



MINUTES

OCONEE COUNTY COUNCIL

Regular Meeting

May 2, 2023

MEMBERS, OCONEE COUNTY COUNCIL

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

Oconee County Council met at 6:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members [Mr. Hart via phone and Mr. Davis absent], 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 / 101.7 WGOG

Call to Order

Mr. Durham called the meeting to order at 6:02 p.m.

Moment of Silence

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

Approval of Minutes

Mr. Mize made a motion, seconded by Mr. Elliott, approved 4 – 0, to approve the April 18, 2023 regular meeting minutes as presented.

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Appointment of Council Committees for 2023 by Chairman

Mr. Durham made a nomination for the following County Council Committee appointments:

- **Budget, Finance & Administration**
Mr. Elliott as Chair, with all of Council as committee members.
- **Law Enforcement, Public Safety, Health & Welfare**
Mr. Mize as Chair, with Mr. Hart and Mr. Durham as committee members.
- **Planning & Economic Development**
Mr. Mize as Chair, with Mr. Hart and Mr. Durham as committee members.
- **Transportation**
Mr. Hart as Chair, with Mr. Mize and Mr. Elliott as committee members.
- **Real Estate, Facilities & Land Management**
Mr. Davis as Chair, with Mr. Hart and Mr. Mize as committee members.

Mr. Durham made a motion, seconded by Mr. Mize, approved 4 – 0, to install this slate of candidates and remove previous members as provided by Mr. Elliott when acting in holdover capacity as Chair.

Appointment of Council Representatives by Chairman

Mr. Durham made a nomination for the following Council Representatives:

- **SC Appalachian Council of Government Board of Directors**
Mr. Hart as Council Representative.
Mr. Mickey Haney as Citizen Representative.
Mr. Roel Cruz as Minority Representative.

Mr. Mize made a motion, seconded by Mr. Elliott, approved 4 – 0, to install this slate of representatives and remove previous members as provided by Mr. Elliott when acting in holdover capacity as Chair.

- **Oconee Business Education Partnership**
Mr. Mize as Council Representative.

Mr. Hart made a motion, seconded by Mr. Elliott, approved 4 - 0, to appoint Mr. Mize as Council Representative with the Oconee Business Education Partnership and remove the previously appointed representative, Mr. Davis.

Attorney's Comments

Mr. Root noted the following motions were needed:

1. Motion to move **Proclamation 2023-02** down on the agenda to follow Council Member Comments.

Mr. Durham made a motion, seconded by Mr. Elliott, approved 4 – 0, to move **Proclamation 2023-02** down on the agenda to follow Council Member Comments.

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2. Motion to postpone first reading of **Ordinance 2023-12** and first and final reading of **Resolution 2023-08**, as final documents are pending.

Mr. Elliott made a motion, seconded by Mr. Mize, approved 4 – 0, to postpone the first reading of **Ordinance 2023-12** and first and final reading of **Resolution 2023-08** until final documents have been received.

3. Motion to remove discussion of Project Red from Executive Session.

Mr. Elliott made a motion, seconded by Mr. Mize, approved 4 – 0, to remove discussion of Project Red from Executive Session.

Mr. Root then noted that he will need a motion for **Ordinance 2023-08** to waive the property appraisal on second reading.

Administrator’s Comments

None at this 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 jennifercadams@oconeesc.com or 864-718-1023, so that she may receive your comment and read it into the record.

1. Mr. Dwight Baker addressed Council in opposition to **Ordinance 2023-09** and expressed his frustrations with the County Planning and Zoning Department.
2. Ms. Janet Barwick accompanied by Mr. Bob Hoover addressed Council with a request for increased funding support for the spay/neuter program with the Oconee Humane Society.

Council Members Comments

Mr. Elliott addressed Mr. Baker’s concerns related to **Ordinance 2023-09** and the Planning and Zoning Department.

Mr. Durham asked Mr. Baker to leave his contact information, noting his concerns would be looked in to.

Mr. Durham, along with input from Ms. Brock and Mr. Root, addressed Ms. Barwick’s request for an increase in funding for the spay/neuter program, noting the passing of an animal control ordinance in the latter part of 2022.

Mr. Hart addressed Mr. Baker’s concerns related to the Planning and Zoning Department.

Mr. Hart offered his opinion that Council should be added to the “Notice of Closure” text that the Oconee County Rock Quarry sends out when they are shut down.

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Mr. Hart also asked for clarification related to a rumor that the Rock Quarry was recently fined by the Federal Government.

