

MINUTES OCONEE COUNTY COUNCIL Regular Meeting July 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 District II

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

<u>Press:</u> 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 [<u>www.oconeesc.com/council</u>]. 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 / 101.7 FM WGOG

Call to Order

Mr. Elliott called the meeting to order at 6:26 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. Hart led the Pledge of Allegiance to the Flag of the United States of America.

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Approval of Minutes

Mr. Davis made a motion, seconded by Mr. Hart, approved 4 - 0, to approve the June 21, 2022 regular minutes as presented.

Attorney's Comments

Mr. Root requested two items for amendment in regards to the agenda and offered a reminder that the public hearing for **Ordinance 2022-13** was held back in May of this year.

Item one was removal of Executive Session item three, "Receive legal advice and discuss litigation matter related to the Sheriff's Office", as it is no longer necessary.

Mr. Davis made a motion, seconded by Mr. Elliott, approved 4 - 0, to remove Executive Session item three from the agenda.

Item two was a request for a motion to remove **Ordinance 2021-19** from the agenda on direction from Council Chair, Mr. Elliott.

Mr. Elliott made a motion, seconded by Mr. Davis, to remove Ordinance 2021-19 from the agenda.

Mr. Elliott informed the public that the Development Standards Ordinance, **Ordinance 2021-19**, is being deleted by Council.

Motion approved 4 - 0.

Administrator's Comments

None at the meeting.

Public Comment Session

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

Of the ten speakers that signed up for Public Comment, three declined due to the deletion of **Ordinance 2021-19**.

Mr. Ken Charles addressed Council with his opinion that **Ordinance 2021-19**, relating to development standards, is an overreach in the County.

Mr. Frankie Pearson expressed his opinion to Council that the Sheriff's office is still lacking enough police officers to adequately serve the County.

Mr. Lewis Collins expressed his appreciation to Council for the deletion of **Ordinance 2021-19** but went on to question as to how this ordinance got to full Council for consideration.

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Mr. Redd Gardner expressed his appreciation to Council for the deletion of **Ordinance 2021-19** and expressed his opinion that the evection process of tenants in Oconee County should be a faster process.

Ms. Serena Richardson addressed Council with her concerns related to the 50ft right-of-way standards for private roads, a topic that was presented for discussion at the Transportation Committee meeting prior to the Council meeting.

Mr. Matthew Durham addressed Council with his concerns related to **Ordinance 2021-19** that was deleted at tonight's meeting and encouraged the citizens of Oconee County to stay involved and engaged with what is happening with local government.

Mr. Eric Nicoly extended his thanks to Council for the deletion of **Ordinance 2021-19**.

Council Members Comments

Mr. Hart informed Council and the public in attendance that a three-page letter [copy filed in backup] related to keeping South Carolina self-sufficient, written by Mr. Wayne McCall, is available for the taking at the back of the room.

Mr. Davis offered background information relating to how **Ordinance 2021-19** came into consideration and the original intent of the ordinance was to regulate lighting placement on new commercial developments but unfortunately the ordinance morphed to include screening and buffering, which he is against.

Mr. Hart responded to Mr. Davis stating that he did not have that good of a connection with God to have the full moon dimmed, so your going to have to tolerate that.

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 by may be coordinated.

ORDINANCE 2022-15 AN ORDINANCE TO APPROPRIATE AND AUTHORIZE THE EXPENDITURE OF \$1,500,000 OF LOCAL CORONAVIRUS FISCAL RECOVERY FUNDING UNDER THE AMERICAN RESCUE PLAN ACT OF 2021 ("ARPA") FOR PURPOSES OF IMPROVEMENTS TO THE SENECA CREEK BOAT RAMP FACILITIES; AND OTHER MATTERS RELATED THERETO.

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 2022-15.

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Third 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. Davis made a motion, seconded by Mr. Hart, approved 4 - 0, to approve **Ordinance 2022-13** on third and final reading.

ORDINANCE 2022-15 AN ORDINANCE TO APPROPRIATE AND AUTHORIZE THE EXPENDITURE OF \$1,500,000 OF LOCAL CORONAVIRUS FISCAL RECOVERY FUNDING UNDER THE AMERICAN RESCUE PLAN ACT OF 2021 ("ARPA") FOR PURPOSES OF IMPROVEMENTS TO THE SENECA CREEK BOAT RAMP FACILITIES; AND OTHER MATTERS RELATED THERETO.

