

LIMITED IN-PERSON ATTENDANCE PERMITTED

Due to the Novel Coronavirus pandemic and the ongoing state of emergency, in-person attendance at this Council meeting by members of the general public will be limited. Attendance will be limited to twenty percent of the stated maximum occupancy, which equates to thirty-four (34) persons (including Council members, other elected officials, and staff). Attendees will be required to sit in designated seats, appropriately spaced. In-person attendance will be allowed on a “first-come” basis.

*Additionally, to ensure the meeting otherwise remains open to the public, we will continue to broadcast it live on the County’s YouTube channel, which can be found via the County’s website at Oconeesc.com. Further, the public may call in and listen by dialing **888-475-4499 OR 877-853-5257** and entering meeting ID # **825 5309 3004**. And, individuals parked in close proximity to Council Chambers may listen to the meeting on FM 92.3.*



UPDATED AGENDA

OCONEE COUNTY COUNCIL MEETING

December 15, 2020

6:00 PM

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

Call to Order

Public Comment Session

[Limited to a total of forty (40) minutes, four (4) minutes per person.]

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

Council Member Comments

Moment of Silence

Invocation by County Council Chaplain

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

Approval of Minutes

- December 1, 2020 Regular Minutes

Administrator Comments

Attorney Comments

Proclamation 2020-12

- **Proclamation 2020-12** Supporting the South Carolina Right to Farm Act

COUNCIL MEMBERS

Julian Davis, III, Chairman, District IV Paul Cain, Vice-Chair, District III
John Elliott, Chair Pro Tem, District I Wayne McCall, District II
Glenn Hart, District V

Public Hearings for the Following Ordinances

Ordinance 2020-21 “AN ORDINANCE AUTHORIZING AND APPROVING (1) THE DEVELOPMENT OF A NEW JOINT COUNTY INDUSTRIAL AND BUSINESS PARK (FRIENDSHIP COURT PROPERTY) PURSUANT TO SECTION 4-1-170 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, IN CONJUNCTION WITH ANDERSON COUNTY (THE "PARK") SUCH PARK TO BE GEOGRAPHICALLY LOCATED IN ANDERSON COUNTY AND TO INCLUDE THE AFOREMENTIONED PROJECT; (2) THE EXECUTION AND DELIVERY OF A WRITTEN PARK AGREEMENT WITH ANDERSON COUNTY AS TO THE REQUIREMENT OF PAYMENTS OF FEE IN LIEU OF *AD VALOREM* TAXES WITH RESPECT TO PARK PROPERTY AND THE SHARING OF THE REVENUES AND EXPENSES OF THE PARK; (3) THE DISTRIBUTION OF REVENUES FROM THE PARK TO THE COUNTIES AND RELEVANT TAXING ENTITIES; AND (4) OTHER MATTERS RELATED THERETO.”

Third Reading of the Following Ordinances

Ordinance 2020-21 [see caption above]

Second Reading of the Following Ordinances

Ordinance 2020-23 “AN ORDINANCE GRANTING CERTAIN EASEMENT RIGHTS TO THE CITY OF SENECA AT THE SENECA RAIL PARK FOR THE PURPOSE OF CONSTRUCTING, MAINTAINING, AND OPERATING PIPELINES, MANHOLES, AND RELATED ITEMS FOR THE PURPOSE OF CONVEYING POTABLE WATER, OR SANITARY SEWAGE / INDUSTRIAL WASTE; AND OTHER MATTERS RELATED THERETO.”

First Reading of the Following Ordinances

Ordinance 2020-24 “AN ORDINANCE AMENDING CHAPTER 32 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING THE REMOVAL OF “*DISTANCE REQUIREMENTS*” CURRENTLY FOUND AT SECTION 32-181 OF THE OCONEE COUNTY CODE OF ORDINANCES.”

Ordinance 2020-25 “AN ORDINANCE AUTHORIZING OCONEE COUNTY TO ENTER INTO AN ENERGY SAVINGS PERFORMANCE ARRANGEMENT, BETWEEN OCONEE COUNTY AND JOHNSON CONTROLS, INC., AND A RELATED LEASE PURCHASE ARRANGEMENT (NOT TO EXCEED \$3,400,000.00), BETWEEN OCONEE COUNTY AND ONE OR MORE LENDERS, EACH AS DESCRIBED IN SOUTH CAROLINA CODE ANNOTATED 11-27-110; AND OTHER RELATED MATTERS.”

First & Final Reading for the Following Resolutions

[None Scheduled]

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Discussion Regarding Action Items

Local ATAX / Oconee County PRT / \$71,000

A portion of Local ATAX revenues received by Oconee County are made available for ATAX grants through Ordinance 2011-12. ATAX grants are to be tourism related grants that meet the ATAX guidelines specified by local and State mandates. Grants are recommended by the PRT Commission based on tourism impact of the project and approved by County Council. All external ATAX grant recipients are required to turn in intermediate reports every 60 days to the progress of the grant and a final report upon completion of the grant.

It is staff's recommendation of Council approval of ATAX grant recommendations per the attached spreadsheet.