Ms. Brock offered details related to Mr. Hart's inquiries, noting that, with Council permission, their cell phone numbers could be added to the text list and that she was not aware of any sort of fine from MSHA (Mine Safety and Health Administration).

Mr. Elliott offered comments in support of **Ordinance 2022-09**.

Mr. Hart questioned if any other county in South Carolina is passing an ordinance similar to **Ordinance 2023-09**.

Mr. Root explained the reasoning behind **Ordinance 2023-09**, noting the DOT and State are going to require encroachment permits for any access to a SC State Road.

Proclamations

PROCLAMATION 2023-02 A PROCLAMATION FOR PEACE OFFICERS' MEMORIAL DAY

Mr. Mize made a motion, seconded by Mr. Elliott, approved 4 – 0, to approve **Proclamation 2023-02** on first and final reading.

Third Reading of the Following Ordinances

None at this meeting.

Second Reading of the Following Ordinances

ORDINANCE 2023-05 AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDMENT TO THE FEE-IN-LIEU OF TAX AGREEMENT BY AND BETWEEN OCONEE COUNTY, SOUTH CAROLINA, AND A COMPANY KNOWN TO THE COUNTY AND REFERRED TO FOR THE TIME BEING AS "PROJECT EVPACK AFFILIATE," DATED AS OF SEPTEMBER 19, 2017; AND OTHER RELATED MATTERS.

Mr. Elliott made a motion, seconded by Mr. Mize, approved 4 – 0, to approve **Ordinance 2023-05** on second reading.

ORDINANCE 2023-07 AN ORDINANCE AUTHORIZING, PURSUANT TO TITLE 12, CHAPTER 44 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF AD VALOREM TAXES AND SPECIAL SOURCE REVENUE CREDIT AGREEMENT BY AND BETWEEN OCONEE COUNTY, SOUTH CAROLINA, AND PROJECT MADE, ACTING FOR ITSELF, ONE OR MORE CURRENT OR FUTURE AFFILIATES AND OTHER PROJECT COMPANIES (COLLECTIVELY, "COMPANY"); PROVIDING FOR A FEE-IN-LIEU OF AD VALOREM TAXES INCENTIVE; PROVIDING FOR A SPECIAL SOURCE REVENUE CREDIT; DEVELOPING A JOINT COUNTY INDUSTRIAL AND BUSINESS PARK BETWEEN OCONEE COUNTY AND PICKENS COUNTY SO AS TO DESIGNATE THE PROPERTY OF THE PROJECT AS PART OF

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THE PARK; AUTHORIZING THE EXECUTION AND DELIVERY OF ONE OR MORE GRANT AGREEMENTS; AUTHORIZING THE CONVEYANCE OF CERTAIN REAL ESTATE FOR PROJECT MADE; AND OTHER RELATED MATTERS.

Mr. Elliott made a motion, seconded by Mr. Mize, approved 4 – 0, to approve **Ordinance 2023-07** on second reading.

ORDINANCE 2023-08 AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY OWNED BY OCONEE COUNTY TO MOUNT NEBO BAPTIST CHURCH, PROPERTY CONSISTING OF APPROXIMATELY .14 ACRES AND BEING A PORTION OF TAX MAP # 256-00-01-006, AND AUTHORIZING THE RECEIPT OF CERTAIN REAL PROPERTY OWNED BY MOUNT NEBO BAPTIST CHURCH, PROPERTY CONSISTING OF APPROXIMATELY .0034 ACRES AND BEING A PORTION OF TAX MAP # 256-00-04-019; AND OTHER MATTERS RELATED THERETO.

Mr. Mize made a motion, seconded by Mr. Elliott, to approve **Ordinance 2023-08** on second reading.

Mr. Root asked for an amendment to **Ordinance 2023-08** to waive the appraisal that would otherwise be required under the procurement code.

Mr. Elliot made a motion, seconded by Mr. Mize, approved 4 – 0, to amend **Ordinance 2023-08** on second reading to include waiving the appraisal that would otherwise be required under the procurement code.

Amended motion approved 4 – 0.

First Reading of the Following Ordinances

ORDINANCE 2023-01 AN ORDINANCE TO ESTABLISH THE BUDGET FOR OCONEE COUNTY AND TO PROVIDE 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, 2023 AND ENDING JUNE 30, 2024.

Mr. Elliott made a motion, seconded by Mr. Mize, to approve **Ordinance 2023-01** on first reading.

Mr. Durham offered his thoughts and concerns related to salary increases included within **Ordinance 2023-01**.