Mr. Davis made a motion, seconded by Mr. Hart, approved 4 - 0, to approve **Ordinance 2022-15** on third and final reading.

Second Reading of the Following Ordinances

ORDINANCE 2022-14 AN ORDINANCE GRANTING CERTAIN EASEMENT AND/OR ENCROACHMENT RIGHTS TO CORE SVA SENECA EDINBURG, LLC, OR ITS AFFILIATE, AT OR NEAR PROPERTY COMMONLY REFERRED TO AS THE PIER.

Mr. Davis made a motion, seconded by Mr. Hart, approved 4 - 0, to approve **Ordinance 2022-14** on second reading.

ORDINANCE 2022-16 AN ORDINANCE AMENDING THE OCONEE COUNTY CONSERVATION BANK ORDINANCE, O.C. CODE SECTIONS 2-398 THROUGH 2-409.

Mr. Davis made a motion, seconded by Mr. Hart, approved 4 - 0, to approve **Ordinance 2022-16** on second reading.

ORDINANCE 2022-17 AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDMENT TO THE LEASE AGREEMENT BETWEEN OCONEE COUNTY, AS LESSOR, AND THE UNITED STATES OF AMERICA / DEPARTMENT OF AGRICULTURE, AS LESSEE, IN RELATION TO CERTAIN PREMISES LOCATED AT 301 WEST SOUTH BROAD STREET, WALHALLA, SOUTH CAROLINA.

Mr. Davis made a motion, seconded by Mr. Hart, approved 4 - 0, to approve **Ordinance 2022-17** on second reading.

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First Reading of the Following Ordinances

ORDINANCE 2021-19 AN ORDINANCE AMENDING CHAPTER 32 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING THE ESTABLISHMENT OF DEVELOPMENT STANDARDS IN RELATION TO LIGHTING, SCREENING, AND BUFFERING; AND OTHER MATTER RELATED THERETO.

From Planning Commission with report

Ordinance 2021-19 deleted and removed from the agenda on a motion made by Mr. Elliott, seconded by Mr. Davis, approved 4 - 0.

ORDINANCE 2022-18 AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CERTAIN IMPROVED REAL PROPERTY, CONSISTING OF APPROXIMATELY 2.83 ACRES, TO TRICOUNTY TECHNICAL COLLEGE, WHICH PROPERTY WAS INITIALLY DEVELOPED AS THE "QUICKJOBS DEVELOPMENT CENTER" UNDER A COMMUNITY DEVELOPMENT BLOCK GRANT; AND OTHER MATTERS RELATED THERETO.

Mr. Davis made a motion, seconded by Mr. Hart, to approve **Ordinance 2022-18** on first reading.

Mr. Hart asked Ms. Brock who paid for the above mentioned building.

Ms. Brock explained to Mr. Hart and Council that the County has designated, required millage for funding Tri-County Tech and the County provided a bond for the building that Tri-County Tech repaid back through the designated millage for such.

Motion approved 4 - 0.

ORDINANCE 2022-19 AN ORDINANCE TO AMEND AND SUPPLEMENT ORDINANCE 2022-01, 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 EMERGENCY SERVICES PROTECTION SPECIAL REVENUE FUND, FOR THE ROAD MAINTENANCE SPECIAL REVENUE FUND, FOR THE BRIDGE AND CULVERT CAPITAL PROJECT FUND, FOR THE ECONOMIC DEVELOPMENT CAPITAL PROJECT FUND, FOR THE PARKS, RECREATION, AND TOURISM CAPITAL PROJECTS FUND, FOR THE DEBT SERVICE FUND, FOR THE VICTIM SERVICES SPECIAL REVENUE FUNDS, FOR THE CAPITAL VEHICLE / EQUIPMENT FUND, ALL IN OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2022 AND ENDING JUNE 30, 2023, IN ORDER TO EFFECT A SUPPLEMENTAL APPROPRIATION; AND OTHER MATTERS RELATED THERETO.

Mr. Davis made a motion, seconded by Mr. Hart to approve Ordinance 2022-19 on first reading.

Mr. Hart commented that if he was a betting man, there would be another supplement between now and New Year's.

