



A G E N D A

OCONEE COUNTY COUNCIL MEETING

September 15, 2015

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 / Mr. Tom Martin

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

Approval of Minutes

- September 1, 2015 Regular Meeting
- September 8, 2015 Noise Ordinance Workshop Meeting

Administrator Report & Agenda Summary

Public Hearings regarding the Following Ordinances

Ordinance 2015-24 "AN ORDINANCE TO AMEND SECTION 2-191. "APPOINTMENT; DUTIES" OF DIVISION 4. "COUNTY ATTORNEY" OF ARTICLE III. "OFFICERS AND EMPLOYEES" OF CHAPTER 2. "ADMINISTRATION" OF THE OCONEE COUNTY CODE OF ORDINANCES; AND OTHER MATTERS RELATED THERETO"

Ordinance 2015-25 "AN ORDINANCE AMENDING CHAPTERS 32 AND 38 OF THE OCONEE COUNTY CODE OF ORDINANCES IN CERTAIN LIMITED REGARDS AND PARTICULARS PERTAINING TO **OCONEE COUNTY HEIGHT STANDARDS**, ONLY; AND OTHER MATTERS RELATED THERETO"

Ordinance 2015-27 "AUTHORIZING THE EXECUTION AND DELIVERY OF AN EQUIPMENT LEASE-PURCHASE AGREEMENT IN THE AMOUNT OF NOT EXCEEDING \$4,200,000 TO DEFRAY THE COSTS OF ACQUIRING VARIOUS EQUIPMENT; AND OTHER MATTERS RELATING THERETO"

Third & Final Reading of the Following Ordinances

Ordinance 2015-24 *[see caption above]*

Ordinance 2015-25 *[see caption above]*

Ordinance 2015-27 *[see caption above]*

First Reading of the Following Ordinances

Ordinance 2015-26 “AN ORDINANCE CANCELLING, REVOKING, AND RESCINDING OCONEE COUNTY ORDINANCE 2012-28 AND ITS SUBSEQUENT CODIFICATION; AND OTHER MATTERS RELATED THERETO”
[STONE POND SPECIAL TAX DISTRICT]

Ordinance 2015-29 [Title Only] “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDMENT TO THE FEE AGREEMENT BETWEEN OCONEE COUNTY AND **ULBRICH PRECISION FLAT WIRE, LLC, ULBRICH SOLAR WIRE, LLC AND PLANT ROAD, LLC**, TO INCLUDE THE ADDITION OF ULBRICH SOLAR TECHNOLOGIES, INC., AS A SPONSOR, AMENDING THE FEE AGREEMENT DATED AS OF NOVEMBER 1, 2013; AND OTHER MATTERS RELATED THERETO”

Ordinance 2015-30 “AN ORDINANCE DIRECTING THAT THE IMPLEMENTATION OF REAL PROPERTY REASSESSMENT IN OCONEE COUNTY BE DELAYED FOR ONE (1) YEAR, AS AUTHORIZED BY STATUTE; AND OTHER MATTERS RELATED THERETO.”

Ordinance 2015-31 “AUTHORIZING THE ISSUANCE AND SALE OF NOT EXCEEDING \$900,000 GENERAL OBLIGATION BONDS, SERIES 2015, OF OCONEE COUNTY, SOUTH CAROLINA; FIXING THE FORM AND DETAILS OF THE BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS; AUTHORIZING THE CHAIRMAN OF COUNTY COUNCIL OR COUNTY ADMINISTRATOR TO DETERMINE CERTAIN MATTERS RELATING TO THE BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS; THE DISPOSITION OF THE PROCEEDS OF THE BONDS; AND OTHER MATTERS RELATING THERETO”

First & Final Reading of the Following Resolutions

Resolution R2015-14 “A RESOLUTION TO APPROVE LAW ENFORCEMENT ASSISTANCE AND SUPPORT AGREEMENT BETWEEN OCONEE COUNTY SHERIFF’S OFFICE AND SPARTANBURG COUNTY SHERIFF’S OFFICE”

Discussion Regarding Action Items

Local ATAX Grants / Fall, 2015 Cycle / \$80,910

A portion of Local and State ATAX revenues received by Oconee County are made available for ATAX grants through Ordinance 2011-12. ATAX grants are to be tourism related grants that meet the ATAX guidelines specified by local and State mandates. Grants are recommended by the PRT Commission based on tourism impact of the project and approved by County Council.