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Mr. Mize made a motion, seconded by Mr. Elliott, approved 4 – 0, to amend **Ordinance 2023-01** by directing the County Administrator to allocate a 3% cost of living increase to all County staff, including elected officials, except for County Council, and to use the remaining funds previously budgeted for salary increases in the amount of \$1,040,416.00 for compensation consideration in the County Council Departmental Budget and these funds may be allocated through the implication of salary bands, pay increases, compensation studies, stipends, or employee compensation measures as approved by Council.

Amended motion approved 4 – 0.

ORDINANCE 2023-03 AN ORDINANCE TO PROVIDE FOR THE LEVY OF TAXES FOR THE KEOWEE FIRE SPECIAL TAX DISTRICT AND TO ESTABLISH THE BUDGET FOR THE KEOWEE FIRE SPECIAL TAX DISTRICT FOR THE FISCAL YEAR BEGINNING JULY 1, 2023 AND ENDING JUNE 30, 2024.

Mr. Elliott made a motion, seconded by Mr. Mize, approved 4 – 0, to approve **Ordinance 2023-03** on first reading.

ORDINANCE 2023-09 AN ORDINANCE AMENDING SECTION 32-222 OF THE OCONEE COUNTY CODE OF ORDINANCES SO THAT APPLICANTS FOR SUBDIVISIONS THAT ARE DESIGNED TO ACCESS STATE ROADS SHALL SUBMIT TO AND RECEIVE PRELIMINARY / CONDITIONAL APPROVAL FROM THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION PRIOR TO RECEIVING FINAL APPROVAL FROM THE OCONEE COUNTY PLANNING DEPARTMENT; AND OTHER MATTERS RELATED THERETO.

Mr. Elliott made a motion, seconded by Mr. Mize, to approve **Ordinance 2023-09** on first reading.

Mr. Root offered Mr. Hart clarification related to the reasoning behind **Ordinance 2023-09**.

Motion approved 4 – 0.

ORDINANCE 2023-10 AN ORDINANCE AMENDING ARTICLE IV OF CHAPTER 2 OF THE OCONEE COUNTY CODE OF ORDINANCES, BY DISSOLVING THE ARTS AND HISTORICAL COMMISSION; AND OTHER MATTERS RELATED THERETO.

Mr. Elliott made a motion, seconded by Mr. Mize, to approve **Ordinance 2023-10** on first reading.

Ms. Brock provided background information as to why the Arts and Historical Commission has requested to be dissolved.

Motion approved 4 – 0.

ORDINANCE 2023-11 AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN ADDENDUM TO THE LEASE AGREEMENT BETWEEN OCONEE COUNTY, AS LESSOR, AND THE FOOTHILLS FARMSTEAD, AS LESSEE, IN ORDER TO ADD ADDITIONAL PROPERTY TO THE LEASE PREMISES; AND OTHER MATTERS RELATED THERETO.

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Mr. Elliott made a motion, seconded by Mr. Mize, to approve **Ordinance 2023-11** on first reading.

Mr. Hart requested that an enhanced view map of the above-mentioned property be included in the backup materials.

Motion approved 4 – 0.

~~**ORDINANCE 2023-12** AN ORDINANCE AUTHORIZING, PURSUANT TO TITLE 12, CHAPTER 44 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF AD VALOREM TAXES AND SPECIAL SOURCE REVENUE CREDIT AGREEMENT BY AND BETWEEN OCONEE COUNTY, SOUTH CAROLINA, AND PROJECT IRON MAN, ACTING FOR ITSELF, ONE OR MORE CURRENT OR FUTURE AFFILIATES AND OTHER PROJECT COMPANIES (COLLECTIVELY, "COMPANY"); PROVIDING FOR A FEE-IN-LIEU OF AD VALOREM TAXES INCENTIVE; PROVIDING FOR A SPECIAL SOURCE REVENUE CREDIT; DEVELOPING A JOINT COUNTY INDUSTRIAL AND BUSINESS PARK BETWEEN OCONEE COUNTY AND PICKENS COUNTY SO AS TO DESIGNATE THE PROPERTY OF THE PROJECT AS PART OF THE PARK; AND OTHER RELATED MATTERS.~~

First reading of **Ordinance 2023-12** was postponed to a later date, when final documents are available.