Motion approved 3 - 1 [Mr. Hart opposed].

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Reading for the Following Resolutions

RESOLUTION 2022-13 A RESOLUTION EXPRESSING OCONEE COUNTY COUNCIL'S SUPPORT FOR UPCOUNTRY FIBER'S INTENT TO APPLY FOR MULTIPLE GRANTS FROM THE AMERICAN RESCUE PLAN ACT (ARPA) THROUGH THE SOUTH CAROLINA OFFICE OF REGULATORY STAFF (ORS) AS PART OF THE GRANT APPLICATION PROCESS TO SERVE PRIORITY UNSERVED AREAS IN OCONEE COUNTY AND THE UPSTATE OF SOUTH CAROLINA TO ADDRESS THE DIGITAL DIVIDE.

Mr. Davis made a motion, seconded by Mr. Hart, approved 4 - 0, to approve **Resolution 2022-13** on first and final reading.

Discussion Regarding Action Items

Discussion regarding Pine Street Annex Facility Feasibility Study

Ms. Brock provided Council with background information related to the Pine Street Annex Facility Feasibility Study.

Mr. Mike Wilson and Mr. Ed Novack with Johnson Controls addressed Council with a power point entitled, "Oconee County Infrastructure Feasibility Study" [copy filed in backup], along with a handout entitled, "Draft: Oconee County Infrastructure Feasibility Report" [copy filed in backup] and provided an overview of the project that included conceptual drawings and early estimated costs for construction.

Ms. Brock noted to Council during the presentation the need for increased storage and security for the Voter Registration and Elections office located in the Pine Street Building.

Ms. Brock also commented that Pine Street is a voting precinct and to change that due to lack of adequate security and accommodations would require changing a voting precinct for every registered voter in Oconee County.

Discussion regarding Agriculture Preservation

Mr. Paul Cain, Chair - Planning & Economic Development Committee

Mr. Paul Cain, District III Council Representative and Planning and Economic Development Committee Chair, provided information to Council and the public regarding agriculture preservation in Oconee County, reading from a self-prepared document entitled, "Protecting Farmland in Oconee County" [copy filed in backup].

Topics within the document and discussion included the following:

- 1. Farmland and Ranchland Loss
- 2. Rising Average Age of Farmers
- 3. Food Inflation

Mr. Cain made a motion, seconded by Mr. Elliott, approved 4 - 0, to direct staff to begin developing a limited-time taskforce to specifically look into way of protecting farmland in Oconee County.

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Mr. Root, County Attorney, stated he would get the resolution drafted to bring before Council.

Discussion regarding City of Walhalla Infrastructure / ARPA funding update / discussion

Mr. Brandon Burton, City of Walhalla Administrator

Mr. Brandon Burton, City of Walhalla Administrator, provided an update to Council regarding the ARPA funds that the County provided the City of Walhalla for waterline upgrades in the Poplar Springs and North Hwy 11 areas.

Mr. Burton explained to Council that the cost of project had almost doubled in price since the original estimate in August of 2021 but that the City of Walhalla was not asking Council for additional funding, instead scaling back the scope of the project.

Mr. Hart asked Mr. Burton if the City of Walhalla had received any additional ARPA funding besides what Oconee County allocated.

Mr. Burton responded to Mr. Hart and Council, noting that the City of Walhalla did receive additional ARPA funds in the amount of \$1.1 million and are expecting another allocation of the same amount in the fall.

Mr. Davis commented that with this kind of Federal Funding the money has to be spent by a specific period of time.

Mr. Davis made a motion, seconded by Mr. Elliot, approved 4-0, in support of the City of Walhalla pushing forward to complete as much waterline infrastructure improvement's as possible with the allotted ARPA funding they received.

Discussion regarding Town of Salem Infrastructure / ARPA funding update / discussion

Mr. Ryan Hardin, Salem Utilities Director

Mr. Ryan Hardin, Town of Salem Utilities Director, provided an update and handout [coy filed in backup] to Council regarding the APPA funds that the County provided the Town of Salem for improvements to their water infrastructure.

Mr. Hardin noted that there are three phases to their waterline improvements called the "Salem Loop Project" and that Phase 1 was about 75-80% complete and they hope for a turnkey completion of Phase 1 by the end of the year.

