



MINUTES

OCONEE COUNTY COUNCIL

Regular Meeting

April 19, 2022

MEMBERS, OCONEE COUNTY COUNCIL

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

Oconee County Council met at 6:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members, County Administrator Amanda F. Brock, County Attorney David Root, & Jennifer C. Adams, Clerk to Council present.

Press: Pursuant to the Freedom of Information Act, notice of the meeting, date, time, place of meeting and agenda were posted on the bulletin board at the County Administrative Offices, 415 South Pine Street, Walhalla, SC, and the County Council website [www.oconeesc.com/council]. In addition, it was made available [*upon request*] to the newspapers, radio stations, television stations and concerned citizens.

Members of the press present: Riley Morningstar / The Journal, Dick Mangrum / WGOG

Call to Order

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

Mr. Elliott opened the meeting reminding the public they have two opportunities to speak during Council meetings, which is during the public comment session and also during the public hearing session, if scheduled. Other than those two instances, the public should remain silent during the Council meeting. Anyone making a disturbance during the meeting will be asked to leave Council Chambers for the remainder of the meeting.

Moment of Silence

Mr. Elliott asked for a moment of silence prior to the Invocation by County Council Chaplain.

Invocation by County Council Chaplain

Mr. Root, County Council Chaplain, gave the invocation.

Pledge of Allegiance

Mr. Cain led the Pledge of Allegiance to the Flag of the United States of America.

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Approval of Minutes

Mr. Cain made a motion, seconded by Mr. Hart, approved 5 - 0, to approve the April 05, 2022 regular minutes as presented.

Attorney's Comments

Mr. Root noted to Council and the public that the Procurement AIS entitled "Engineering Consulting – ARPA Funding Management Compliance" was updated today and a new copy has been added to the backup and distributed to Council this morning.

Administrator's Comments

None at this meeting.

Presentation to Council

School District of Oconee County FY 2022-2023 Budget Presentation

Ms. Gloria Moore, SDOC Chief Financial Officer, addressed Council utilizing a handout entitled "School District of Oconee County House Version FY 2022-2023 General Fund Budget Projection", accompanied by a power point presentation entitled "School District of Oconee County FY 2022-2023 Budget Presentation" [copy filed with backup] and gave a brief overview.

Mr. Elliott addressed Dr. Thorsland, SDOC Superintendent, and Ms. Moore stating that their proposed budget should reflect growth in our tax base before reassessment and that Council will decrease the millage to negate the increased revenue due to the reassessment.

Dr. Thorsland noted their budget presentation is limited at this time until the State Legislature completes State Funding.

Dr. Thorsland goes on to offer clarification to Mr. Durham and Council regarding the proposed four percent raise to all school district employees.

Mr. Chad Carson, Vice President Green Crescent Trail, presenting information related to trails and greenways and the benefits they provide for the community.

Mr. Andy Blondeau, City of Clemson Administrator, provided background information on The Green Crescent Trail Non-Profit Organization to Council and introduced Mr. Chad Carson for the presentation.

Mr. Chad Carson made a presentation to Council utilizing a power point entitled "The Green Crescent Trail – Oconee County" [copy filed in backup] and provided information related to greenways, trails, and the benefits they provide for the community.

Mr. Cain extended his thanks to Mr. Carson and Mr. Blondeau for providing this information to Council.

Mr. Durham asked what the cost to maintain a paved surface trail would be and Mr. Carson replied that he did not have that exact information with him, but it is a little more money than maintaining a standard sidewalk due to the increased width of a trail compared to a sidewalk.

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Proclamations

PROCLAMATION 2022-04 A PROCLAMATION DECLARING APRIL 24, 2022 THROUGH APRIL 30, 2022 AS CONSERVATION STEWARDSHIP WEEK

Mr. Davis made a motion, seconded by Mr. Cain, approved 5 – 0, to approve **Proclamation 2022-04** on first and final reading.

Mr. Elliott noted that the artwork on display is from entries in the poster contest “Healthy Forested Ecosystem” in recognition of Conservation Stewardship week and invited any participant to come forward with Mr. Bob Winchester, Oconee Soil and Water Conservation Board Chair, to accept **Proclamation 2022-04**.