First and Final Reading for the Following Resolutions

RESOLUTION 2023-08 A RESOLUTION PROVIDING PRELIMINARY APPROVAL PURSUANT TO TITLE 12, CHAPTER 44 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, FOR THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF AD VALOREM TAXES AND SPECIAL SOURCE REVENUE CREDIT AGREEMENT BY AND BETWEEN OCONEE COUNTY, SOUTH CAROLINA, AND A COMPANY IDENTIFIED FOR THE TIME BEING AS PROJECT IRON MAN, ACTING FOR ITSELF, ONE OR MORE CURRENT OR FUTURE AFFILIATES, AND OTHER PROJECT COMPANIES (COLLECTIVELY, "COMPANY"); PROVIDING FOR A FEE-IN-LIEU OF AD VALOREM TAXES INCENTIVE; PROVIDING FOR A SPECIAL SOURCE REVENUE CREDIT; CREATING A JOINT COUNTY INDUSTRIAL AND BUSINESS PARK BETWEEN OCONEE COUNTY AND PICKENS COUNTY SO AS TO INCLUDE PROJECT PROPERTY IN THE PARK; AUTHORIZING THE EXECUTION AND DELIVERY OF ONE MORE GRANT AGREEMENTS; AND OTHER RELATED MATTERS.

First and final reading for **Resolution 2023-08** was postponed to a later date, when final documents are available.

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Discussion Regarding Action Items

Title: Funding allocation to Oconee Joint Regional Sewer Authority for Engineering for Sewer South Phase II project.

Department: Economic Development / Administration *Contingency Funding

Amount: \$424,500

Contingency: \$575,500

Project Total: \$1,000,000

- On March 3, 2023, Oconee County Council reaffirmed its commitment for funding, not to exceed \$2,500,000, for wastewater infrastructure expansion in Oconee County related to the Sewer South project.
- Funding from the U.S. Economic Development Administration [EDA], South Carolina Rural Infrastructure Authority [RIA] and Oconee County will be utilized for the expansion of wastewater infrastructure to the I-85 exits, under management by the Oconee Joint Regional Sewer Authority.
- The bid for this phase has been awarded, in the amount of \$12.3 Million. Construction is anticipated to start in early June of this year.
- Engineering and professional services, provided to the OJRSA, in the amount of \$424,500 are necessary for construction administration and resident project representative services for the completion of the Project.
- The EDA grant contingency funding, in the amount of \$417,530, has been accounted for in the construction budget, and leaves the project without any contingency funding.
- Contingency Funding is included in for managing the risk of cost escalation and covering potential estimate shortfalls. Oconee County typically includes 10% contingency funding for projects managed by Oconee County.
- There may be additional requests for Contingency Funding should the current requested amount become depleted.
- The purpose of the Sewer South project is to develop industrial, commercial and residential sanitary sewer infrastructure in areas of Oconee County where it does not currently exist.

Additional engineering and professional services are required for the completion of the Project.

Contingency funding will be utilized in the event that construction costs exceed original estimates due to supply delays, cost escalations and other unknown events. Additional contingency funding may be required should the approve funding be depleted prior to project completion.

Funding will be provided through the Economic Development Capital Projects (315) Fund.

It is the staff's recommendation that Council approve funding in the amount of \$424,500 for engineering and professional services; plus, an additional contingency amount of \$575,500. The contingency will be utilized for any unforeseen costs that may arise.

Mr. Elliott made a motion, seconded by Mr. Mize, approved 4 – 0, to approve funding in the amount of \$424,500 for engineering and professional services; plus, an additional contingency amount of \$575,500. The contingency will be utilized for any unforeseen costs that may arise.

Title: Two (2) Mini Pumper Fire Apparatuses with Loose Equipment

Department(s): Emergency Services

Amount: \$775,088.83

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

Budget: \$775,088.83 Project Cost: \$775,088.83 Balance: \$0.00

These Fire Apparatuses are Southeast Extreme Duty Ford F550 Crew Cab Mini Pumpers with a 3/16" All Aluminum 10.5' Bodies trucks with 300 Gallon Polypropylene Tanks, Hale DSD-1250 Side-Mount 1,250 GPM Pumps and will include loose equipment. These apparatuses will be built in accordance to NFPA (National Fire Protection Association).

These Fire Apparatuses will be stationed at Keowee Ebenezer and Friendship Volunteer Fire Departments.

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The County is utilizing the H-GAC (Houston-Galveston Area Council of Governments) contract through a cooperative purchasing agreement. H-GAC cooperative purchasing allows government agencies to purchase directly from the manufacturer or authorized dealers. H-GAC contracts are bid and awarded on a national level and purchases may be fulfilled by the manufacturer and / or authorized local or state dealers. The Fleet Maintenance Director also approves this purchase.

Southeast Manufacturing was awarded H-GAC contract number FS12-19 for Fire Apparatuses.

Southeast Manufacturing is the Supplier and Williams Fire Apparatus is the authorized dealer for Southeast Apparatus. Williams Fire Apparatus will provide any service or warranty repairs required.

