sources
- New ambulances, storm water facilities, etc.
- Capital Improvement Planning, Planning Commission, public, etc.
- Future growth in certain areas and identifying what facilities will be needed to accommodate
- Development impact fee is broken down by category [i.e. recreation, roads, storm water, etc.]
- Assess impact fees with some mathematical certainty
- Resolution from County Council to Planning Commission

Fine/Penalties for lake overlay violations

This topic will be discussed at a later time

Discussion Regarding Vehicle Replacement Plan

- Capital Vehicles and Equipment [copy filed with these minutes]
- Purchased 17 vehicles for Sheriff's Department [some vehicles are on grants]
- Replaced Coroner's vehicle and kept the old vehicle as a spare
- Spent roughly \$1.2 million on replacement vehicles
- Capital lease
- Equipment
- On average, \$2 to \$3 and a half million worth of needed equipment replacement over a time period

Discussion regarding potential funding for priorities identified by recreation task force

- Committee meeting minutes will be discussed at County Council meeting on 11/21/2017 during the Committee meeting reports
- Funding
- Identify issues and projects
- Costs
- Budgets calculated, where do the costs go, how do they support County residents, etc.
- County residents vs. City residents
- City Recreation Data form sent to Recreation Review Task Force members

Other Business

The Committee discussed recycling and if staff was permitted to discuss this with the residents. Mr. Moulder noted the attendants are encouraged to guide and direct the residents to dispose correctly. However, the attendants are getting discouraged at times because there are some residents that will not recycle.

Mr. McCall noted the staff is doing an excellent job. He also noted the attendants will remove the contents from the wrong container and deposit in the correct container if they can.

Mr. Cain noted the County needed to have the strictest laws with regard to littering and recycling.

Mr. Root noted the solid waste ordinance and the litter ordinance is being reviewed by Mr. Swain Still and will be added to the Law Enforcement, Public Safety, Health & Welfare Committee agenda in the near future.



NOTES
REAL ESTATE, FACILITIES & LAND MANAGEMENT
COMMITTEE MEETING
November 14, 2017

Update on Fair Oak Youth Center

Ms. Terry Swain addressed the Committee highlighting the following:

- Member of the Fair Oak Youth Center board.
- In the process of taking over Oakway and providing recreation
- In 2015 only offered soccer due to the unavailability of a facility; 55 participants
- In 2016 added basketball; 52 in soccer and 50 in basketball for a total of 102 participants
- In 2017 added volleyball for the girls; 35 in volleyball, 43 in soccer, and 53 in basketball for a total of 131 participants
- Offering spring volleyball for girls and is the only facility in the County to offer this
- All volunteer basis
- Also adding girls softball

Mr. Tony Adams addressed the Committee highlighting the following:

- Thanked the Committee for supporting them in their efforts.
- Very confident about short term future
- Long term future is beginning to look better
- Three signed subleases
- Two pending subleases
- Four classrooms and media center left to lease
- Cafeteria has been used for two community events
- Movie night with over 200 in attendance
- Gym floor is stabilized
- No major maintenance or repairs
- Minor issues
- Major user of utilities is the kitchen; very rarely used

The Committee took no further action regarding this matter at this meeting.

New Air System at Oconee County Courthouse

Honorable Beverly Whittfield, Clerk of Court, addressed the Committee highlighting the following to include but not limited to:

- Had issues with the unit from the beginning [too hot, too cold]
- Since 2012, issues with the unit had progressed
- Either too cold [around 60 degrees] or too hot [80 to 85 degrees]
- Ran heaters in Clerk of Court's office
- Letters from jurors
- Complaints from judges, public, staff, etc.

Eske Julian, Director of Facility Maintenance, addressed the Committee highlighting the following to include but not limited to:

- Unit is 15 years old
- Units are built
- Due to age of chiller, cannot buy a new compressor
- Has gone out at least 5 times
- 15 to 20 years is life expectancy of new unit

- Contract with new unit is best
- If chiller needs work, the company has to fix and also pay
- Good asset to the County and Courthouse
- Unit sits in a hole and may be the issue
- Proposed to lift the new chiller off the ground for the fan to be up and let the air out

Ms. Cammick made a motion, seconded by Mr. Davis, approved 2 – 0, to receive three quotes for the replacement of the unit with a \$130,000 limit and bring back to this committee for approval.

Update on Westminster Magistrate – Mr. Moulder

Mr. Moulder updated the Committee regarding the temporary relocation of Westminster Magistrate facility due to security, sanitary, and layout conditions. He noted they have looked into leasing and purchasing available buildings and also assisting with the renovations of City Hall as a joint facility to share Council Chambers and court facility. As a more long term solution, efforts to find a temporary location in this particular area have been difficult. One option that was presented was the fire station but the training and meeting schedules would make it difficult for this to be an option. The fire station is used almost every night for trainings or meetings and it would be difficult to hold night court. Discussion continued.

The Committee took no further action regarding this matter at this meeting.



NOTES

RECREATION REVIEW TASK FORCE

October 24, 2017

Mission of the Recreation Review Task Force

Mr. Davis opened up the discussion noting this was a new committee and this was the first meeting. He thanked everyone for attending and being a part of the committee. He further noted recreation gives youth something to look forward to. Additionally, he noted when children fall out of recreation, they become at risk in school and society. Finally, he noted the mission of the Recreation Review Task Force should be investing in Oconee's future and investing in recreation improves education and improves the County. They are the future leaders of Oconee County.

