



**UPDATED A G E N D A**  
**OCONEE COUNTY COUNCIL MEETING**  
**April 16, 2024**  
**6:00 PM**

Council Chambers, Oconee County Administrative Offices  
415 South Pine Street, Walhalla, SC

**Call to Order**

**Moment of Silence**

**Invocation**

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

**Approval of Minutes**

April 02, 2024 Regular Meeting Minutes

**County Attorney Comments**

**County Administrator Comments**

**Proclamations**

**PROCLAMATION 2024-02 A PROCLAMATION HONORING MR. TIMOTHY HOPKINS, EQUIPMENT OPERATOR IV, UPON HIS RETIREMENT**

**Public Comment Session**

*[Limited to a total of fifty (50) minutes, five (5) minutes per person]*

*If you are not able to attend in person and you have a comment, you may submit it by emailing [jennifercadams@oconeesc.com](mailto:jennifercadams@oconeesc.com) or calling 864-718-1023, so that your comment may be read it into the record.*

**Council Member Comments**

**Third Reading of the Following Ordinances**

*None for this meeting.*

**Second Reading of the Following Ordinances**

*None for this meeting.*

**First Reading of the Following Ordinances**

**ORDINANCE 2024-13 AN ORDINANCE AUTHORIZING 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 CURRENTLY IDENTIFIED AS PROJECT CHERRY, 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 OR MODIFYING A JOINT COUNTY INDUSTRIAL AND BUSINESS PARK BETWEEN OCONEE COUNTY AND PICKENS**

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COUNTY SO AS TO DESIGNATE THE PROPERTY OF THE PROJECT AS PART OF SUCH PARK; AND OTHER RELATED MATTERS.

**ORDINANCE 2024-14** AN ORDINANCE TO DEVELOP A JOINTLY OWNED AND OPERATED INDUSTRIAL/BUSINESS PARK IN CONJUNCTION WITH PICKENS COUNTY, SOUTH CAROLINA, SUCH INDUSTRIAL/BUSINESS PARK TO BE GEOGRAPHICALLY LOCATED IN PICKENS COUNTY AND ESTABLISHED PURSUANT TO SEC. 4-1-170 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED; TO PROVIDE FOR A WRITTEN AGREEMENT WITH PICKENS COUNTY TO PROVIDE FOR THE EXPENSES OF THE PARK, THE PERCENTAGE OF REVENUE APPLICATION, AND THE DISTRIBUTION OF FEES IN LIEU OF AD VALOREM TAXATION; AND OTHER MATTERS RELATED THERETO.

**ORDINANCE 2024-15** AN ORDINANCE AUTHORIZING 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 CURRENTLY IDENTIFIED AS PROJECT SPARK, 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 OR MODIFYING 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 SUCH PARK; AND OTHER RELATED MATTERS.

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

**RESOLUTION 2024-07** A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A LEASE AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND THE UNITED STATES DEPARTMENT OF THE ARMY / SECRETARY OF THE ARMY FOR THE LAKE HARTWELL PROJECT; LEASE NO. DACW21-1-24-0015.

**RESOLUTION 2024-08** 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 SPARK, 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 OR MODIFYING A JOINT COUNTY INDUSTRIAL AND BUSINESS PARK AGREEMENT BETWEEN OCONEE COUNTY AND PICKENS COUNTY SO AS TO ESTABLISH OR ENLARGE THE PARK; AND OTHER RELATED MATTERS.

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## **Discussion Regarding Action Item**

***Council consideration of appointment of an Oconee County Public Library employee to the local First Steps Partnership Board.***

**Council consideration of subdivision permit fee waiver for Oconee County Habitat for Humanity.**

The mission of Oconee County Habitat for Humanity and its 200 volunteer members is to eliminate poverty housing in Oconee County by giving families an opportunity to improve their standard of living by acquiring a home of their own. Oconee County Habitat has applied for an extension to the Pointe Place subdivision in West Union to add an additional 27 homes. After approval of the subdivision application, Habitat has set a goal of building 5 houses per year which would be available to Oconee County residents who qualify, based on need.