All ATAX grant recipients are required to turn in intermediate reports every 60 days to the progress of the grant and a final report upon completion of the grant. These reports are placed in the grant folder, which is kept active by the PRT staff until the grant is considered complete. Internal projects through Oconee PRT are also funneled through local ATAX for eligible projects.

It is the staff’s recommendation that Council approval the ATAX grant requests provided in on the spreadsheet provided in the backup material to this meeting.

ITB 15-02 / Timber Sale / Revenue/\$150,644.50/Economic Development Fund

On August 4, 2015, the County issued ITB 15-02 for the sale of approximately 180 acres of timber located at the Oconee Industry and Technology Park on the west side of Hwy 11, 3.5 miles south of West Union, SC. This bid was emailed to 153 perspective timber buyers and mailed to an additional 81 perspective buyers that did not have email addresses. Interested bidders contacted the Economic Alliance Office to tour the property. On September 1, 2015, six bids were received, with Premier South Timber, LLC, of Homer, GA, submitting the highest bid price of \$150,644.50.

It is the staff’s recommendation that Council

[1] approve the sale of approximately 180 acres of timber located at the Oconee Industry and Technology Park to Premier South Timber, LLC, of Homer, GA, in the amount of \$150,644.50, and

[2] authorize the Administrator to execute documents and take any necessary actions to complete the sale of this timber.

ITB 14-07, 14-08 & 14-09 / Cheohee Valley, Shiloh & Whetstone Sub-Stations / \$531,175.23

Under the County Administrator's Fire Plan, the construction of two substations were included for Fiscal Year 2012-2013; Keowee Falls (Complete) and Cheohee Valley, and two were included in Fiscal Year 2013-2014; Shiloh and Whetstone. Under the On Call Design Build, RFP #11-23, Procurement requested proposals from the four (4) approved Design Build Contractors. Joel Davis Construction of Westminster, SC, provided the lowest proposal. County staff met with Joel Davis Project Managers during the Design Development and Schematic Phases to review a variety of cost saving ideas and different ways to meet the minimum requirements of each substation. It was decided that the Roads Department would complete the site work for the Whetstone Sub-Station in order to reduce the cost. The Roads Department's estimate to complete the site work is \$14,000.00.

It is the staff's recommendation that Council

[1] approve the award of \$531,175.23 to Joel Davis Construction of Westminster, SC, to construct the Cheohee Valley, Shiloh and Whetstone Sub-Stations, and

[2] authorize the Administrator to sign contract documents and to approve any Change Orders within the contingency amounts as follow:

[a] Cheohee Valley \$ 150,793.95 (includes 10% Contingency \$13,708.54),

[b] Shiloh \$205,963.54 (includes 10% Contingency \$18,723.96),

[c] Whetstone \$174,417.74 (includes 10% Contingency \$15,856.16).

Board / Commission Appointments

- Board of Zoning Appeals *[Seat Co-Terminus with DX V - 4 questionnaires on file]*

Old Business

[to include Vote and/or Action on matters brought up for discussion, if required]

Council Affirmation / Land Parcel / 664 Rock Crusher Road

On August 18, 2015, Oconee County Council unanimously approved the Administrator to negotiate a purchase contract for the property near the Oconee County Rock Quarry as discussed in Executive Session. The Administrator negotiated said purchase agreement for the parcel of land at the contract price of \$200,000.

It is staff's recommendation that Council approve the fee simple purchase of this land parcel for the amount of \$200,000, plus usual and customary legal expenses.

New Business

[None scheduled at this meeting.]

[to include Vote and/or Action on matters brought up for discussion, if required]

Executive Session *[to include Vote and/or Action on matters brought up for discussion, if required]*

As allowed for in §30-4-70 (a) of the Code of Laws of South Carolina, as amended, 1976 for the purpose of:

[1] discussion regarding pending litigation related to Oconee County v Hanger III, et. al.

[2] discussion regarding an Economic Development matter, Project Endurance, related to a purchase option agreement.

Adjourn

Assisted Listening Devices [ALD] are available to accommodate the special needs of citizens attending meetings held in Council Chambers.

ALD requests should be made to the Clerk to Council at least 30 minutes prior to the meeting start time.

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