Mr. Hardin went on to explain in detail the funding hurdles that the Town of Salem incurred with this project and informed Council that unfortunately due to the market changes, the Town of Salem is going to be short \$533,824.00, in addition to the \$2 million that was allocated from ARPA funding and Oconee County, to take this project to completion.

Mr. Elliott made a motion, seconded by Mr. Davis, to direct County Attorney to amend **Ordinance 2021-14** that relates to the ARPA allocation of \$2 million dollars to the Town of Salem for water infrastructure improvements, to increase the amount of funding up to \$2,550,000.00.

Mr. Hart asked Mr. Hardin if the Town of Salem had received any additional ARPA funding beside what Oconee County allocated.

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Mr. Hardin responded to Mr. Hart and Council that the Town of Salem did receive \$72,000.00 in additional ARPA funding that has been set aside as contingency for the water infrastructure project.

Short discussion followed between Mr. Hardin, Council, and Ms. Brock related to ARPA funding, additional funding resources, and the Town of Salem water infrastructure improvement project.

Motion approved 4 - 0.

2022 Edward Byrne Memorial JAG Grant Notification Department(s): Oconee County Sheriff's Office

Oconee County Sheriff's Department may receive an allocation of \$14,779.00 from the Bureau of Justice Assistance. The grant program requires the notification of intent be made available for the County Council and the public to review and comment on the proposed use of funds. The Sheriff's Department plans to use the funds from this program to purchase 2 ballistic shields.

Any overage will be taken from the Sheriff's Department capital equipment line item.

Mr. Root clarified that the above information was presented for notification purposes only and a motion was not needed by Council.

Title: Airport Runway Pavement Rehabilitation Grant Acceptance and County Match Request Department(s): Airport

Amount: Project Match: \$349,186.90

Contingency Match: \$ 34,868.69 **Total:** \$384,055.59

The total amount of the Airport Runway Pavement Rehabilitation project is \$6,983,738.00. The FAA offers and agrees to pay ninety (90) percent of the allowable costs incurred accomplishing this Project, up to \$6,285,364.20, pending offer / award letter. Oconee County's matching share for this Grant is five (5) percent of the costs of the Airport Runway Pavement Rehabilitation Project, or approximately \$349,186.90 plus possible contingency \$34,868.69 for a total of \$384,055.59, contingency on approval of supplemental appropriation Ordinance No. 2022-19. The South Carolina Aeronautics Commission (SCAC) will match the remaining five (5) percent.

Oconee County, the FAA, and the SCAC have worked in conjunction for many years for the continued improvement of the Oconee County Regional Airport including, but not limited to, for the following projects:

- On August 24, 2021, The County accepted Grant Offer AIP 3-45-0016-030-2021, Rehabilitate Runway 7/25 Design, and
- On October 19, 2021, Council approved the award of WK Dickson WA# 7 which included BE Project Update, Project Development, Engineering Design, permitting, Bid Phase Services, Professional Services for Field Surveys, and Geotechnical Investigations associated with the rehabilitation of existing asphalt runway 7/25, and
- On February 1, 2022, Council approved the award of RFP 21-08 for Professional Engineer and Consulting Services for the Oconee County Airport to W.K. Dickson & Company, Inc., of Columbia SC for a five-year term for services, as needed.
- Kimley-Horn Associates, Inc. completed and submitted the results of an Independent Fee Analysis of the professional engineering services associated with the Runway Pavement Rehabilitation Project to the FAA.

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The Oconee County Airport wishes to accept the Federal Aviation Administration (FAA) Runway Pavement Rehabilitation Construction Grant, which is in process, pending on written FAA Award Notification as part of the Airport Improvement Program.

The Construction Portion of this project is \$6,577,200.00 (FAA 90%: \$5,919,480.00, SCAC 5%: \$328,860.00, County 5%: \$328,860.00).

Staff is requesting the approval of a 10% project contingency, \$657,720.00. (FAA 90%; \$591,948.00, SCAC 5%: \$32,886.00, County 5%; \$32,886.00) This would be to cover any additional or unforeseen items that may arise during the project. If a change order is requested, it would be accepted by the FAA prior to being approved by the County.