Westminster

- Mayor Brian Ramey / Herb Poole
- Offer football, soccer, cheerleading, fall softball, volleyball, basketball, spring baseball & softball
- Budgeting problems / financial constraints
- Long Creek to Fair Play
- Serve 852 kids / 589 live outside of the city limits [for 2016]
- Cost to participate: \$30 inside city limits; \$60 outside city limits

Seneca

- Rick Lacey
- Serve 70% outside city limits; 30% inside city limits
- Two museums, events, beautification crew, etc.
- Serves approximately 1,000 kids
- Cost to participate: \$30 inside city limits; \$60 outside city limits

Walhalla

- John Galbreath / Brent Taylor
- Serve 1,132 / 404 inside city limits / 728 outside city limits [for 2016]
- Does not offer sports for older age groups due to the unavailability of facilities
- Uses Oconee Christian Academy gym
- 30 basketball teams ages 4 thru 14
- Cost to participate: \$30 inside the city; \$70 outside city limits
- 2 salary employees and 1 hourly employee

Salem

- Travis Oliver / David Poulson
- One of the smallest recreation departments in the County
- Offers soccer, basketball, baseball
- Serves between 100 to 125 participants
- 10% inside city limits / 90% outside city limits
- Cost to participate: \$40 per participant regardless of inside or outside city limits

Fair Play / Oakway

- Terry Swain / Derek Burnette
- Fair Oak Youth Center

- Offers baseball, softball, basketball, soccer, volleyball
- Sending participants to all-stars
- Active board with all volunteers
- Cost to participate: \$50 per participant

Oconee County Sheriff's Office

- Sheriff Mike Crenshaw / Corporal Charles Mulwee
- Effecting 3,500 to 4,000 youth
- 9 resource officers
- SRO's want to help
- Juvenile number is increasing in the juvenile justice system
- Countywide
- Draw the older children in
- Travel team
- May not be able to afford the fees
- Role models
- Mentoring

Mr. Moulder asked for each representative to submit their numbers to him via email at smoulder@oconee-sc.com and he would create a spreadsheet and run the analysis. Mr. Davis noted when submitting a budget request to include travel.

Mr. Phil Shirley, Oconee County Parks, Recreation, & Tourism [PRT] Director, thanked everyone for what they do and noted they make an amazing difference in the County. He does not program on the County level but wants to make a difference. Discussion continued.

Mr. Brent Taylor, Walhalla City Administrator, addressed the committee noting he has worked in recreation most of his career. He noted the discussion was mainly about youth athletics and asked what the overall goal was. He further noted the variety of interest could also be in adults, seniors, etc. Discussion continued.

Ms. Janet Hartman, Destination Oconee Manager, addressed the committee noting the challenges are great and sitting down and bringing items to a priority list is important. Discussion continued.

Mr. Moulder thanked everyone for attending the meeting. From each representative, he asked them to provide the following on their financials with information going back five years:

- Revenue broken down by type
- Total number of participants
- Total number of participants by sports broken down by county resident versus city resident
- Expenses broken down by sport
- Participant level by sport
- Break down as much by sport to cost revenue and participants

Next Meeting:

The next meeting will be held at 3:30 p.m. on Tuesday, November 21, 2017 at the Oconee County Council Chambers, 415 South Pine Street, Walhalla, SC 29691.



**PUBLIC HEARING
SIGN IN SHEET
OCONEE COUNTY COUNCIL MEETING
DATE: November 21, 2017 6:00 p.m.**

Ordinance 2017-26 "AN ORDINANCE TO AMEND ORDINANCE 2017-01 WHICH ESTABLISHED THE BUDGET FOR OCONEE COUNTY AND PROVIDED FOR THE LEVY OF TAXES FOR ORDINARY COUNTY PURPOSES, FOR THE TRI-COUNTY TECHNICAL COLLEGE SPECIAL REVENUE FUND, FOR THE ROAD MAINTENANCE SPECIAL REVENUE FUND, FOR THE VICTIM SERVICES SPECIAL REVENUE FUND, FOR THE BRIDGE AND CULVERT CAPITAL PROJECT FUND, AND FOR THE ECONOMIC DEVELOPMENT CAPITAL PROJECT FUND, AMONG OTHER MATTERS, ALL IN OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2017 AND ENDING JUNE 30, 2018, IN CERTAIN LIMITED REGARDS, AND OTHER MATTERS RELATED THERETO."

Written comments may be submitted at any time prior to the hearing for inclusion in the official record of the meeting.

Everyone speaking before Council will be required to do so in a civil manner.

Council will not tolerate personal attacks on individual council members, county staff or any person or group. Racial slurs will not be permitted. Council's number one priority is to conduct business for the citizens of this county. All citizens who wish to address Council and all Boards and Commission appointed by Council should do so in an appropriate manner.

Public comment during a public hearing is not limited to four minutes per person.

Sign up sheets will be available thirty minutes prior to the hearing for those interested in addressing Council.

Written comments may be submitted at any time prior to the hearing for inclusion in the official record of the meeting.

Please submit written comments to the Clerk to Council, 415 South Pine Street, Wallulla, South Carolina, 29691

Please PRINT your name

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