

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
PROCLAMATION 2022-18**

**A PROCLAMATION HONORING MR. RICKY SMITH, SENIOR
AUTO SERVICER, UPON HIS RETIREMENT**

WHEREAS, Mr. Ricky Smith, a resident of Westminster, South Carolina, began working as a full-time, Oconee County employee on March 14, 2011; and

WHEREAS, over the years, Mr. Smith served as an Auto Servicer and Senior Auto Servicer; and

WHEREAS, Mr. Smith distinguished himself as a hard-worker and worked diligently as a vital member of the Oconee County Motor Pool Team; and

WHEREAS, colleagues consider Mr. Smith family, rather than a co-worker, and describe him as a friendly, family man who is an avid outdoorsman and story-teller; and

WHEREAS, after nearly twelve years of service to the citizens of Oconee County, Mr. Smith will be retiring on Nov 17, 2022.

NOW, THEREFORE, we, the Oconee County Council, do hereby recognize and express our sincere gratitude for Mr. Smith's dedication and commitment to Oconee County and congratulate him on the occasion of his retirement.

APPROVED AND ADOPTED this 15th day of November, 2022.

OCONEE COUNTY, SOUTH CAROLINA

John Elliott, Chairman of County Council
Oconee County, South Carolina

Attest: _____
Jennifer Adams, Clerk to County Council
Oconee County, South Carolina

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
PROCLAMATION 2022-19**

**A PROCLAMATION HONORING CAPTAIN DAVID B. SMITH UPON HIS
RETIREMENT FROM THE OCONEE COUNTY SHERIFF'S OFFICE**

WHEREAS, Captain David B. Smith, a resident of Westminster, South Carolina, is married to Sherri Smith and together they have one daughter, Abigail; and

WHEREAS, Captain Smith began working as a full-time employee with the Oconee County Sheriff's Office on August 25, 1988; and

WHEREAS, Captain Smith held various positions throughout his tenure, starting his career as a Deputy Sheriff and being promoted to Sergeant, to Lieutenant to his current rank of Captain over the Criminal Investigations Bureau; and

WHEREAS, over the years, Captain Smith has faithfully served under Sheriff Earl Holcombe, Sheriff James Singleton and Sheriff Mike Crenshaw; and

WHEREAS, Captain Smith has fostered collaborative partnerships with local, state and federal law enforcement agencies to solve crimes; and

WHEREAS, Captain Smith has volunteered as a mentor at Fair-Oak Elementary for many years building positive relationships for law enforcement with our youth and was most recently recognized as Officer of the Year for the Sheriff's Office at the Blue Ridge Electric Public Safety Awards Luncheon; and

WHEREAS, each and every day, Captain Smith exemplifies the core values of the Oconee County Sheriff's Office including fairness, respect, courage, integrity and honor; and

WHEREAS, Captain Smith has been a vital team member of the Oconee County Sheriff's Office and will be sorely missed by his co-workers and peers; and

WHEREAS, after thirty-four years of service to the citizens of Oconee County, Captain Smith will be retiring on December 31, 2022.

NOW, THEREFORE, we, the Oconee County Council, do hereby recognize and express our sincere gratitude for Captain Smith's dedication and commitment to the County and congratulate him on the occasion of his retirement.

APPROVED AND ADOPTED this 15th day of November, 2022.

OCONEE COUNTY, SOUTH CAROLINA

John Elliott, Chairman of County Council
Oconee County, South Carolina

Attest: _____
Jennifer Adams, Clerk to County Council
Oconee County, South Carolina

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
PROCLAMATION 2022-20**

**A PROCLAMATION DECLARING NOVEMBER 2022 AS
AGRICULTURAL AWARENESS MONTH**

WHEREAS, agriculture is the oldest and physically largest industry in Oconee County, producing \$159,442,000 annually in total sales of agricultural goods from 815 farms across 62,000 acres;¹

WHEREAS, the agriculture industry ensures the care, conservation, and preservation of vast areas of green and open space; and

WHEREAS, the conservation of this pasture, wood, and cropland is a major contributing factor to Oconee's natural beauty and attractiveness, hence our popularity as a tourist destination, as evidenced by a 41% (17.9 million) increase in visitor spending since 2006; and

WHEREAS, Oconee farmers rank first in South Carolina in the production of livestock, poultry, and related products - first in poultry and eggs; second in aquaculture; fourth in total sales by market value; and fifth in horses, ponies, mules, burros, and donkeys;² and

WHEREAS, the Oconee County Council desires to place an emphasis on and honor our agriculturists and their accomplishments; to promote the preservation and protection of the future of agribusiness and the welfare of our farmers, their families, their land, the future of the natural beauty of our fields, forests, and water; and to recognize the significance of agriculture to all; and to heighten public awareness.

