



UPDATED A G E N D A
OCONEE COUNTY COUNCIL MEETING
December 06, 2022
6:00 PM

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

Call to Order

Moment of Silence

Invocation by County Council Chaplin

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

Approval of Minutes

November 15, 2022 Regular Minutes

County Attorney Comments

County Administrator Comments

Proclamations

PROCLAMATION 2022-21 A PROCLAMATION HONORING THE SENECA HIGH SCHOOL GIRLS GOLF TEAM

PROCLAMATION 2022-22 A PROCLAMATION HONORING PAUL A. CAIN, ESQ. FOR HIS SERVICE TO OCONEE COUNTY

Presentation to Council

Update regarding Task Force on Agriculture – Ms. Lisa Jones

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 emailing jennifercadams@oconeesc.com or calling 864-718-1023, so that your comment may be read it into the record.

Council Member Comments

COUNCIL MEMBERS

John Elliott, Chair, District I

Paul Cain, Vice-Chair, District III

Julian Davis, III, Chair Pro Tem, District IV

District II

Glenn Hart, District V

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

ORDINANCE 2022-22 AN ORDINANCE AMENDING CHAPTER 32 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, BY ADDING A PROVISION PROVIDING FOR PREAPPROVAL BY THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION IN RELATION TO SUBDIVISION PLANS SUBMITTED FOR PRELIMINARY APPROVAL TO OCONEE COUNTY FOR PROPERTIES WITH ROAD FRONTAGE ON U.S. HIGHWAY 123, BETWEEN THE OCONEE COUNTY - PICKENS COUNTY BORDER AND THE EASTERNMOST BOUNDARY OF THE CITY OF SENECA; AND OTHER MATTERS RELATED THERETO.

ORDINANCE 2022-27 AN ORDINANCE TO AMEND AND SUPPLEMENT ORDINANCE 2022-01 (AS SUPPLEMENTED BY ORDINANCE 2022-19), 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.

Third Reading of the Following Ordinances

ORDINANCE 2022-22 [*see caption above*]

ORDINANCE 2022-27 [*see caption above*]

Second Reading of the Following Ordinances

ORDINANCE 2022-24 AN ORDINANCE AMENDING CHAPTER 38 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, BY REVISING THE LOT SIZE AND DENSITY STANDARDS APPLICABLE TO THE LAKE OVERLAY DISTRICT; AND OTHER MATTERS RELATED THERETO.

ORDINANCE 2022-26 AN ORDINANCE AMENDING ARTICLE II OF CHAPTER 6 OF THE OCONEE COUNTY CODE OF ORDINANCES IN RELATION TO THE ADOPTION OF MANDATORY AND PERMISSIVE BUILDING AND RELATED CODES AND STANDARDS; AND OTHER MATTERS RELATED THERETO.

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ORDINANCE 2022-28 AN ORDINANCE TO APPROPRIATE AND AUTHORIZE THE EXPENDITURE OF UP TO \$2,000,000 OF LOCAL CORONAVIRUS FISCAL RECOVERY FUNDING UNDER THE AMERICAN RESCUE PLAN ACT OF 2021 (“ARPA”) FOR PURPOSES OF PROVIDING ADDITIONAL FUNDING FOR THE SEWER SOUTH PROJECT; AND OTHER MATTERS RELATED THERETO.

ORDINANCE 2022-29 AN ORDINANCE TO AMEND CHAPTER 4 OF THE OCONEE COUNTY CODE OF ORDINANCES, ENTITLED THE OCONEE COUNTY ANIMAL CONTROL ACT; AND OTHER MATTERS RELATED THERETO.

ORDINANCE 2022-30 AN ORDINANCE TO APPROPRIATE AND AUTHORIZE THE EXPENDITURE OF SIX HUNDRED THIRTY-EIGHT THOUSAND, TWO HUNDRED TWENTY-NINE AND 00/100 (\$638,229.00) [*\$640,166.00 – requested amendment*] DOLLARS OF LOCAL CORONAVIRUS FISCAL RECOVERY FUNDING RECEIVED UNDER THE AMERICAN RESCUE PLAN ACT OF 2021 (“ARPA”) FOR CONSTRUCTION OF THE BOUNTYLAND FIRE SUBSTATION; AND OTHER MATTERS RELATED THERETO.