PROCLAMATION 2022-05 A PROCLAMATION RECOGNIZING APRIL AS CHILD ABUSE PREVENTION MONTH

Mr. Davis made a motion, seconded by Mr. Cain, approved 5 – 0, to approve **Proclamation 2022-05** on first and final reading.

Ms. Abby Wilson, Children’s Trust Director of Community Initiatives, accepted **Proclamation 2022-05** from Council.

Public Comment Session

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

Ms. Daby Snipes, Executive Director of Oconee County First Steps, addressed Council related to services Oconee County First Steps provides, child abuse prevention, and upcoming events to help raise awareness of child abuse in Oconee County.

Mr. Wayne Owens addressed Council with his concerns related to the County budget and expenditures.

Ms. Erin Benson, owner of Benson Farm Supply in Walhalla, addressed Council with her concerns related to possible greenway trail that may impact her business, her opinion that a worldwide famine is near with the suggestion of community gardens as a possible local solution, and litter along Oconee County highways.

Ms. Brock informed Ms. Benson that the greenway trail is a City of Walhalla project and provided her with contact information on whom she needs to speak with concerning this matter.

Ms. Kay Knapp addressed Council with her concerns related to property reassessment in the County.

Council Members Comments

Mr. Elliott noted that it is each Councilman and citizen’s responsibility to make an appointment with the County Administrator to discuss any budget line questions that they may have.

Mr. Elliott responded to Ms. Knapp about her concerns related to property reassessment and informed her that the proposed budget increase will reflect growth in our tax base before reassessment and that Council will decrease the millage to negate the increased revenue due to the reassessment.

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Mr. Durham responded to all citizen's comments that spoke during the Public Comment session.

Mr. Durham also noted that he would like to see increased warning signs, in and around attractions in Oconee County, warning citizens and visitors of the hazards in the area they are visiting.

Mr. Elliott addressed Mr. Owens stating that the truth about the County's budget and spending can be found in the Auditor's financial statements and asked Mr. Owens to email him so that they may discuss this issue.

Mr. Hart responded to Mr. Owens' concerns about the County budget and expenditures.

Mr. Cain thanked Ms. Snipes and Ms. Wilson for the work they do for the children of Oconee County and across the state.

Mr. Cain responded to Ms. Benson regarding the suggestion of community gardens in Oconee County and inquired from Ms. Brock if there was any County owned land that could be a possible location for this project.

Ms. Brock responded to Mr. Cain stating that she does have a list of County owned properties that can be looked at to see if a community garden would be an equitable fit.

Mr. Cain further commented to Ms. Benson that he agrees with her dislike related to litter along County roads and noted that Council approved funding last year towards litter collection in the County and inquired from Ms. Brock if she had any information regarding this program.

Ms. Brock responded to Mr. Cain letting him know that she has not received any data regarding this program and that the Sheriff's office has the contact information on their website.

Mr. Davis asked Ms. Brock to provide the numbers related to unrestricted and restricted County funds.

Ms. Brock apologized stating she had taken that information back to her office after the Budget, Finance, and Administration Committee adjourned but those audit numbers can be found on the County's financial transparency page on the County website.

Mr. Davis further addressed citizen's comments related to child abuse awareness, the County budget, and property reassessment.

Public Hearings for the Following Ordinances *If you would like to be heard during either of the public hearings, please contact Clerk to Council Jennifer C. Adams at jennifercadams@oconeesc.com or 864-718-1023 so that your participation may be coordinated.*

ORDINANCE 2022-09 AN ORDINANCE AMENDING CHAPTER 32, ARTICLE V OF THE OCONEE COUNTY CODE OF ORDINANCES GOVERNING GROUP RESIDENTIAL DEVELOPMENTS.

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Mr. Elliott opened the floor for Public Comment.

Noting that no citizens signed up to address Council; Mr. Elliott opened the floor for any citizen wishing to address Council regarding this ordinance. No citizen addressed Council and no citizen submitted or presented any written comments for the record.

Mr. Elliott closed the Public Hearing regarding **Ordinance 2022-09**.

ORDINANCE 2022-10 AN ORDINANCE AMENDING CHAPTER 40, ARTICLE V, OF THE OCONEE COUNTY CODE OF ORDINANCES, ENTITLED “PROTECTION OF HISTORICAL MEMORIALS.”