**Subdivision application fees total \$655**

***It is staff's recommendation to waive the subdivision review fee for Oconee County Habitat for Humanity.***

**Request for Council's approval for the submission of the 2024/2025 Oconee County Opioid Recovery Fund Technical Proposal to the South Carolina Opioid Recovery Fund (SCORF) Board.**

- The South Carolina Opioid Recovery Fund (SCORF) Board was created by legislation as a requirement of the South Carolina Opioid Settlement Allocation Agreement to manage and disburse funds within the South Carolina Opioid Recovery Fund.
- Guaranteed Political Subdivision Subfund are certain funds in the South Carolina Opioid Recovery Fund guaranteed to participating political subdivisions that are distributed by the South Carolina Opioid Recovery Fund Board to qualified applicants for approved abatement strategies.
- The Opioid Recovery Fund is settlement funding through a yearly requisition process to the State of South Carolina Opioid Recovery Fund (SCORF) Board.
- The abatement strategies or proposed projects are approved by the SCORF Board after requests for funding and yearly strategies have been submitted to them.
- Once abatement strategies and funding are approved by SCORF, awarded funds are sent back to Oconee County for program implementation(s).
- The Oconee Opioid Response Task Force has reviewed the attached applications and recommend that County Council approve the allotments based on said review.

Abatement Strategies were reviewed and approved by the Oconee County Task Force for Council consideration.

The South Carolina Opioid Recovery Guaranteed Political Subfunds do not require a county match. These funds may only be used for approved abatement strategies for addressing opioid use disorder and corresponding mental health and substance use disorders.

***It is staff's recommendation that Council approve the Oconee County Opioid Recovery Fund Technical Proposal, based on the recommendations from the Oconee Opioid Response Task Force, for submission to the South Carolina Opioid Recovery Fund (SCORF) Board.***

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**Request for Council’s approval for the submission of the FY 2024 Oconee County Law Enforcement Mental Health and Wellness Implementation Grant to the U.S. Department of Justice, Office of Community Oriented Policing Services, Law Enforcement and Mental Health and Wellness Act Program.**

- The purpose of this project is to improve the delivery of and access to mental health and wellness services for law enforcement officers and their families through the implementation of peer support, training, family resources, suicide prevention and other promising practices for wellness programs.
- Project initiatives include the purchase of a wellness app for law enforcement officers, peer support training and identification, seminars and wellness classes, as well as team building and agility programs.
- The anticipated maximum dollar amount, if awarded, is \$200,000 for projects with a duration of two years.
- The grant does not require a match.
- The grant application deadline is April 30, 2024.

***It is staff’s recommendation that Council support the submission of the Oconee County FY2024 Oconee County Law Enforcement Mental Health and Wellness Implementation Grant to the Law Enforcement Mental Health and Wellness Act Program.***

**Title: 2024 Caterpillar 973 HRC Track Loader with Landfill Package**

**Department: Solid Waste**

**Amount: \$716,805.94**

**Procurement was approved by Council in Fiscal Year 2023-2024 budget Amendment.**

**Budget: \$716,805.94 Project Cost: \$716,805.94 Balance: \$0.00**

***(Finding from One Time Capital Fund (340))***

The Solid Waste department utilizes a 2008 CAT 973 track loader in the Class 2 landfill. The loader is an instrumental piece of landfill equipment which is used excavate soil, spread soil as landfill cover and used to move material across the landfill. The 973 CAT Loader is the only piece of equipment that is capable to carry soil across the landfill in the case of a landfill fire. This machine is also used to push waste when the compactor or the dozer is being serviced or repaired. Due to its age and number of hours on the machine, there has become significant wear to the landfill package guards causing landfill material to easily become entangled around the final drives. It is still useful as a backup or for loading landfill cover dirt.

Caterpillar is the only company that makes a track loader of this size and they are special order machines. The lead time on this machine is approximately 6-8 months.

It is recommended to keep the current 973 Track Loader to be used in the soil borrow pit for loading soil instead of constantly walking the new machine 0.5 mile one-way from the landfill to the borrow pit twice each month. The County’s Vehicle Maintenance Director approves this purchase.