Keowee Ebenezer Fire Department is to pay \$1,900.00 directly to Williams Fire and Apparatus for additional options added per their request. This amount has been deducted from Truck 1.

It is the staff's recommendation that Council approve the award of Two Mini Pumper Fire Trucks and Loose Equipment to Williams Fire Apparatus of Ashland, AL in the amount of \$775,088.83, per H-GAC Contract No. FS12-19.

Mr. Elliott made a motion, seconded by Mr. Mize, approved 4 – 0 to approve the award of Two Mini Pumper Fire Trucks and Loose Equipment to Williams Fire Apparatus of Ashland, AL in the amount of \$775,088.83, per H-GAC Contract No. FS12-19.

Title: Change Order No. 6 to PO 54597 J. Davis Construction (Bountyland Fire Station)

Department(s): Emergency Services

Change Order #6 Amount: \$5,301.65

Contingency: \$ 94,698.35

Total Request: \$100,000.00

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

Budget: \$100,000.00 Project Cost: \$100,000.00 Balance: \$0.00

On November 15, 2022, Council approved the Construction Award of the Bountyland Substation to J. Davis Construction, Inc., of Westminster, SC in the amount of \$1,150,722.40 with a contingency amount of \$115,072.24 for a total award of \$1,265,794.64. The County has issued five (5) change orders from the 10% Contingency, which did not require Council Approval. Total Change Orders Issued (1-5) \$114,340.96

Change Orders listed below:

CO 1: \$3,594.50 - Staff requested the original proposed cultured stone on the living quarter to be changed to CMU Block to match the CMU Block on the Bay Area

CO 2: \$39,913.30 - Additional Bollards for the interior of the garage bays, 20”L X6” Trench drain and 125 gallon oil separator, Hose bibbs inside garage bay, change front bay doors from white to red.

CO 3: \$1,401.11 – Manage ATT Fiber Lines relocation (required by ATT).

CO 4: \$41,947.50 – Connection to Sewer. The existing sewer the line is approximately 6 feet deep and close to the shoulder of the roadway. Due to the depth of the existing sewer line, additional grading, trench boxing and traffic control for 3 days was required.

CO 5: \$27,484.55 – Import materials (Hauling), shift building pad 20’ eastward for future expansion, additional parking, fire sprinkler system.

CO 6 – Adjust grade to accommodate (3) new parking spaces, Extend Garage Aprons, Additional Culvert Pipe, Pressure Reducing Valve, add framed wall at demising wall and revised asphalt scope.

This request is for Council Approval for Change Order No. 6 to PO 54597 in the amount of \$5,301.65, plus an additional contingency amount of \$94,698.35. The contingency will be utilized for any unforeseen items that may arise and true up for asphalt, hauling etc.

The date of Substantial Completion is September 19, 2023.

Funding for the construction of this project is in the Emergency Services Bountyland Fire Station Capital Account.

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It is the staff's recommendation that Council:

- 1.) Approve Change Order No. 6 to J. Davis, Inc. in the amount of \$5,301.65, for a total construction cost (to-date) \$1,268,726.61.***
- 2.) Approve and additional contingency amount of \$94,698.35.***
- 3.) Authorize the County Administrator to execute documents for this project and sign any change orders within the contingency amount.***

Mr. Elliott made a motion, seconded by Mr. Mize to (1) approve Change Order No. 6 to J. Davis, Inc. in the amount of \$5,301.65, for a total construction cost (to-date) \$1,268,726.61, (2) approve and additional contingency amount of \$94,698.35 and (3) authorize the County Administrator to execute documents for this project and sign any change orders within the contingency amount.

Mr. Hart offered his thoughts related to the bid process and contingency fund for the above request.

Mr. Durham offered his thoughts that the contingency funding for this project should be lowered to \$35,000.00.

Mr. Mize made a motion, seconded by Mr. Hart, approved 4 – 0, to approve Change Order No. 6 to J. Davis in the amount of \$5,301.65 and to amend the contingency amount, decreasing it from \$94,698.35 to \$35,000.00, with any further change order requests to be brought back before Council.

Amended motion approved 4 – 0.

Title: 2023 John Deere 333G Compact Track Loader

Department(s): Roads and Bridges

Amount: \$86,867.79

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

Budget: \$86,867.79 Project Cost: \$86,867.79 Balance: \$0.00

(Funding from Capital Equipment Replacement 325 Fund)

This purchase is for a 2023 John Deere 333G Compact Track Loader and will be used by the New Construction Crew for large culvert and grading projects. This machine is a larger carriage skid steer with more horsepower and higher reach to efficiently load dump trucks. It has a higher lifting capacity and break out force to maximize work output per pass. The Fleet Maintenance Director also approves this purchase.