Mr. Elliott opened the floor for Public Comment.

Noting that no citizens signed up to address Council; Mr. Elliott opened the floor for any citizen wishing to address Council regarding this ordinance. No citizen addressed Council and no citizen submitted or presented any written comments for the record.

Mr. Elliott closed the Public Hearing regarding **Ordinance 2022-10**.

Third Reading of the Following Ordinances

ORDINANCE 2022-09 AN ORDINANCE AMENDING CHAPTER 32, ARTICLE V OF THE OCONEE COUNTY CODE OF ORDINANCES GOVERNING GROUP RESIDENTIAL DEVELOPMENTS.

Mr. Cain made a motion, seconded by Mr. Hart, approved 5 – 0, to approve **Ordinance 2022-09** on third and final reading.

ORDINANCE 2022-10 AN ORDINANCE AMENDING CHAPTER 40, ARTICLE V, OF THE OCONEE COUNTY CODE OF ORDINANCES, ENTITLED “PROTECTION OF HISTORICAL MEMORIALS.”

Mr. Durham made a motion, seconded by Mr. Hart, approved 5 – 0, to approve **Ordinance 2022-10** on third and final reading.

Second Reading of the Following Ordinances

ORDINANCE 2022-11 AN ORDINANCE AUTHORIZING THE RECONVEYANCE BY OCONEE COUNTY OF CERTAIN REAL PROPERTY PREVIOUSLY TRANSFERRED TO OCONEE COUNTY BY THE FOXWOOD HILLS PROPERTY OWNERS ASSOCIATION; AND OTHER MATTERS RELATED THERETO.

Mr. Cain made a motion, seconded by Mr. Davis, approved 5 – 0, to approve **Ordinance 2022-11** on second reading.

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ORDINANCE 2022-12 AN ORDINANCE TO SUPPLEMENT ORDINANCE 2022-07, WHICH APPROPRIATED AND AUTHORIZED THE EXPENDITURE OF \$1,710,000 OF LOCAL FISCAL RECOVERY FUNDING RECEIVED UNDER THE AMERICAN RESCUE PLAN ACT OF 2021 (“ARPA”) FOR PURPOSES OF PROVIDING PREMIUM PAY TO ELIGIBLE COUNTY EMPLOYEES, BY APPROPRIATING AN ADDITIONAL \$276,632, SO THAT THE PREMIUM PAY APPROPRIATION AND AUTHORIZATION FOR EXPENDITURE NOW TOTALS \$1,986,632; AND OTHER MATTERS RELATED THERETO.

Mr. Davis made a motion, seconded by Mr. Cain to approve **Ordinance 2022-10** on second reading.

Mr. Durham inquired as to when the Premium Pay checks will be issued and that he gets this question quite often.

Ms. Brock informed Mr. Durham and Council that they are waiting on notification of the transfer from the US Treasury and this is anticipated to happen in May 2022.

Motion approved 5 – 0.

First Reading of the Following Ordinances

ORDINANCE 2022-13 AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY OWNED BY OCONEE COUNTY, CONSISTING OF APPROXIMATELY 1.5 ACRES AND BEING A PORTION OF TAX MAP # 160-00-04-060 (“PARCEL 1”), AND AUTHORIZING THE RECEIPT OF CERTAIN REAL PROPERTY OWNED BY LUTHER L. LYLE, ET AL., CONSISTING OF APPROXIMATELY 1.5 ACRES AND BEING A PORTION OF TAX MAP # 160-00-04-003 (“PARCEL 2”) IN EXCHANGE FOR THE CONVEYANCE OF PARCEL 1; AND OTHER MATTERS RELATED THERETO.

Mr. Cain made a motion, seconded by Mr. Durham, to approve **Ordinance 2022-13** on first reading.

Mr. Elliott noted that Mr. Lyle provided Council with some information related to **Ordinance 2022-13**.

Motion approved 5 – 0.

First & Final Reading for the Following Resolutions

RESOLUTION 2022-09 A RESOLUTION RECOGNIZING AND DESIGNATING APRIL 2022 AS FAIR HOUSING MONTH.