Pricing for the Caterpillar 973 is from the Sourcewell national purchasing co-operative, contract number 011723-CAT for Caterpillar Heavy Construction Equipment. The contract discount is 23% off MSRP. Blanchard Machinery also provided an additional discount in the amount of \$39,622.12. The Sourcewell contract allows government agencies to purchase directly from an authorized dealer. Sourcewell contracts are bid and awarded on a national level and purchases may be fulfilled by authorized local or state dealers. Blanchard Machinery Company of Simpsonville, SC is an Authorized Dealer for Caterpillar.

***It is the staff’s recommendation that Council approve the purchase of the Caterpillar 973 Track Type Loader from Blanchard Machinery Company of Simpsonville, SC in the amount of \$716,805.94 per Sourcewell Contract # 011723-CAT.***

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**Procurement: ITB 23-13**  
**Department(s): Solid Waste**  
**Amount: \$361,119.38**

**Title: Compactors & Containers for Solid Waste**

**Procurement was approved by Council in Fiscal Year 2023-2024 budget process.**

**Budget: \$361,119.38 Project Cost: \$361,119.38 Balance: \$0.00**

This bid solicitation was issued for a 1-year term with option to renew for up to 4 additional years. The first-year contract/purchase is based on the expected number of items to be purchased in the 2023/2024 Budget.

Bidders were required to submit a price list for items anticipated to be purchased in future years, depending of available funding and included volume purchase discounts.

This Bid includes pricing for:

1. Annual preventative maintenance on 30-35 compactors estimated at \$34,500.00 per year.
2. As Needed Technical Compactor Training Program which includes hands on training for hydraulic comprehension, wiring schematics and panel wiring at \$380 per employee.

ITB 23-13 was issued March 1, 2024 for the purchase of power units, compactors, and containers for various recycle centers. The compactors and containers will replace aging, run down units or some containers may be an additional unit at various centers. Oconee County anticipates replacement of all of the current compactors over the contract period of this bid. The replaced units will be refurbished, if applicable, or sold for scrap metal.

This bid was advertised and emailed to four (4) bidders. On April 2, 2024, formal sealed bids were opened for this project. Three (3) companies submitted bids with FleetGenius of NC, Inc. of Lenoir, NC, submitting the lowest responsive and responsible bid.

The total for the purchase and installation of the compactors and containers for FY 23-24 is \$361,119.38.

**The term of this contract is for one year with the option to renew for four additional one-year periods. Any future purchases that exceed \$50,000.00 will be brought to Council for approval.**

*It is the staff's recommendation that Council:*

1. *Approve the award of bid ITB 23-13 to FleetGenius of NC, Inc., of Lenoir, NC, pricing per Price List for All Items.*
2. *Approve the annual preventative maintenance estimated at \$34,500.00 per year; contingent upon future approved budgets.*
3. *Approve the purchase of Compactors and Containers for FY 23-24 in the amount of \$361,119.38.*
4. *Authorize the County Administrator to renew the bid for up to four one-year periods, provided the equipment and services are satisfactory and does not exceed future years approved budget amounts.*

**Title: Full Body Scanner with ICI Thermal Scanning**

**Department(s): Detention Center**

**Amount: 214,650.00**

**Procurement was not included in the 2023-2024 Budget Process. It is 100% Grant funded.**

**Budget: \$218,700.00 Project Cost: \$214,650.00 Balance: \$4,050.00**

*(Federal Subaward Grant-Source of Funding SOF CK19-1904 Epidemiology and Laboratory Capacity for Prevention and Control of Emerging Infections Diseases)*

This request is for the purchase of a Full Body Scanner with ICI Thermal Scanning (for Temperature Scanning) for the Oconee County Detention Center. This equipment will be used to scan inmates entering the Detention Center for contraband (drugs, weapons, etc.) and will assist in prevention of the contraband entering the facility. With the Thermal Scanning feature, this equipment will aid in screening and minimizing potential opportunities for exposure to limit transmission of Covid-19 in the Detention Center. This equipment will enhance safety and assist in minimizing overdose rates.