Staff is utilizing the Sourcewell Cooperative Purchasing Contract # 032119-JDC. The Sourcewell, contract allows government agencies to purchase directly from the manufacturer or authorized dealers. Sourcewell Cooperative Purchasing contracts are bid and awarded on a national level and authorized local or state dealers may fulfill purchases.

It is the staff's recommendation that Council approve the purchase of a 2023 John Deere 333G Compact Track Loader from AgPro of Seneca, SC in the amount of \$86,867.79.

Mr. Mize made a motion, seconded by Mr. Elliott, approved 4 – 0, to approve the purchase of a 2023 John Deere 333G Compact Track Loader from AgPro of Seneca, SC in the amount of \$86,867.79.

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Title: Mulching Head & Stump Shear / Splitter

Department(s): Solid Waste

Amount: \$101,416.30

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

Budget: \$101,416.30 Project Cost: \$101,416.30 Balance: \$0.00

This purchase is for a Mulching Head and Stump Shear / Splitter for Oconee County Solid Waste. These attachments will be used on the Hyundai HX300L purchased in FY 2018-2019 and approved by Council at the August 20, 2019 Council Meeting.

The Solid Waste Department is responsible for maintaining nearly 140 acres at the Seneca Landfill with nearly ¾ of a mile of creek bank that borders the landfill. There are also 11 storm water basins that has to be kept free of shrubs and trees per SC DHEC regulations. By purchasing a mulching head for the excavator, anything from full-grown trees to small brush can be mulched in place without disturbing the soil and causing storm water runoff issues. This purchase would save staff many man-hours and keep the landfill in compliance with SC DHEC landfill and storm water regulations.

The Solid Waste Department has had a mulching facility since 1996. From 1996-2008, a small tub grinder was used to grind brush and limbs less than 8 inches in diameter. In 2008, the department purchased a Morbark 4600XL horizontal grinder, which could process logs up to a 20-inch diameter efficiently. However, stumps and root balls still have to be disposed of in the landfilled. By purchasing a stump shear/splitter, the stump and root ball can be reduced in size and soil removed in order for them to be processed through the horizontal grinder. By purchasing the Stump Shear / Splitter there is the potential to prevent an additional 500-1000 tons of land clearing debris from entering the landfill each year; thus saving valuable landfill airspace. The Fleet Maintenance Director also approves this purchase.

The SC Materials Management Office has awarded state contract #4400031298 for Grounds Maintenance Equipment – Phase II, Lot 4 to National Equipment Dealers, LLC. The local National Equipment Dealer is located in Wellford, SC. This contract includes discounts off MSRP for Equipment, Attachments and Accessories.

It is the staff's recommendation that Council:

- 1. Approve the purchase of a Mulching Head & Stump Shear / Splitter from National Equipment Dealers of Wellford, SC in the amount of \$101,416.30.***
- 2. Authorize the County Administrator to transfer funds to the appropriate line item(s).***

Mr. Elliott made a motion, seconded by Mr. Mize, to approve the purchase of a Mulching Head & Stump Shear / Splitter from National Equipment Dealers of Wellford, SC in the amount of \$101,416.30 and to authorize the County Administrator to transfer funds to the appropriate line item(s).

Mr. Mize inquired if this funding would come from the Capital Equipment Fund.

Ms. Brock noted that the funding source for this request is coming from savings found within FY2022-2023 Budget.

Motion approved 4 – 0.

Title: UPS Battery Backup
Department(s): Communications
Amount: \$97,391.77
Contingency 10%: \$9,739.18
Total: \$107,130.95

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

Budget: \$107,130.95 Project Cost: \$107,130.95 Balance: \$0.00

This UPS (battery backup) is for the Sheriff's communication center. The current UPS was installed when the Sheriff's Office was built and is nearing twenty (20) years old. The manufacturer of this UPS unit, Eaton Corporation, has provided notification to the Sheriff's office that the current unit will reach its end of life January 1, 2024. Eaton will no longer support or service the current UPS after January 1, 2024. The current UPS is in need of maintenance; if we move forward with the maintenance, it would be at a cost of \$17,620.81. Eaton has recommended we replace the current UPS, due to lack of available parts and the end of life being January 1, 2024.

The UPS is connected to the 911 center, which is the primary Public Safety Answering Point (PSAP) in Oconee County. In the event of a power loss, this unit is vital to ensure power remains available until generator services are ready. A failure of this device would mean the center would be unavailable for 911 calls until reliable power could be restored. Staff has worked with Eaton and PQS of Greenville, who is a direct supplier for Eaton, to obtain quotes for replacement.