Mr. Davis made a motion, seconded by Mr. Hart, to approve **Resolution 2022-09** on first and final reading.

Mr. Durham noted that this issue was discussed during the Planning Commission meeting on Monday and it is a serious matter.

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Mr. Cain asked for further clarification from Mr. Durham.

Mr. Durham stated that during the Planning Commission meeting there was discussion about possibly mandating how many trees can be left on home developments and subdivisions.

Motion approved 5 – 0.

RESOLUTION 2022-10 A RESOLUTION SUPPORTING THE SOUTH CAROLINA AMERICAN REVOLUTION SESTERCENTENNIAL COMMISSION AND CREATING THE OCONEE COUNTY 250 COMMITTEE.

Mr. Davis made a motion, seconded by Mr. Cain, approved 5 – 0, to approve **Resolution 2022-10** on first and final reading.

Discussion Regarding Action Items

Council consideration and approval of funding in an amount not to exceed \$85,000 for Sewer South. Funding request is for 3,160 square yards of asphalt for repair and resurfacing of 25 driveways and 19 drainage pipes to be impacted by construction of the wastewater expansion project.

Mr. Davis made a motion, seconded by Mr. Hart, to approve the above mentioned Sewer South funding as requested.

Mr. Davis extended his appreciation to the citizens who gave a right-of-way on their property to allow this project to proceed with construction.

Ms. Brock announced to Council and the public that as of 10:37 this morning, Oconee County received the final approval on the absolute last permit for the Sewer South Project.

Ms. Brock also noted that of the 25 driveways that are being affected by the Sewer South Project, 5 of those are considered compound driveways, which are shared or commercial, and it was felt that repairing these driveways to the same or marginally better condition is within the scope of this project.

Motion approved 5 – 0 of funding in an amount not to exceed \$85,000 for Sewer South. Funding request is for 3,160 square yards of asphalt for repair and resurfacing of 25 driveways and 19 drainage pipes to be impacted by construction of the wastewater expansion project.

Council consideration and approval of funding in the amount of \$23,400 to Oconee Joint Regional Authority for the expansion of geographical scope in the Exits 1 and 2 Basin Study being conducted by Weston & Sampson from 41,900 acres to 89,500 acres.

Mr. Davis made a motion, seconded by Mr. Hart, approved 5 – 0, to approve funding in the amount of \$23,400 to Oconee Joint Regional Authority for the expansion of geographical scope in the Exits 1 and 2 Basin Study being conducted by Weston & Sampson from 41,900 acres to 89,500 acres.

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Title: Road Paving 2021-2022

Department: Roads and Bridges

Amount: \$3,660,506.75

Contingency (10%): \$366,050.68

Total Award: \$4,026,557.43

Procurement was approved by Council in Fiscal Year 21-22 budget process.

Budget: \$4,026,557.43 Project Cost: \$4,026,557.43 Balance: \$0

Fund from Road Maintenance Fund

On March 31, 2022, formal sealed bids were opened for paving of approximately eighteen (18) miles of County roads (see attached Tentative Road List). The methods of paving are Simple Overlay, Reconstruction Mill in Place and Excavation with Removal. Twenty-three (23) companies were originally notified of this bid opportunity with four (4) companies submitting bids. Hubbard Paving & Grading, Inc., located in Walhalla, SC submitted the low bid in the amount of \$ 3,660,506.75. A 10% contingency, in the amount of \$366,050.68, is requested to account for fluctuating asphalt prices, variations in estimated unit quantities and any other unforeseen items that may arise. No additional roads will be added without County Council Approval.

It is the staff’s recommendation that Council:

- 1. Approve the Award of ITB 21-16, Road Paving 2021-2022, to Hubbard Paving & Grading, Inc., of Walhalla, SC in the amount of \$3,660,506.75, plus a 10% contingency in the amount of \$ 366,050.68, for a total award of \$ 4,026,557.43.***
- 2. Authorize the County Administrator to execute the contract documents and approve any change orders within the contingency amount.***

Mr. Davis made a motion, seconded by Mr. Cain, to [1] approve the Award of ITB 21-16, Road Paving 2021-2022, to Hubbard Paving & Grading, Inc., of Walhalla, SC in the amount of \$3,660,506.75, plus a 10% contingency in the amount of \$ 366,050.68, for a total award of \$ 4,026,557.43 and [2] authorize the County Administrator to execute the contract documents and approve any change orders within the contingency amount.