NOW, THEREFORE, we, the Oconee County Council do hereby proclaim November 2022 as Agricultural Awareness and Appreciation month.

APPROVED AND ADOPTED this ____ day of _____, 2022.

OCONEE COUNTY, SOUTH CAROLINA

Attest:

Jennifer C. Adams
Clerk to County Council
Oconee County

John Elliott, Chairman
Oconee County Council

¹ 2017 USDA Census of Agriculture

² Id.

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
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.

WHEREAS, consistent with the powers granted county governments by S.C. Code § 4-9-25 and S.C. Code § 4-9-30, Oconee County (“County”), a body politic and corporate and a political subdivision of the State of South Carolina, acting by and through its governing body, the Oconee County Council (“County Council”), has the authority to enact regulations, resolutions, and ordinances, not inconsistent with the Constitution and the general law of the State of South Carolina, including the exercise of such powers in relation to health and order within its boundaries and respecting any subject as appears to it necessary and proper for the security, general welfare, and convenience of the County or for preserving health, peace, order, and good government therein;

WHEREAS, the County has adopted multiple ordinances for the effective, efficient governance of the County, which, subsequent to adoption, are codified in the Oconee County Code of Ordinances (“Code of Ordinances”), as amended;

WHEREAS, the County is authorized by Chapter 29 of Title 6 of the South Carolina Code of Laws, among other sources, to impose land development and subdivision standards in the unincorporated areas of the County;

WHEREAS, County Council recognizes that there is a need to revise the law of the County to meet the changing needs of the County and that there is a need to amend, specifically, Chapter 32 of the Code of Ordinances by adding a provision providing for preapproval by the South Carolina Department of Transportation (“SCDOT Preapproval”) 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;

WHEREAS, the Oconee County Planning Commission has considered this issue and recommends that the following language be added to Section 32-222 of the Oconee County Code of Ordinances:

Sec. 32-222 Preliminary plan and supporting data.

A. Submittal requirements.

10. Properties with road frontage on U.S. Highway 123, between the Oconee - Pickens County border and the easternmost municipal boundary of the City of Seneca, shall submit to and receive approval from the South Carolina Department of Transportation (“SCDOT”) prior to final approvals from the Oconee County Planning Department. All SCDOT comments shall be incorporated in the plan submitted to the County. Design priorities should include connecting parking areas and limiting curb cuts.

WHEREAS, County Council hereby agrees to modify Chapter 32 of the Code of Ordinances in this limited regard and particular only and to affirm and preserve all other provisions of the Code of Ordinances not expressly, or by implication, amended hereby; and

WHEREAS, after first reading of this Ordinance by County Council, the Oconee County Planning Commission will hold a public hearing on this matter upon thirty (30) days’ advance notice, consistent with Section 32-226(4) of the Oconee County Code of Ordinances; and it will report the results of that public hearing to County Council prior to County Council conducting second reading and holding its public hearing on this matter.

NOW THEREFORE, it is hereby ordained by the Oconee County Council, in meeting duly assembled, that:

1. Chapter 32 of the Code of Ordinances is hereby revised, rewritten, and amended by adding the following subsection:

Sec. 32-222 Preliminary plan and supporting data.

A. Submittal requirements.

10. Properties with road frontage on U.S. Highway 123, between the Oconee - Pickens County border and the easternmost municipal boundary of the City of Seneca, shall submit to and receive approval from the South Carolina Department of Transportation (“SCDOT”) prior to final approvals from the Oconee County Planning Department. All SCDOT comments shall be incorporated in the plan submitted to the County. Design priorities should include connecting parking areas and limiting curb cuts.