Eaton Corporation is the manufacturer of the UPS and PQS of Greenville, SC is the Eaton Authorized Installer. This replacement will require electrical modifications before it will be operational. Due to the critical nature of this project, PQS of Greenville recommends Hill Electric Inc., of Anderson, SC., complete the electrical portion of the installation.

The cost for the purchase of the unit is \$81,491.77, electrical installation \$15,900.00, plus an additional contingency amount of \$9,739.18 for a total project amount of \$107,130.95. The contingency will be utilized for any unforeseen items that may arise.

It is the staff's recommendation that Council:

- 1. Approve the purchase of a UPS Unit from Eaton Corporation of Chicago, IL in the amount of \$81,491.77.***
- 2. Approve the installation and electrical to Hill Electric, Inc., of Anderson, SC in the amount of \$15,900.00.***
- 3. Approve a 10% contingency in the amount of \$9,739.18.***
- 4. Authorize the County Administrator to execute documents for this project and sign any change orders within the contingency amount.***

Mr. Elliott made a motion, seconded by Mr. Mize, approved 4 – 0, to (1) approve the purchase of a UPS Unit from Eaton Corporation of Chicago, IL in the amount of \$81,491.77, (2) approve the installation and electrical to Hill Electric, Inc., of Anderson, SC in the amount of \$15,900.00, (3) approve a 10% contingency in the amount of \$9,739.18 and (4) authorize the County Administrator to execute documents for this project and sign any change orders within the contingency amount.

Title: Change Order # 1 PO 55106 Ozone Collision Center, LLC.

Department(s): Vehicle Maintenance
Amount: Original Purchase order: \$41,330.50
Change Order 1: \$55,791.12
Total: \$97,121.62

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

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**Budget: \$97,121.62 Project Cost: \$97,121.62 Balance: \$0.00
(Insurance Claim)**

On January 7, 2022, a 2016 Peterbilt Front Load Cardboard truck from Solid Waste, vehicle 800.27, caught fire causing damage to the body, wiring harnesses and the chassis. Purchase Order Number 55106 was issued on September 1, 2022 to Ozone Collision Center, LLC. Of Greenville, SC in the amount of \$41,330.50, for the repair. This repair has been filed with the Insurance Reserve Fund (County Insurance).

During the repair, additional issues were discovered that required additional parts and repairs. These issues were undiscoverable until tear down of the vehicle; therefore, not included on the initial repair estimate. The supplement total is \$55,791.12.

The total repair is \$97,121.62; the Insurance Reserve Fund issued payment in the amount of \$40,830.50 for the initial repair and has agreed to cover \$53,648.54 of the supplemental repair. The County will be responsible for a \$500.00 deductible plus \$2,142.58 of the supplemental repairs.

It is the staff's recommendation that Council:

- 1. Approve Change Order #1, PO 55106 to Ozone Collision Center, LLC., of Greenville, SC in the amount \$55,791.12, for a total purchase order amount of \$97,121.62.**
- 2. Authorize the County Administrator to execute documents for this change order.**

Mr. Mize made motion, seconded Mr. Elliott, to approve Change Order #1, PO 55106 to Ozone Collision Center, LLC., of Greenville, SC in the amount \$55,791.12, for a total purchase order amount of \$97,121.62 and authorize the County Administrator to execute documents for this change order.

Ms. Brock noted the County will only be responsible for \$2,642.58 out of this total request and insurance will take care of the remaining balance.

Motion approved 4 – 0.

Title: Change Order # 1 PO # 55247 Skanska USA Building, Inc.

Department(s): Oconee PRT – High Falls

Amount: Original Purchase Order: \$11,821.04

Change Order # 1: \$98,160.00

Total: \$109,981.04

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

Budget \$109,981.04 Project Cost: \$109,981.04 Balance: \$0.00

(Funding from Local ATAX Fund)

Pleasant Alexander built the Alexander-Cannon-Hill (ACH) House in 1831. In 1971, Duke Power gave the house to High Falls County Park. On July 24, 1972, the ACH House was added to the National Register of Historic Places and retains much of the original construction. Currently, the first floor is being used as office space / gift shop and the second floor has only been used for storage. Park Staff wants to utilize the second floor of the house to include office space, conference room, bathroom, etc. Procurement and Park Staff began creating specifications for an electrical upgrade. During a visit to the site, structural issues were found that require correcting before any renovations could be started. With this being a structure from 1831 and being listed on the National Register of Historic Places, staff decided it was in the best interest of the County and the Structure to have a firm that is well versed in this type of project to assist with the renovation.