Mr. Davis extended his thanks to the Procurement Department for their help with the bidding process and noted that of the 4 companies that submitted bids, a local company, Hubbard Paving, provided the lowest bid and was awarded the contract and further stated it is great to keep Oconee County’s money local.

Ms. Brock confirmed to Mr. Elliot that this project is for 18 miles of paving, as well as, confirming for Mr. Hart, that paving did have a year where it was skipped.

Mr. Elliott added that the price of asphalt is increasing with the price of oil.

Mr. Davis commented that the list of roads set for paving is located in the backup material for this meeting.

Motion approved 5 – 0.

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Title: Engineering Consulting – ARPA Funding Management Compliance
Department: Administration

Procurement was approved by Council in Fiscal Year 21-22 budget process.

Funding will come from ARPA Funding

At the June 1, 2021 meeting, Council approved the award of RFP 20-02 for On Call Engineering Services to Thomas & Hutton of Greenville, SC for Category E: On Call General Engineering Services. Administration wishes to contract with Thomas & Hutton to provide engineering consulting services for American Rescue Plan Act Funding (“ARPA”) management assistance. Thomas & Hutton will provide services that include General Consulting, Pre-Construction Reviews, Construction Review Services, and additional services requested by Oconee County, per the attached proposal.

Administration is requesting Council Approval for Thomas and Hutton to provide ARPA funding management compliance.

County Council Approved Ordinances to appropriate ARPA funding to the following Sub-recipients

- City of Seneca \$3,000,000.00
- City of Walhalla \$2,474,080.00
- City of Westminster \$1,300,000.00
- Town of Salem \$2,000,000.00

There is no specific dollar amount associated with this request. Thomas and Hutton will bill the County

- \$14,300.00 for General Consulting Services which includes; Review of funding requirements and guidelines, assist in preparation of a County Sub-Recipient Agreement for Non-Entitlement Units (NEU’s) receiving funding.
- 1.5% of the Allocated Fund / Project for Project-Specific Pre-Construction Review Services which includes, Review and specific project submittal information as provided by various NEU’s receiving funding, or County, review preliminary construction cost estimates as prepared by NEU to determine if pricing shown is consistent with the current construction industry pricing, review proposed schedule, review final construction documents, review permits-to Construct applications, Review NEU monthly reimbursement request to the County.
- 2.5% of the Allocated Fund / Project for Project-Specific Construction Review Services which includes; Review and specific project submittal information as provided by various municipalities or County entities, Review Bid Documents as prepared by NEU or its consultants, Review Advertisement for Public Bids, Review completed Bid Tabulations as prepared by NEC or its consultant, review final contract documents between NEU and Contractor, Perform intermittent construction observations, review construction status reports, review monthly reimbursement requests to the County, review final testing reports, review as-built drawings or the improvements, review final submittal package to SCDHEC requesting Permits-to-Operate, confirm receipt of SCDHEC Permit –to Operate as provided by NEU or its consultant, and review NEU and County Reports as required per the official Federal Reporting Schedule. **Staff is requesting Council Authorize the County Administrator to execute work orders for projects under ARPA.**

It is the staff’s recommendation that Council approve

- 1. The award to Thomas & Hutton, of Greenville, SC for engineering services for the above mentioned project.*
- 2. Authorize the County Administrator to execute work authorizations from Thomas and Hutton for projects under the ARPA.*

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Mr. Davis made a motion, seconded by Mr. Cain, to [1] approve the award to Thomas & Hutton, of Greenville, SC for engineering services for the above mentioned project and [2] authorize the County Administrator to execute work authorizations from Thomas and Hutton for projects under the ARPA.

Mr. Hart asked for clarification related to the above request.

Ms. Brock provided clarification to Mr. Hart, explaining that ARPA funds were distributed to municipalities to provide infrastructure expansion for products and services that Oconee County does not perform in and of ourselves and that in order to stay in compliance for the distribution of these funds, an engineering consulting firm is needed to oversee these projects.