The Engineering Portion of this project is \$ 396,538.00 (FAA 90%; \$356,884.20, SCAC 5%: \$19,826.90, County 5%: \$19,826.90). Staff is requesting the approval of a 10% project contingency, \$39,653.80 (FAA 90%; \$35,688.42, SCAC 5%: \$1,982.69, County 5%: \$1,982.69). This would be to cover any engineering and construction monitoring for additional or unforeseen items that may arise during the project. If a change order is requested, it would be accepted by the FAA prior to being approved by the County.

The Administration portion of this project is \$10,000.00 (FAA 90%: \$9,000.00, SCAC 5%: \$500.00, County 5%: \$500.00). Staff is not requesting a contingency for this portion.

Timely acceptance of this Grant is crucial to ensuring the Airport Runway Rehabilitation Project begins as soon as practical to prevent additional pavement deterioration.

Oconee County Airport Director, Jeff Garrison, received a verbal notification from the FAA that the Runway Pavement Rehabilitation Project Grant is in process; this approval is pending Oconee County receiving the written FAA Award notification.

It is the staff's recommendation that Council:

- 1. Authorize County Administrator to accept and execute the Federal Aviation Administration (FAA) Grant Offer for the Airport Runway Pavement Rehabilitation (AIP) Project.
- 2. Commit up to \$384,055.59 in matching funds, contingent on approval of supplemental appropriation Ordinance No. 2022-19.

Mr. Davis made a motion, seconded by Mr. Hart, to authorize County Administrator to accept and execute the Federal Aviation Administration (FAA) Grant Offer for the Airport Runway Pavement Rehabilitation (AIP) Project and commit up to \$384,055.59 in matching funds, contingent on approval of supplemental appropriation **Ordinance 2022-19**.

Mr. Hart inquired about why the request for matching funds was not included in the original FY 2022-2023 budget.

Ms. Brock further explained, in detail, to Mr. Hart and Council the reasoning behind the request for matching funds for the Airport Runway Pavement Rehabilitation Project, noting that the airport is currently in the process of two grant projects with the FAA, and it is normally not standard practice to award another grant when you are in the process of an active grant.

Ms. Brock further noted that the condition of the runway has deteriorated greatly in the last several months, moving the runway rehab up on the FAA priority list.

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Lengthy discussion followed between Ms. Brock and Council related to the request for matching funds for the Airport Runway Pavement Rehabilitation Project.

Motion approved 3 - 1 [Mr. Hart opposed].

Title: Airport Runway Pavement Rehabilitation

Department: Airport Amount: FAA 90% \$5,919,480.00

State 5% \$328,860.00 County 5%: \$328,860.00

Project Award: \$6,577,200.00 Contingency (10%) \$657,720.00 Total Award: \$7,234,920.00

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

Budget: \$ 7,234,920.00 Project Cost: \$7,234,920.00 Balance: \$0.00

Airport Runway Pavement Rehabilitation Grant Funding, contingent on approval of supplemental appropriation Ordinance No. 2022-19.

This construction contract consists of furnishing all labor, materials and equipment needed for the Rehabilitation of the Runway Pavement at the Oconee County Regional Airport. The existing runway pavement is beyond its usable life. Localized pavement failure throughout the runway has recently required brief airport closures for emergency pavement repairs. This construction project will consist of: removing existing surface course pavement and constructing new asphalt surface course for the entire runway and connector taxiways inside the runway safety area (RSA) in accordance with FAA design and construction requirements.

On April 26, 2022, formal sealed bids were opened. Twenty-nine (29) companies were notified of this bid opportunity and there were (5) five General Contractor companies on the plan holders list. One bid was received from Rogers Group, Inc., of Greer, SC, in the amount of \$6,577,200.00.

The FAA approved \$6,577,200.00 for this project. A 10% contingency has been added to this amount for a total award amount of \$7,234,920.00.

W. K. Dickson assisted the County with submitting the grant application requesting funding for this construction. The grant application was submitted on May 3, 2022. A verbal award notice from the FAA was received on June 17, 2022. This approval request is pending the written Grant Award Letter from the FAA.

The FAA will pay 90% (\$5,919,480.00) of the actual construction costs; SCAC will pay 5% (\$328,860.00); and the County will pay 5% (\$328,860.00). If a change order is requested and approved by the FAA, the FAA will pay 90%, the SCAC will pay 5%, and the County will match 5% of said Change Order.