First Reading of the Following Ordinances

[The first reading of two other ordinances is scheduled to occur after Executive Session. See below.]

ORDINANCE 2022-31 AN ORDINANCE TO ACKNOWLEDGE AND AUTHORIZE THE EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN OCONEE COUNTY AND THE CITY OF WALHALLA FOR THE PROVISION OF A COUNTY MAGISTRATE TO ACT AS MUNICIPAL JUDGE FOR THE CITY OF WALHALLA; AND OTHER MATTERS RELATED THERETO.

First & Final Reading for the Following Resolutions

[The first reading of one other resolution is scheduled to occur after Executive Session. See below.]

RESOLUTION 2022-18 A RESOLUTION APPOINTING AND COMMISSIONING NATE WILSON AS A CODE ENFORCEMENT OFFICER FOR THE PROPER SECURITY, GENERAL WELFARE, AND CONVENIENCE OF OCONEE COUNTY; AND OTHER MATTERS RELATED THERETO.

Discussion Regarding Action Items

**Title: Used 2019 Komatsu HM400-5
Amount: \$175,324.00**

Department: Solid Waste

Procurement pending approval of the FY 2022-2023 budget.

Budget: \$175,324.00 Project Cost: \$175,324.00 Balance: \$ 0.00

Funding from Capital Equipment / Vehicle Fund (325)

This purchase is for a used 2019 Komatsu HM400-5 40 ton articulating dump truck for Solid Waste. The department uses a haul truck to haul cover soil for monthly landfill cover and sediment pond construction and maintenance as required by SCDHEC compliance. In addition, this truck is used to move material around the landfill when needed. An articulated dump truck is necessary to perform

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the actions within the landfill because the truck can work in unfavorable conditions, can go onto the landfill face, and it cuts the covering time in half to allow staff to return to their normal duties. On December 7, 2021, County Council approved the long term rental of a 2019 Komatsu HM400-5 Articulated Dump Truck from Linder Industrial Machinery of Greer, SC, with the option to purchase the truck and an additional warranty at the end of the rental term. The rental is set to expire in December 2022. Prior to this rental, Solid Waste had borrowed articulated a dump truck from the Rock Quarry when not in use or the Road Department has sent a crew with 2-3 standard dump trucks. Staff obtained pricing on 2 additional pieces of used equipment and the price for a New Komatsu HM400.

- 2019 Komatsu HM400, 5,788 Hours, \$435,900.00, located in Carrollton, TX
- 2019 Komatsu HM400, 2,414 Hours, \$456,000.00, located in Savage, MN
- NEW Komatsu HM400 \$666,438.96

The purchase price of the equipment after reduction of all rental fees paid is \$150,000.00, add 2 year / 2000-hour power train warranty in the amount of \$15,400.00, and sales tax in the amount of \$9,924.00; for a grand total of \$175,324.00.

County procedures for the purchase of used equipment have been followed. The Solid Waste Director, Swain Still, and the Procurement Director recommend purchase of the used 2019 Komatsu HM400-5 Articulated Dump Truck. The Vehicle Maintenance Director approves this purchase.

It is the staff's recommendation that Council approve the purchase of the Used 2019 Komatsu Articulated Dump Truck from Linder Industrial Machinery of Greer, SC in the amount of \$175,324.00.

Title: Body Cameras
Amount: \$667,164.85

Department: Sheriff's Office

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

Budget: \$667,167.85 Project Cost: \$667,167.85 Balance: \$0.00

The Sheriff's Office first implemented body-worn cameras in 2013 and currently have 40 cameras. In 2018, the County entered a five-year agreement with Axon Enterprises (formerly Taser International) for camera units, including mounting hardware, docks and associated software and storage of camera footage. The County is now in the fifth (final) year of this agreement and request Council approval to enter into a new five-year agreement. Since the implementation of these cameras, the number of Class 1 officers has increased. This new agreement will replace all existing units with new ones and add seventy (70) more camera units. This will allow the Sheriff to equip more Class 1 officers (uniformed and plain clothes) with these cameras for greater accountability and transparency.