A request for Council to approve a letter of support to be sent to the Oconee County Legislative Delegation regarding the temporary reduction of certain regulatory constraints pertaining to farm animal processing

Even in the best of times farmers and ranchers in Oconee County and throughout South Carolina face a relentless shortage of animal processing facilities that can adhere to the many state and federal regulations currently in place. The global pandemic has made the severe shortage of animal processing facilities worse by increasing the demand for fresh meat and reducing the available animal processing workforces. The Oconee County Agricultural Advisory Board recommends the County Council present to our Legislative Delegation some temporary solutions for our farmers and ranchers predicament by temporarily removing some regulatory constraints.

It is staff's recommendation for Council to approve a letter of support to be sent to the Oconee County Legislative Delegation regarding the temporary reduction of certain regulatory constraints pertaining to farm animal processing.

Regarding Oconee County Conservation Bank - Discuss and Ratify Modified Grant Application and Grant Approval related to approximately 155 acres of real property, commonly known as the Whetstone Creek Preserve

Oconee County Emergency Services seeks Council's ratification of their request for a grant award from the United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS), Emergency Watershed Protection (EWP) Program, which is reimbursable up to, but not to exceed \$5.2 million with a twenty-five (25%) percent local (County) match, which may be paid by cash or in-kind services, for the purpose of clearing debris from County waterways and restoring impaired watersheds

Staff will work to cover the bulk of the local match with in-kind work. A contingency will need to be created for the remaining balance.

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Earlier this year, Oconee County Emergency Services sent a letter of request to the USDA / NRCS for funding under the EWP Program.

The EWP Program allows communities to quickly respond to long-lasting, serious damage to land and infrastructure. Program timelines ensure quick assistance from NRCS to help communities cope with the impact of natural disasters. The program also allows NRCS to form non-traditional partnerships with sponsors to complete projects.

Oconee County Emergency Services made its request in order to address damages caused by the April 13, 2020 EF3 tornado. The debris removal and watershed restoration is necessary to safeguard property, including valuable utility infrastructure, as well as the lives of County residents, from an imminent flooding hazard due to tree debris within Coneross Creek and other areas.

The letter received a positive response from the USDA / NRCS, and the funding process has begun. Absent an extension, the County has two hundred and twenty (220) days from when the State initially received the USDA / NRCS funding to complete its work under the program, which occurred in early November. Time is therefore of the essence.

It is staff's recommendation that Council [1] ratify the Letter of Request from Oconee County to the USDA / NRCS for grant funding under the EWP Program, [2] authorize the County Administrator to complete the application for grant funding, executing such other documents as the USDA / NRCS deems necessary to continue the County's involvement in the program (on advice of the Emergency Services Director and the County Attorney), and [3] that prior to obligating the County to local match or other expenditures greater than \$150,000 (in cash or in-kind) cumulatively for this project, this matter be brought back to Council for discussion and further action. In cash or in-kind expenditures, or agreements to expend, that do not exceed \$150,000 cumulatively are hereby approved, and shall come from FEMA reimbursements recently received, as discussed.

Seven (7) Chevrolet Tahoe's / Administration / Sheriff's Office / \$289,966.00

The Fiscal year 2020-2021 Capital Replacement plan includes six (6) Chevy Tahoes for the Sheriff's Office and one (1) for the Administrator.

The new vehicles will replace high-mileage vehicles or vehicles that have been involved in accidents and deemed a total loss. The high-mileage vehicles being replaced will be sold as surplus or replace older vehicles used in other County departments. The Fleet Maintenance Director also approves this purchase.

Love Chevrolet of Columbia, SC was awarded SC State Contract # 4400024875 for Chevrolet PPV SUV's. Chevrolet will not begin production of the 2021 State Contract units until January of 2021. Delivery will be 90 days or more after receipt of order. Love Chevrolet currently has a 2021 four-wheel drive Tahoe on their lot, which will replace the Administrator vehicle; they have agreed sell it to Oconee County based on State Contract pricing. Staff is requesting Council approval to purchase this vehicle off the lot.

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It is the staff's recommendation that Council approve the purchase of six (6) Chevrolet Tahoe Police Pursuit SUV's and one (1) 2021 Chevy Tahoe without the PPV package to Love Chevrolet of Columbia, SC, in the amount of \$289,966.00, based on State Contract # 4400024875.

Council Committee Reports

Real Estate, Facilities, & Land Management / Mr. Davis.....[12.01.2020]

Board & Commission Appointments (IF ANY) [Seats listed are all co-terminus seats]

- *Building Codes Appeal Board.....1 At Large Seat
- *Board of Zoning Appeals.....District 5
- *Conservation Bank Board.....District 5 & 1 At Large Seat
- *Arts & Historical Commission.....District 4
- *Agricultural Advisory Board.....District 4
- *Library Board.....1 At Large Seat
- *Aeronautics Commission.....District V

**No questionnaires on file for the seats listed above*

Executive Session

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

For the following purposes, as allowed for in § 30-4-70(a) of the South Carolina Code of Laws:

[1] Receive legal advice and discuss contractual matters related to the Rock Quarry.

[2] Receive legal advice and discuss contractual matter, and related potential contractual matter, with respect to the disposition of certain County-owned property.

[3] Discussion regarding an Economic Development matter, Project Rise.

[4] Receive legal advice related to opioid litigation and defendants' bankruptcy issues.

Adjourn

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