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Per the Subaward Agreement, the full body scanning equipment must satisfy the specifications and requirement below with minimum five-year warranty.

1. The Equipment must meet the requirements in DHEC X-Ray Regulation 61-64 – Rules and Regulations for Radiation Control and allow operating procedures following all requirement of ANSI/HPS Standard N43.17. The equipment must have FDA – approved embedded thermal scanning and recording capability, allow the operator to maintain a six-foot distance from the subject with a minimum foot print and be in inventory available for delivery.
2. The equipment should also meet the security, scan speed, and foot print requirements of the Subrecipient.

The Tek84 Intercept Model is pre-approved as satisfying DHEC’s specification; therefore, staff is requesting the purchase for the equipment be made directly from Tek84.

On March 26, 2024, Oconee County Detention Center received notification that they had been awarded up to \$218,700.00 Federal Subaward Grant for the purchase of a Full Body Scanner with ICI Thermal Scanning. The Source of Funding is from SOF CK19-1904 Epidemiology and Laboratory Capacity for Prevention and Control of Emerging Infections Diseases. This is a Subaward agreement between South Carolina Department of Health and Environmental Control and Oconee County Detention Center.

***It is the staff’s recommendation that Council:***

1. ***Approve the acceptance of the Federal Subaward from SC DHEC in the amount not to exceed \$218,700.00.***
2. ***Approve the purchase of the Tek84 Intercept Body Scanner from Tek84 of Poway, CA in the amount of \$214,650.00.***

**Title: Purchase of Mobile Breathing Air Trailer System**

**Departments: Emergency Services**

**Amount: \$200,078.23**

**Procurement was not included in the 2023-2024 Budget process. It is 90% Grant Funded.**

**Matching funds were included in the FY 2023-2024 Budget process.**

**Budget: \$200,078.23 Project Cost: \$200,078.23 Balance: \$0.00**

This request is for the purchase of a Mobile Breathing Air Trailer. This trailer is a 16’ x 7’ enclosed trailer and will have a 6000 PSI Bauer Compressor with P5S 150,000 cu ft purification systems with SECURUS electronic cartridge monitor and purification system pressure gage, panel mounted CO Monitor, Mobile Blow Thru bases and 3 position fill station for safety, bottle rack with 8 High pressure cylinders, 160 ft. of #3 high pressure breathing hose and reel, roof mount exhaust, wall mounted reg panel, 8000 watt gas generator, 10 bottle SCBA drop in rack, 15K BTU AC/Heat unit, 14’ Awning, electrical package that includes light switches, receptacles, led lights and 4 mounted scene lights. This trailer will be used for filling SCBA cylinders on large incident fire scenes and dive cylinders on dive calls, and this unit will also be used for training during live fire burns. This unit is replacing the end-of-life air compressor that was purchased used 8 years ago for training and is now 34 years old. With the age, it is becoming more difficult to find parts for maintenance and repair.

The Fleet Maintenance Director also approves this purchase. This purchase is a Sole Source purchase.

Safe Air Systems of Randleman, NC is the only factory authorized Bauer Compressors, Inc sales and service distributor for the Oconee County area. Safe Air Systems is also a custom builder of the Scene Response Air Trailer.

Emergency Services received a grant award the U.S. Department of Homeland Security, in the amount of up to \$181,094.54 for the purchase of a Mobile Breathing Air Trailer with equipment. There is a grant match required in the amount of \$ 18,983.69 (10% match \$18,109.46 and increase since grant application \$874.23).

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*It is the staff's recommendation that Council:*

- 1. Approve the acceptance of the Assistance to Firefighters Grant (AFG) Award from the U.S. Department of Homeland Security in the amount of \$181,094.54.*
- 2. Approve Grant match in the amount of 18,983.69.*
- 3. Approve the purchase of a Mobile Breathing Air Trailer System with Bauer Compressor to Safe Air Systems of Randleman, NC, in the amount of \$200,078.23.*
- 4. Authorize the County Administrator to execute documents for this grant project.*

**Procurement: ITB 23-14 Title: Road Paving 2023-2024 Department: Roads and Bridges**  
**Amount: \$6,794,956.85**  
**Contingency (10%): \$679,495.69**  
**Total Award: \$7,474,452.54**