On January 18, 2023, staff contracted with Skanska USA Building, Inc., On-Call Program / Project Management Firm, to assist with the Renovation Project. Procurement issued Purchase Order Number 55247 to Skanska USA Building, Inc., in the amount of \$ 11,821.04 for Program / Project Management for initial programming and project review phases for the Alexander-Cannon-Hill House at High Falls County Park.

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This Change Order request is for Phase 2 of the Alexander-Cannon-Hill House Renovation. Project Order #1 – Amendment #1 includes Design Phase, Bidding Assistance, Construction Phase, and Transition Phase. Staff requests approval for Change Order #1 to PO 55247 for Program / Project Management Services, in the amount of \$98,160.00; which is an addition to the original scope of work. If approved, the new total for the purchase order is \$ 109,981.04.

It is the staff's recommendation that Council:

- 1. Approve Change Order # 1 to PO 55247 in the amount of \$98,160.00 for a total purchase order amount of \$109,981.04.***
- 2. Authorize the County Administrator to execute documents for this change order.***

Mr. Elliott made a motion, seconded by Mr. Mize, approved 4 – 0, to approve Change Order # 1 to PO 55247 in the amount of \$98,160.00 for a total purchase order amount of \$109,981.04 and authorize the County Administrator to execute documents for this change order.

Local ATAX – Host Compliance/Granicus Short Term Rental Monitoring 3-year service agreement renewal

Oconee contracted with Host Compliance in 2018. The program started in spring of 2019 and provides address identification, validation and compliance monitoring of short-term rentals for local ATAX compliance. In addition, the program provides web based registration, online collection capabilities for local accommodations tax providers and letter compliance monitoring which provides proactive, data driven outreach via letter to non-compliant properties utilizing created form letters. Since the program started in 2018, over 400 additional short-term rentals are now compliant.

Not to exceed \$82,494 over 3 years with funds coming from the local accommodations tax fund.

Local ATAX balance as of 4.4.23 = \$603,809.49

Staff recommends approval to continue the service agreement for a term of 3 years. Total costs to pay over the three-year period will not exceed \$82,494 with funds coming from the local accommodations tax fund.

Mr. Mize made a motion, seconded by Mr. Elliott, approved 4 – 0, to approve continuance of the service agreement for a term of 3 years. Total costs to pay over the three-year period will not exceed \$82,494 with funds coming from the local accommodations tax fund.

Council consideration and approval of adding a full-time Equipment Operator IV at the Oconee County Rock Quarry

The addition of the Equipment Operator IV position request is for the purpose of manning the new residential sales yard at the Oconee County Rock Quarry. On January 3, 2023, the Oconee County Rock Quarry opened the residential sales yard to cater to citizens purchasing materials at the Quarry with small vehicles and pickup trucks. By separating small trucks and trailers from heavy equipment, a dedicated operator with a more appropriately sized machine can safely load materials for consumers. This has been a major success from both a safety perspective, and helping put homeowners who utilize the Quarry at ease by simplifying the loading process.

The new residential sales yard is a permanent feature at the Oconee County Rock Quarry and must be staffed accordingly. Historically any operator that loads material onto a customer's vehicle has been an Equipment Operator IV due to the risk of injury and property damage to the customer. As such, the Oconee County Rock Quarry is requesting the addition of a full-time Equipment Operator IV position.

A temporary Equipment Operator III currently assists with the residential sales yard. If the addition of the Equipment Operator IV position is approved, the Oconee County Rock Quarry would not require the temporary position and it would be removed from the budget.

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The Equipment Operator IV position, including full benefits, will cost Oconee County between \$52,988 - \$59,436 based on experience and training at time of hire.

Staff recommends Council approve the addition of the Equipment Operator IV position for the Oconee County Rock Quarry.

Mr. Elliott made a motion, seconded by Mr. Mize, approved 4 – 0, to approve the addition of the Equipment Operator IV position for the Oconee County Rock Quarry.

Board & Commission Appointments

None at this meeting.

Council Committee Reports

Budget, Finance & Administration Committee / Mr. Elliott April 18, 2023

Mr. Elliott provided information outlining discussions held at the April 18, 2023, Budget, Finance and Administration Committee meeting.

Executive Session:

~~1. Discuss an Economic Development matter, Project Red.~~

Executive Session item, Project Red, was removed from the agenda on a 4 - 0 vote.

Adjourn:

Mr. Elliott made a motion, approved unanimously, to adjourn at 7:08 p.m.

Respectfully Submitted:

Jennifer C. Adams
Clerk to Council

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