Mr. Elliot noted that 4 of Oconee County's municipalities received these ARPA funds.

Motion Approved 5 - 0.

Title: Engineering Services for Solid Waste

Department: Solid Waste

Amount: TBD

There is no dollar amount associated with this approval at this time. Any future Solid Waste engineering project that exceeds \$50,000 will be brought to Council for approval.

The Solid Waste Department requires the services of an engineering firm that specializes in Solid Waste related issues such as: planning, permitting, facility design, environmental monitoring and reporting and construction design and quality assurance. By awarding this RFP, the County would have one firm to contact for these services. This firm would be responsible for future projects including any reporting required by SCDHEC.

Request for Proposals, RFP 21-14, Engineering Services for Solid Waste was issued on January 26, 2022 and sent to 20 firms.

Five proposals were received on March 1, 2022. An Evaluation Committee consisting of County Staff reviewed / scored all responses and unanimously recommended Smith Gardner, Inc. of Columbia, SC for award.

The current contract for Engineering Services for Solid Waste expires June 30, 2022. The contract for RFP 21-14 will begin July 1, 2022 and end June 30, 2023. The County has the option to renew for up to four (4) one-year terms, providing the services are satisfactory.

It is the staff's recommendation that Council:

- 1. Approve the award of RFP 21-14, Engineering Services for Solid Waste, to Smith Gardner Inc., of Columbia, SC.***
- 2. Authorize the County Administrator to execute the contract documents and to renew this contract for up to four (4) one-year renewals as long as the amount does not exceed the amount budgeted for Solid Waste Engineering and the services provided are satisfactory.***

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Mr. Davis made a motion, seconded by Mr. Cain, approved 5 – 0, to [1] approve the award of RFP 21-14, Engineering Services for Solid Waste, to Smith Gardner Inc., of Columbia, SC and [2] authorize the County Administrator to execute the contract documents and to renew this contract for up to four (4) one-year renewals as long as the amount does not exceed the amount budgeted for Solid Waste Engineering and the services provided are satisfactory.

Request for Council’s approval to commit matching funds, not to exceed \$750,000, toward the Community Project Funding Request for the Emergency Operations Center (EOC) Grant Program for the expansion of the existing Oconee Emergency Operations Center.

Amount: Not to exceed \$750,000 over a three (3) year period

- The application is for the expansion of the footprint of the existing Oconee Emergency Operations Center.
- The EOC Grant Program has a 75 percent (75%) Federal and 25 percent (25%) grantee cash or in-kind cost match requirement.
- Estimated cost is \$3,000,000, the County match would be approximately \$750,000 over a three-year period.
- If approved, the grant would be managed by South Carolina Emergency Management Division (SC EMD) and State Law Enforcement Division (SLED).
- Application deadline is April 28, 2022.

Oconee County Emergency Services and County Personnel successfully operate within the Oconee EOC while working to mitigate disasters. However, the EOC is utilizing a 927± ft² room with four sets of tables to accommodate 50-60 people at any given time. The space also houses a large computer case with necessary audio/visual equipment and an operator. The cramped space of the EOC has led to excessive noise and congestion during training exercises and actual events. Furthermore, the only possible layout within the existing facility could pose a risk in the event that an evacuation of the space is required in an emergency.

Oconee County requests the commitment of the balance of funding needed for the EOC expansion project from the Capital Projects Fund. The allocation of funds is contingent on the award from EOC Grant Program.

It is the staff’s recommendation that Council approve the commitment of matching funds, not to exceed \$750,000 over a three-year period, toward the Community Project Funding Request for the Emergency Operations Center Grant Program for the expansion of the Oconee Emergency Operations Center.

Mr. Davis made a motion, seconded by Mr. Cain, to approve the commitment of matching funds, not to exceed \$750,000 over a three-year period, toward the Community Project Funding Request for the Emergency Operations Center Grant Program for the expansion of the Oconee Emergency Operations Center.

Mr. Durham noted just for clarification that this request is to just apply for the grant and if awarded, any funding requests would be brought back to Council.

Ms. Brock provided clarification information for Mr. Durham and confirmed that any request for matching funds would be brought back before Council for consideration in the event Oconee County is awarded the grant.