**Procurement was approved by Council in Fiscal Year 23-24 budget process.**

**Budget: \$7,474,452.54 Project Cost: \$7,474,452.54 Balance: \$0.00**

*(Funding from Road Maintenance Fund and C-Funds)*

On April 4, 2024, formal sealed bids were opened for paving of approximately twenty-two (22) miles of County roads (see attached Tentative Road List). The methods of paving are Simple Overlay, Reconstruction Mill in Place, and Variable Mill. Thirteen (13) companies were originally notified of this bid opportunity with two (2) companies submitting bids. King Asphalt, Inc., of Liberty, SC submitted the low bid in the amount of \$6,794,956.85. A 10% contingency, in the amount of \$679,495.69, is requested to account for fluctuating asphalt prices, variations in estimated unit quantities and any other unforeseen items that may arise.

This is a multiyear contract and is expected to be complete by June 30, 2025.

Funding will come from the following;

- FY 23-24 Road Maintenance Fund
- FY 24-25 Road Maintenance Fund, pending approval of the FY 24-25 Budget for the Road Maintenance Fund.

C-Funds will also be utilized for this project.

*It is the staff's recommendation that Council:*

- 1. Approve the Award of ITB 23-14, Road Paving 2023-2024, to King Asphalt, Inc., of Liberty, SC in the amount of \$6,794,956.85, plus a 10% contingency in the amount of \$ 679,495.69, for a total award of \$ 7,474,452.54.*
- 2. Authorize the County Administrator to execute the contract documents and approve any change orders within the contingency amount.*

## **Council Committee Reports**

### ***Real Estate, Facilities and Land Management Committee – March 19, 2024***

**Action:** Council affirmation of Committee approval to move forward with renovation plans of the Alexander-Cannon-Hill House as presented by Mr. Phil Shirley, PRT Director, at the March 19, 2024 Real Estate, Facilities and Land Management Committee meeting.

### ***Real Estate, Facilities and Land Management Committee – March 19, 2024***

**Action:** Council affirmation of Committee approval to explore the option of making the current High Falls County Park as a day-use only project and possible creation of “High Falls II” as a campground only, utilizing property offered by Duke Energy as presented by Mr. Phil Shirley, PRT Director, at the March 19, 2024 Real Estate, Facilities and Land Management Committee meeting.

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## ***Real Estate, Facilities and Land Management Committee – March 19, 2024***

**Action:** Council affirmation of Committee approval of the sale and auction listing of the Telsmith Crushing Plant as presented by Mr. Thom Moxley, Rock Quarry Manager, at the March 19, 2024 Real Estate, Facilities and Land Management Committee meeting.

**Background:** The Telsmith Crushing Plant is directly in the path of the pit expansion toward the Orr property, and as such, needs to be removed within the next 12 months. The plant was decommissioned by DHEC in March 2020 and is no longer allowed to be used for production purposes.

At the March 19, 2024 Real Estate, Facilities and Land Management Committee Meeting, it was recommended to move forward with the sale of the Telsmith Crushing Plan and by obtaining Council approval.

**The proceeds of the sale of the Telsmith Crushing Plant will be deposited to the quarry’s fund balance.**

***Staff recommends Council approve the sale and the listing of the Telsmith Crushing Plant for sale at auction with GovDeals, Inc.***

## **Board & Commission Appointments**

*The Board & Commission seats listed below are co-terminus with Council District seats and will require [in the 1st quarter of 2023] appointment and/or reappointment as follows:*

### **Agriculture Advisory Board**

District IV seat: 1 questionnaire on file for this seat.

### **Conservation Bank Board**

1 At-Large seat: No questionnaires on file for this seat.

## **Executive Session**

*[upon reconvening Council may take a Vote and/or take Action on matters brought up for discussion in Executive Session, if required]*

- 1. Receive legal advice and discuss litigation related to expenditure of general obligation bond funds.*
- 2. Council discussion regarding a potential property acquisition related to Emergency Services.*

## **Adjourn**

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