



# UPDATED AGENDA

## OCONEE COUNTY COUNCIL MEETING

May 4, 2021

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.]*

*If you are not able to attend in person and you have a comment, you may submit it by contacting our Clerk to Council, Katie Smith at [ksmith@oconeesc.com](mailto:ksmith@oconeesc.com) or 864-718-1023, so that she may receive your comment and read it into the record.*

### 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

- April 20, 2021 Regular Minutes

### Administrator Comments

### Attorney Comments

### Proclamation 2021-05

- Proclamation 2021-05 Recognizing May 15, 2021 as Peace Officers Memorial Day and May 9, 2021 through May 15, 2021 as National Police Week

### Proclamation 2021-06

- Proclamation 2021-06 National Safe Boating Week

### Presentation to Council

- Appalachian Council of Governments / *Mr. Steve Pelissier, Executive Director*

### Public Hearings for the Following Ordinances

*If you would like to be heard during either of the public hearings, please contact Clerk to Council Katie Smith at [ksmith@oconeesc.com](mailto:ksmith@oconeesc.com) or 864-718-1023 so that she may coordinate your participation by telephone.*

**Ordinance 2021-08** “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A SPECIAL SOURCE REVENUE CREDIT AGREEMENT BY AND BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND A COMPANY KNOWN FOR THE TIME BEING AS “PROJECT RISE,” PROVIDING FOR THE PAYMENT OF A SPECIAL SOURCE REVENUE CREDIT TO SUCH

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COMPANY; AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGREEMENT FOR DEVELOPMENT OF A JOINT COUNTY INDUSTRIAL AND BUSINESS PARK WITH PICKENS COUNTY, SOUTH CAROLINA; AND PROVIDING FOR OTHER MATTERS RELATED THERETO.”

*An Economic Development matter*

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

**Ordinance 2021-08** *[see caption above]*

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

**Ordinance 2021-09** “AN ORDINANCE AMENDING CERTAIN PROVISIONS OF THE “LITTER CONTROL ORDINANCE OF OCONEE COUNTY, SOUTH CAROLINA.””

*Forwarded from the Law Enforcement, Public Safety, Health & Welfare Committee*

**Ordinance 2021-10** “AN ORDINANCE REPEALING ORDINANCE 2021-04, WHICH REQUIRED INDIVIDUALS TO WEAR FACE COVERINGS IN CERTAIN FACILITIES OWNED OR OPERATED BY OCONEE COUNTY.”

*General Government matter*

### **First Reading of the Following Ordinances**

**Ordinance 2021-11** “AN ORDINANCE ESTABLISHING CHAPTER 40 OF THE OCONEE COUNTY CODE OF ORDINANCES, TO BE ENTITLED “CULTURAL AND HISTORIC PRESERVATION,” AND ENACTING ARTICLE V THERETO, CAPTIONED “PROTECTION OF HISTORICAL MEMORIALS.”

*Forwarded from the Law Enforcement, Public Safety, Health & Welfare Committee*

**Ordinance 2021-12** “AN ORDINANCE CONSENTING TO THE TRANSFER OF CERTAIN REAL PROPERTY THAT HAS BEEN FORFEITED TO THE OFFICE OF THE OCONEE COUNTY SHERIFF; AUTHORIZING THE COUNTY ADMINISTRATOR TO TAKE CERTAIN ACTIONS IN RELATION THERETO; AND OTHER RELATED MATTERS.”

*Forwarded from the Law Enforcement, Public Safety, Health & Welfare Committee*

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

**Resolution 2021-06** “A RESOLUTION APPOINTING AND COMMISSIONING MATTHEW LANE THOMAS AS A CODE ENFORCEMENT OFFICER FOR THE PROPER SECURITY, GENERAL WELFARE, AND CONVENIENCE OF OCONEE COUNTY; AND OTHER MATTERS RELATED THERETO.”

### **Discussion Regarding Action Items**

**Change Order # 1, PO 53717 Engineering Services for Cherokee Lake Road Bridge Replacement / Roads & Bridges / PO 53717: \$49,840.00**

**\$89,780.00**

**Purchase Order Total: \$139,620.00**

**Remaining Budget: \$597,747.28 / Project Cost: \$89,780.00 / Balance: 507,967.28**

On October 25, 2019, Purchase Order 53717 to Davis & Floyd, Inc was issued for Engineering Services for Cherokee Lake Road Bridge Replacement, in the amount of \$49,840.00. The services included on this

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purchase order were (tasks 1-5): topographic survey, soil test borings, preliminary roadway plans and right-of-way plans, preliminary bridge plans, and additional right-of-way (easement) assistance.

Davis and Floyd completed tasks 1-5 listed above and has submitted a proposal in the amount of \$89,780.00 for tasks 6-11 to include Final Roadway Plans, Final Bridge Plans, Bidding Services, Construction Support Services, Construction Inspections and Lead & Asbestos Survey.