Motion approved 5 – 0.

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Title: Title Search Services

Department: Delinquent Tax

Amount: Estimated \$135,250.00

Procurement was approved by Council in Fiscal Year 2022-2023 budget process.

FY 2022 Budget Year

Budget: \$29,000.00 Project Cost: \$29,000.00 Balance: \$0.00

FY2023Budget Year

Budget: \$150,000.00 Project Cost: \$106,250.00 Balance: \$43,750.00

The Request for Proposal (RFP) # 21-13 was issued on February 4, 2022, to select a contractor to conduct approximately 2,000 title searches (\$65.00 each) plus 300 title updates (\$17.50 each) of various parcels of real property for the Delinquent Tax Office in preparation for the annual Tax Sale. The RFP allows for a one-year contract with the option of four, one-year renewals if pricing and terms are mutually acceptable. On March 8, 2022, formal sealed proposals were opened for Title Search Services. Nine (9) firms were originally notified of this opportunity and one firm submitted a proposal.

An evaluation committee consisting of County Staff reviewed all responses and unanimously recommended Evans M. Bunch III and Associates, Inc. of Columbia, SC, as a qualified firm to perform these services.

Delinquent Tax is estimating 2,000 Title Searches (\$130,000.00) and 300 Title Search Updates (\$5,250.00) for the October / November Tax Sale. The actual amount will depend on the number of delinquent parcels that require Title Searches and/or Title Search Updates.

South Carolina Law Title 12, Section 12-51-120 requires that the Delinquent Tax Office give notification to the defaulting taxpayer and any grantee, mortgagee, or lessee of the property of record in the appropriate public records of the county. Notification must be by certified mail (return receipt requested) neither more than forty-five days nor less than twenty days before the end of the redemption period for real estate sold for taxes. If the county fails to meet the requirement of Title 12, Section 12-51-120 the delinquent tax sale could be challenged which would result in a loss of approximately \$ 500,000.00 in delinquent and current taxes. The cost for the title search contract will be paid from fees collected from delinquent taxpayers and the tax sale proceeds.

The current Title Search Contract expires May 16, 2022. The contract for this RFP would begin May 17, 2022 and end May 16, 2023. The County has the option to renew for up to four (4) one-year terms, providing the services are satisfactory.

It is the staff's recommendation that Council:

- 1. Approve the award of RFP #21-13, Title Search Services for Delinquent Tax Office to Evans M. Bunch III and Associates, Inc. of Columbia, SC, in the estimated amount of \$135,250.00, not to exceed the amount budgeted each year for this service.***
- 2. Authorize the County Administrator to execute the contract documents and to renew this contract for up to four (4) one-year terms as long as the amount does not exceed the amount budgeted for title searches and the services provided are satisfactory.***

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Mr. Cain made a motion, seconded by Mr. Davis, to [1] approve the award of RFP #21-13, Title Search Services for Delinquent Tax Office to Evans M. Bunch III and Associates, Inc. of Columbia, SC, in the estimated amount of \$135,250.00, not to exceed the amount budgeted each year for this service and [2] Authorize the County Administrator to execute the contract documents and to renew this contract for up to four (4) one-year terms as long as the amount does not exceed the amount budgeted for title searches and the services provided are satisfactory.

Mr. Hart asked for clarification related to the delinquent tax title searches noted above.

Ms. Brock stated that the title search services are conducted on all properties that are delinquent in tax fees and in order for said properties to be sold by the County, a title search is required to ensure the correct owner of the property.

Ms. Corrine Poore, Oconee County Delinquent Tax Collector, offered further clarification to Mr. Hart that the title search fee is included with the amount of delinquent tax charged to either the purchaser of the property or current owner, if or when they pay what is owed in back taxes.

Motion approved 5 – 0.

Council Committee Reports

None scheduled for this meeting.

Board & Commission Appointments

Building Codes Appeal Board

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

Arts and Historical Commission

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

Conservation Bank Board

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

Executive Session:

None scheduled for this meeting.

Adjourn:

Mr. Hart made a motion, approved unanimously, to adjourn at 7:27 p.m.

Respectfully Submitted:

Jennifer C. Adams
Clerk to Council

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