2. Should any part or provision of this Ordinance be deemed unconstitutional or unenforceable by any court of competent jurisdiction, such determination shall not affect the remainder of this Ordinance, all of which is hereby deemed separable.

3. All ordinances, orders, resolutions, and actions of County Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked, and rescinded. Nothing contained herein, however, shall cancel, void, or revoke, or shall be interpreted as cancelling, voiding, or revoking, *ex post facto*, in any regard any prior subdivision or land use provision, or decision of the County or County Council based thereon, which were valid and legal at the time in effect and undertaken pursuant thereto.

4. All other terms, provisions, and parts of the Code of Ordinances, and specifically, but without exception, the remainder of Chapter 32, not amended hereby, directly or by implication, shall remain in full force.

5. This Ordinance shall take effect and be in full force from and after third reading, public hearing, and enactment by County Council.

ORDAINED in meeting, duly assembled, this _____ day of _____, 2022.

ATTEST:

Jennifer Adams
Clerk to Oconee County Council

John Elliott
Chair, Oconee County Council

First Reading: September 20, 2022
Second Reading: November 15, 2022
Third Reading: _____
Public Hearing: _____

OCONEE COUNTY PLANNING COMMISSION

415 South Pine Street - Walhalla, SC



TEL (864) 638-4218 FAX (864) 638-4168

Date: November 8, 2022

To: Oconee County Council Chairman John Elliott

From: James Coley

Re: Report to Council: Ordinance 2022-22

Results:

- The Planning Commission recommends removal of the last line “Design priorities should include connecting parking areas and limiting curb cuts” by a vote of 4-3. The Planning Commission recommends approve the Ordinance, with the change, by a vote of 7-0.

Background:

- The Planning Commission held a public hearing on Ordinance 2022-22 on November 7, 2022.
- There was one speaker. Speaker was generally in favor of the Ordinance except for the last line “Design priorities should include connecting parking areas and limiting curb cuts.”

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
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.

WHEREAS, Oconee County, South Carolina (“County”), a body politic and corporate and a political subdivision of the State of South Carolina, acting by and through its governing body, the Oconee County Council (“Council”), has previously adopted and enacted the budget of the County for the fiscal year beginning July 1, 2022 and ending June 30, 2023 through the adoption and enactment of Oconee County Ordinance 2022-01, as supplemented by Ordinance 2022-19 (collectively referred to herein as “2022-01” for ease of reference); and

WHEREAS, certain events and needs have occurred, necessitating the amendment of Ordinance 2022-01 to reflect certain additional revenues and the expenditure of certain additional funds; and

WHEREAS, Council therefore desires to amend Ordinance 2022-01 to achieve the foregoing.

NOW, THEREFORE, IT IS HEREBY ORDAINED by Council in meeting duly assembled, that:

SECTION I: Ordinance 2022-01 is hereby amended and modified to:

- 1) Provide for an increase of \$1,108,000 to the Rock Quarry Enterprise Fund. This increase is due to high demand and volume.

SECTION II: The 2022-2023 Oconee County Budget is hereby amended by adding the following, for the aforesated purposes:

<u>Rock Quarry Enterprise Fund Revenues</u>	
Sales	\$ 1,108,000
<u>Rock Quarry Enterprise Fund Expenditures</u>	
Rock Quarry –	
Equipment Maintenance	\$ 515,320
Blasting	\$ 252,000
Capital Equipment	\$ 202,680
Diesel	\$ 88,000
Contingency	\$ 50,000

SECTION III: In the aggregate, the adopted fiscal year 2022-2023 budget, prior to these amendments stands at:

	Rock Quarry Enterprise Fund	
Revenues:		\$ 7,405,000
Expenses:		\$ 7,405,000

As amended hereby the new budget will be:

	Rock Quarry Enterprise Fund	
Revenues:		\$ 8,513,000
Expenses:		\$ 8,513,000

SECTION IV:

The following Budget Proviso is added:

Section 20

The County Administrator may waive up to Five Thousand and 00/100 (\$5,000.00) Dollars per fiscal year in Oconee County encroachment fees, building permit fees, and related and associated building code fees for each municipality located within Oconee County, but only to the extent the subject building project is for a public purpose.