The County is required to provide 5% match for this grant. This request includes a request for Council approval to commit matching funds in the amount of \$328,860.00 for this project. (Approval to accept grants funding is included, prior to this action item, on the Agenda for this meeting.)

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It is the staff's recommendation that Council:

- 1. Approve the award of ITB 21-17 to Rogers Group, Inc., of Greer, SC in the amount of \$6,577,200.00, with a 10% contingency of \$657,720.00, for a total award of \$7,234,920.00, pending written grant award and contingent on approval of supplemental appropriation Ordinance No. 2022-19.
- 2. Authorize the County Administrator to execute documents for this project and sign any change orders within the contingency amount.

Mr. Davis made a motion, seconded by Mr. Cain, to approve the award of ITB 21-17 to Rogers Group, Inc., of Greer, SC in the amount of \$6,577,200.00, with a 10% contingency of \$657,720.00, for a total award of \$7,234,920.00, pending written grant award and contingent on approval of supplemental appropriation **Ordinance 2022-19** and authorize the County Administrator to execute documents for this project and sign any change orders within the contingency amount.

Mr. Davis clarified for the record the total funding that the FAA, State, and County are contributing to this project and noted that he is in full support of this request.

Short discussion between Mr. Hart and Mr. Davis followed with Mr. Hart referencing Mr. Davis' vote related to abortion and expressing that he will be voting against this request.

Motion approved 3 - 1 [Mr. Hart opposed].

Title: W.K. Dickson Work Authorization #1 (Airport Runway Pavement Rehabilitation Department(s): Airport Construction Admin and Observation)

Amount: FAA 90% \$ 356,884.20 State 5% \$ 19,826.90 County 5% \$ 19,826.90 Project Award: \$ 396,538.00 Contingency 10%: \$ 39,653.80 Total Award: \$ 436,191.80

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

Budget: \$436,191.80 Project Cost: \$436,191.80 Balance: \$0.00

Airport Runway Pavement Rehabilitation Grant Funding, Contingent on approval of supplemental appropriation Ordinance No. 2022-19.

Oconee County, the Federal Aviation Administration (FAA), and the SC Aeronautics Commission (SCAC) have worked in conjunction for many years for the continued improvement of the Oconee County Regional Airport, including, but not limited to, the following projects:

- On August 24, 2021, The County accepted Grant Offer AIP 3-45-0016-030-2021, Rehabilitate Runway 7/25 Design, and
- On October 19, 2021, Council approved the award of WK Dickson WA# 7 (under RFP 16-07 Airport Engineering Services) which included BE Project Update, Project Development, Engineering Design,

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- permitting, Bid Phase Services, Professional Services for Field Surveys, and Geotechnical Investigations associated with the rehabilitation of existing asphalt runway 7/25, and
- On February 1, 2022, Council approved the award of RFP 21-08 for Professional Engineer and Consulting Services for the Oconee County Airport to W.K. Dickson & Company, Inc., of Columbia SC for a five-year term for services, as needed.

W.K Dickson Work Authorization WA# 1(Under RFP 21-08 Airport Engineering Services), in the amount of \$396,538.00, includes professional services for construction administration (CA) and construction observation (CO) for the Airport Runway Rehabilitation project.

Staff is requesting a 10% contingency in the amount of \$39,653.80 (FAA 90%; \$35,688.42, SCAC 5%: \$1,982.69, County 5%; \$1,982.69). This would be to cover any engineering and construction monitoring for additional or unforeseen items that may come up during the project. If a change order is requested, it would be accepted by the FAA prior to being approved by the County. (Approval to accept grant funding is included, prior to the action item, on the Agenda for this meeting.)

The funding for these services were included as part of the FAA Airport Improvement Program Project; Runway Pavement Rehabilitation. This award is pending receipt of FAA offer / award letter.

It is the staff's recommendation that Council:

- 1. Approve Work Authorization #1 from W.K Dickson & Co., Inc. for professional services for construction administration (CA) and construction observation (CO) for the Airport Runway Rehabilitation project in the amount of \$396,538.00, plus a 10% contingency in the amount of \$39,653.80 for a total award of \$436,191.80, pending Grant Award Letter and contingent on approval of supplemental appropriation Ordinance # 2022-19.
- 2. Authorize the County Administrator to execute documents for this project and sign any change orders within the contingency amount.