The Sheriff's Office has been awarded a cash award in the amount of \$190,371.26 from the South Carolina Department of Public Safety Office of Highway Safety and Justice Programs - Body-Worn Camera Fund; which will fully fund Year 1 of a new agreement with Axon for these cameras. The Sheriff's Office Staff will request reimbursement each remaining year of the contract from the State's body-worn camera fund. Axon Enterprises is a sole source for all Taser products.

Payment schedule as follows:

Dec 2022	– \$190,222.55
Dec 2023	– \$119,235.57
Dec 2024	– \$119,235.57
Dec 2025	– \$119,235.57
Dec 2026	– \$119,235.59
Total	\$667,164.85

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It is the staff's recommendation that Council:

- 1. Approve entering into a five-year agreement with Axon Enterprises, Inc., of Scottsdale, AZ, for body cameras and associated equipment for a total amount of \$667,164.93.*
- 2. Authorize the County Administrator to execute the Payment Plan Agreement in substantially the same form as attached hereto (or with such material changes as benefit the County, upon advice of the County Attorney), along with such other documents necessary to make this purchase.*

Council Committee Reports

None scheduled for this meeting.

Board & Commission Appointments

The Board & Commission seats listed below are co-terminus with Council District seats and will require [in the 1st quarter of 2021] appointment and/or reappointment as follows:

Arts and Historical Commission

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

Conservation Bank Board

District IV Seat: No questionnaire 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 contractual matter regarding Sewer South.*
- 2. Discuss personnel matter regarding Probate Court.*
- 3. Discussion regarding Economic Development matter, Project Greenpaw.*
- 4. Discussion regarding Economic Development matter, Project PrePoly.*
- 5. Receive legal advice and discuss contractual matter regarding Oconee Joint Regional Sewer Authority.*
- 6. Receive legal advice and discuss contractual matters regarding the Town of Salem; the City of Seneca; the City of Walhalla; and the City of Westminster.*
- 7. Discussion regarding potential property acquisition for Economic Development purposes.*
- 8. Receive legal advice and discuss contractual matter related to the acquisition and transfer of real property adjacent to the City of Seneca.*

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First & Final Reading for the Following Resolutions

RESOLUTION 2022-19 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 AGREEMENT BY AND BETWEEN OCONEE COUNTY, SOUTH CAROLINA, AND A COMPANY IDENTIFIED FOR THE TIME BEING AS PROJECT PREPOLY, 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; AND OTHER RELATED MATTERS.

First Reading of the Following Ordinances

ORDINANCE 2022-32 AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A PUBLIC INFRASTRUCTURE REIMBURSEMENT AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA (“COUNTY”) AND [PROJECT GREENPAW], WITH RESPECT TO CERTAIN PROPERTY IN THE COUNTY, WHEREBY SUCH PROPERTY WILL BE SUBJECT TO CERTAIN PAYMENTS IN LIEU OF TAXES, INCLUDING THE PROVISION OF CERTAIN SPECIAL SOURCE REVENUE CREDITS TO REIMBURSE [PROJECT GREENPAW] FOR CERTAIN INFRASTRUCTURE COSTS INCURRED; AUTHORIZING THE EXECUTION AND DELIVERY THEREOF; AUTHORIZING THE PLACEMENT OF CERTAIN PROPERTY WITHIN THE BOUNDARIES OF A MULTICOUNTY INDUSTRIAL OR BUSINESS PARK OR THE CREATION OF A NEW MULTICOUNTY INDUSTRIAL OR BUSINESS PARK; AND OTHER MATTERS RELATING THERETO.

ORDINANCE 2022-33 AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF TAX AGREEMENT BY AND BETWEEN OCONEE COUNTY AND A COMPANY KNOWN TO THE COUNTY AS PROJECT PREPOLY, WHEREBY OCONEE COUNTY WILL ENTER INTO A FEE-IN-LIEU OF TAX AGREEMENT WITH PROJECT PREPOLY AND PROVIDING FOR PAYMENT BY PROJECT PREPOLY OF CERTAIN FEES-IN-LIEU OF AD VALOREM TAXES; PROVIDING FOR SPECIAL SOURCE REVENUE CREDITS IN CONNECTION WITH SUCH AGREEMENT; PROVIDING FOR THE LOCATION OF THE COMPANY’S PROPERTY IN A MULTI-COUNTY INDUSTRIAL/BUSINESS PARK; AND OTHER MATTERS RELATING THERETO.

Adjourn

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