The existing bridge on Cherokee Lake Rd is in need of replacement due to structural and functional deficiencies. This bridge is located where Cheohee Creek initially passes under Cherokee Lake Road. The Cheohee Valley Fire Substation is located above this bridge and uses it for access to get to Cheohee Valley Rd. Davis and Floyd has performed preliminary design work (tasks 1-5) on the roadway to ensure the feasibility of construction along with assessing the existing right-of-way to make sure it was sufficient for construction. Staff is requesting Council approval for Change Order #1 to PO 53717 for Engineering Services for Final Design, Bidding & Construction to Davis and Floyd.

It is the staff's recommendation that Council approve Change Order # 1 to PO 53717 in the amount of \$89,780.00; which brings the purchase order total to \$139,620.00.

**Compactor & Container For Solid Waste / Solid Waste / \$150,767.36**  
**Budget:** \$ 150,802.56 / **Project Cost:** \$150,767.36 / **Balance:** \$ 35.20

This bid was issued March 5, 2021 to purchase four (4) containers and six (6) compactors with power units, guide islands and hoppers to be installed at the following Manned Recycling Centers: Strawberry Farm, Mnt. Rest, Long Creek, Salem and Ebenezer. The compactors and containers will replace aging, run down units or some containers may be an additional unit at various centers. The contractor is to provide full installation including all electrical work from disconnect to power unit. The compactors and containers will be shipped from Ajax, Ontario, Canada and the installation will be performed by a subcontractor; All Baler and Hydraulic Repairs of Travelers Rest, SC. The replaced units will be refurbished, if applicable, or sold for scrap metal. The County will be required to pay Sales/Use Tax directly to the SC Department of Revenue for this purchase in the amount of \$8,211.36. The total for the purchase and installation of the compactors and containers is \$150,767.36 (\$142,556.00 Reaction Distributing and \$8,211.36 SC DOR).

It is the staff's recommendation that Council [1] approve the award of bid ITB 20-06, Reaction Distributing, Inc. of Ajax, Ontario, Canada in the amount of \$142,556.00 and [2] approve payment in the amount of \$ 8,211.36 to SC DOR for Sales/Use tax.

**Design Build Services for Westminster Magistrates Office / Magistrate / \$767,534.00**  
**Contingency (20%) \$153,506.80**  
**Total \$921,040.80**

**Budget:** \$921,040.80 / **Project Cost:** \$921,040.80 / **Balance:** \$0.00

*Procurement pending approval of the FY 21-22 budget*

On March 3, 2020, County Council approved the RFP 19-03 Design Build Services to Trehel Corporation for the initial Schematic and Design Phases in the amount of \$15,000.00. On August 18, 2020 the Real Estate, Facilities & Land Management Meeting made a motion directing staff to present the proposed construction documents and Construction phase of the project to County Council. County Staff reviewed different options of renovation vs. new construction and negotiated pricing to reduce the cost of the New Westminster Magistrates Office. Staff recommends demolition of the current structure and construction of

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a new 3,581 sq. ft. facility. Staff is requesting approval of phase three and four to Trehel Corporation in the amount of 767,534.00 plus \$153,506.80 (20% contingency) for a total amount of \$ \$921,040.80.

Design-Build is a method of project delivery in which *one* entity (Design-Builder) forges a *single* contract with the Owner to provide for Architectural Engineering design services AND construction services.

This design build project consists of four (4) phases:

Phase One: Schematic Phase

Phase Two: Design Development

Phase Three: Construction Documents

Phase Four: Construction Phase

It is the staff’s recommendation that Council [1] approve the award of Phase three and four for Westminster Magistrates Office to Trehel Corporation of Clemson, SC in the amount of \$767,534.00 plus 20% contingency in the amount of \$153,506.80 for a total award of \$921,040.80, pending the approval of the FY 21-22 budget and [2] authorize the County Administrator to execute documents for this project and sign any change orders within the contingency amount.

### Council Committee Reports

Planning & Economic Development / Mr. Cain.....[03.16.2021]

### Board & Commission Appointments

The Board & Commission seats listed below are co-terminus with Council District seats and will require [in the 1<sup>st</sup> quarter of 2021] appointment and/or reappointment as follows:

#### Building Codes Appeal Board

1 At-Large Seat: No questionnaire on file for this seat

### Executive Session

[upon reconvening Council may take a Vote and/or take Action on matters brought up for discussion in Executive Session, 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 Drift.

[2] Receive legal advice related to a Reasonable Accommodation Request under the federal Fair Housing Act.

[3] Receive legal advice and discuss potential transfer of County-owned property and matters directly related thereto.

### Discussion Regarding Action Items [cont’d]

**Discuss and take action on Elevated Youth Service’s Reasonable Accommodation Request under the federal Fair Housing Act in relation to the establishment of a residential treatment home for handicapped youth at 602 Walter Scott Lane, West Union, South Carolina**

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# Discuss and act on proposed letter of intent related to County-owned property and matters related thereto

## 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.

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