Mr. Davis made a motion, seconded by Mr. Cain, to approve Work Authorization #1 from W.K Dickson & Co., Inc. for professional services for construction administration (CA) and construction observation (CO) for the Airport Runway Rehabilitation project in the amount of \$396,538.00, plus a 10% contingency in the amount of \$39,653.80 for a total award of \$436,191.80, pending Grant Award Letter and contingent on approval of supplemental appropriation **Ordinance 2022-19** and authorize the County Administrator to execute documents for this project and sign any change orders within the contingency amount.

Mr. Davis again stated for the record the total funding that the FAA, State, and County are contributing to this project and noted that without this grant the airport would shut down or the citizens of Oconee County would have to pay the full cost of the project.

Mr. Cain noted that all votes cast by Council are real votes and it is the right thing to do to vote for these requested expenditures.

Mr. Hart responded to Mr. Cain with reference to Mr. Cain's vote on abortion.

Motion approved 3 - 1 [Mr. Hart opposed].

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Title: Engineering Services for Groundwater Monitoring & Reporting

Department(s): Solid Waste Amount: \$78,000.00 (Estimated)

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

Budget: \$451,000.00 Project Cost: \$78,000.00 Balance: \$373,000.00

At the April 19, 2022 Council meeting, Council approved the award of RFP 21-14 to Smith Gardner, Inc., for Engineering Services for Solid Waste with the option to extend the contract for four (4) consecutive one (1) year terms. The Solid Waste department wishes to contract with Smith Gardner to provide engineering services for groundwater and stream water sampling and monitoring at the Seneca and Five Forks landfills; and the required analysis and submission of annual reports to SCDHEC.

Staff is requesting Council authorize the Administrator to approve the award of the Groundwater Sampling and Reporting to Smith Gardner, Inc. and for the remaining 4 years of the contract, provided the contract is renewed, funds are budgeted, and the work is satisfactory. The dollar amount is estimated due to possibility of additional wells that may require testing and reporting.

It is the staff's recommendation that Council:

- 1. Approve the award of an estimated \$78,000.00 to Smith Gardner, Inc., of Raleigh, NC for engineering services for groundwater monitoring and reporting.
- 2. Authorize the County Administrator to renew the Engineering Services for Groundwater Sampling and Reporting for the remaining 4 years under the RFP 21-14 Contract, as along as all work is deemed satisfactory.

Mr. Davis made a motion, seconded by Mr. Hart, to approve the award of an estimated \$78,000.00 to Smith Gardner, Inc., of Raleigh, NC for engineering services for groundwater monitoring and reporting and to authorize the County Administrator to renew the Engineering Services for Groundwater Sampling and Reporting for the remaining 4 years under the RFP 21-14 Contract, as along as all work is deemed satisfactory.

Mr. Davis inquired if the above mentioned request would be a budget expenditure item.

Ms. Brock responded that this item was included in all three readings from the beginning of the budget year.

Motion approved 4 - 0.

Title: Removal & Recycling of Scrap Tires

Department: Solid Waste Amount: \$123,000.00 (Estimated)

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

Budget: \$172,416.00 Project Cost: \$123,000.00 Balance: \$49,416.00

Solid Waste has \$90,000.00 in their FY 22-23 Budget and with the subsidy and SC Treasurer revenues, the total estimated budget for these services is \$172,416.00.

Oconee County Solid Waste accepts tires from County residents and businesses to be recycled. County residents can leave up to four passenger size tires at the convenience centers. All tires from businesses and larger size tires are accepted at the Solid Waste Complex. Tires are loaded into trailers provided by the tire

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recycler and the tire recycler comes and picks up the trailers of tires and transports them to their recycling plant.

For the past five years, Liberty Tires/Ridge Recyclers has provided this service. When this service was bid in 2017, there were nine (9) vendors on the DHEC's "Approved Waste Tire Recycling and Processing Facilities" and the bid was emailed to all vendors (9) on the DHEC list. Only one bid was submitted and it was from Liberty Tires / Ridge Recyclers. There are no other approved tire recyclers located in the upper part of SC or nearby in GA or NC. Other recyclers are too far away to make the transport of tires feasible. Per their website, Liberty Tire "converts scrap tires into raw materials that can be reused for beneficial products such as molded rubber goods, rubber flooring, rubberized asphalt and shock-absorbing athletic surfaces, as well as playground and landscape mulch".

The award amount is calculated based on an estimate of 420 tons of tires annually. See attached worksheet to show how the award amount was calculated for a one-year period.

The Director of Solid Waste has discussed this issue with DHEC and they are aware that there is only one vendor available that will service the upper part of the state. DHEC helps subsidize the cost of tire recycling. For 2023, the subsidy will be \$40,416. In addition, Oconee County receives revenue from the SC State Treasurer for each new tire sold in Oconee County. The funds received typically average about \$41,000 per year.

It is the staff's recommendation that Council:

- 1. Approve the award of Removal and Recycling of Scrap Tires to Liberty Tires/Ridge Recyclers of Johnston, SC in the estimated amount of \$123,000.00 annually.
- 2. Authorize the County Administrator to approve the renewal of this contract for up to four additional one-year periods, provided the amount does not exceed the amount budgeted annually for these services.

Mr. Davis made a motion, seconded by Mr. Cain, to approve the award of Removal and Recycling of Scrap Tires to Liberty Tires/ Ridge Recyclers of Johnston, SC in the estimated amount of \$123,000.00 annually and to authorize the County Administrator to approve the renewal of this contract for up to four additional one-year periods, provided the amount does not exceed the amount budgeted annually for these services.

Mr. Davis noted that the above requested item was included in the FY 2022-2023 budget.

Motion approved 4 - 0.

Title: Road Striping 2022-2023

Department: Roads and Bridges Amount: \$641,334.96

Procurement was approved by Council in Fiscal Year 22-2023 budget process.

Budget: \$641,334.96 Project Cost: \$641,334.96 Balance: \$0.00

Funding from Road Maintenance Fund

Road Striping 2022-2023 will consist of striping approximately 145 center line miles of roadways with a 4" double yellow centerline using thermoplastic pavement marking 90 mils thick. The project is tentatively scheduled to start in August 2022. This purchase is made by utilizing State Contract Number 4400022036; On-Call Pavement Marking-Oconee. All work methods, materials and equipment will meet the latest edition of the SCDOT Standard Specifications for Highway Construction.

Peek Pavement Marking, LLC of Columbus, GA holds the SC State Contract for On-Call Pavement Markings-Oconee, contract number 4400022036.

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It is the staff's recommendation that Council award Road Striping 2022-2023, to Peek Pavement Marking, LLC., of Columbus, GA, in the amount of \$641,334.96, per SC State Contract Number 4400022036.

Mr. Hart made a motion, seconded by Mr. Davis, to award Road Striping 2022-2023, to Peek Pavement Marking, LLC., of Columbus, GA, in the amount of \$641,334.96, per SC State Contract Number 4400022036.

Mr. Davis noted that the above requested item was included in the FY 2022-2023 budget process that was not a unanimous vote.

Motion approved 4 - 0.

Council Committee Reports

None scheduled for this meeting

Board & Commission Appointments

Arts and Historical Commission

1 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:

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

- [1] Discuss personnel and employment matter regarding the County Attorney.
- [2] Discussion regarding a personnel matter related to the Sheriff's Office.
- [3] Receive legal advice and discuss litigation matter related to the Sheriff's Office.

This item was removed from Executive Session on a motion made by Mr. Davis, seconded by Mr. Elliott, approved 4-0.

[4] Discuss an Economic Development matter, Project Harmony.

Council entered into Executive Session at 8:16 p.m.

Council returned from Executive Session at 9:02 p.m. on a motion made by Mr. Davis, seconded by Mr. Hart, approved 4 - 0.

Mr. Elliott made a motion, seconded by Mr. Davis, approved 4 - 0, to extend the County Attorney's contract by two years.

Mr. Elliott made a motion, seconded by Mr. Davis, approved 4 - 0, to increase the County Attorney's salary from \$160,000.00 to \$170,000.00.

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Adjourn: Mr. Hart made a motion, approved unanimously, to adjourn at 9:03 p.m.	
	Respectfully Submitted:
	Jennifer C. Adams
	Clerk to Council

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