SECTION V:

- 1) All other sections of Ordinance 2022-01 not modified, directly or by implication, shall remain in full force and effect.
- 2) Should any part or provision of this Ordinance be deemed unconstitutional or unenforceable by any court of competent jurisdiction, such determination shall not affect the rest and remainder of this Ordinance, all of which is hereby deemed separable.
- 3) All ordinances and resolutions inconsistent herewith are, to the extent of such inconsistency only, hereby revoked, repealed, and rescinded.
- 4) This Ordinance shall take effect and be in force immediately upon enactment.

Adopted in meeting duly assembled this ____ day of December, 2022.

OCONEE COUNTY, SOUTH CAROLINA

John Elliott
Chairman, Oconee County Council

ATTEST

Jennifer C. Adams
Clerk to County Council

First Reading: October 18, 2022
Public Hearing: November 15, 2022
Second Reading: November 15, 2022
Public Hearing: December 6, 2022
Third Reading: December 6, 2022

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
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.

WHEREAS, consistent with the powers granted county governments by S.C. Code § 4-9-25 and S.C. Code § 4-9-30, Oconee County (“County”), a body politic and corporate and a political subdivision of the State of South Carolina, acting by and through its governing body, the Oconee County Council (“County Council”), has the authority to enact regulations, resolutions, and ordinances, not inconsistent with the Constitution and the general law of the State of South Carolina, including the exercise of such powers in relation to health and order within its boundaries and respecting any subject as appears to it necessary and proper for the security, general welfare, and convenience of the County or for preserving health, peace, order, and good government therein;

WHEREAS, the County has adopted multiple ordinances for the effective, efficient governance of the County, which, subsequent to adoption, are codified in the Oconee County Code of Ordinances (“Code of Ordinances”), as amended;

WHEREAS, the County is authorized by Chapter 29 of Title 6 of the South Carolina Code of Laws, among other sources, to impose land use restrictions and development standards in the unincorporated areas of the County;

WHEREAS, County Council recognizes that there is a need to revise the law of the County to meet the changing needs of the County and that there is a need to amend, specifically, Chapter 38 of the Code of Ordinances by revising the lot size and density standards applicable to a portion of the lake overlay district; and

WHEREAS, County Council has therefore determined to modify Chapter 38 of the Code of Ordinances by changing the minimum lot size to one-half acre and the maximum density to one dwelling unit per one-half acre for those lots created hereafter that are within two hundred (200’) feet of the full pond contour of Lake Keowee and Jocassee, and to affirm and preserve all other provisions of the Code of Ordinances not specifically, or by implication, amended hereby.

NOW, THEREFORE, it is hereby ordained by the Oconee County Council, in meeting duly assembled, that:

1. Section 38-11.1(d)(1), Subsection a.1., is revised to read as follows:

Lots that are created subsequent to the effective date of this ordinance and which exist, in whole or in part, within two hundred (200') feet of the full pond contour of Lake Keowee or Lake Jocassee shall be no less than one-half acre in size, with a maximum density of one dwelling unit per one-half acre. Lots located fully within the remaining boundaries of the lake overlay district are limited to a net density of no greater than two dwelling units per acre.

2. Prior to the third reading of this Ordinance, the Oconee County Planning Commission shall review this proposed amendment to Chapter 38 and issue a recommendation to County Council in relation hereto.

3. Should any part or provision of this Ordinance be deemed unconstitutional or unenforceable by any court of competent jurisdiction, such determination shall not affect the remainder of this Ordinance, all of which is hereby deemed separable.

4. All ordinances, orders, resolutions, and actions of County Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked, and rescinded. Nothing contained herein, however, or in the attachment hereto, shall cancel, void, or revoke, or shall be interpreted as canceling, voiding, or revoking, *ex post facto*, in any regard any prior performance standard or land use provision, or decision of the County or County Council based thereon, which was valid and legal at the time in effect and undertaken pursuant thereto, in any regard.

5. All other terms, provisions, and parts of the Code of Ordinances, and specifically, but without exception, the remainder of Chapter 38, not amended hereby, directly or by implication, shall remain in full force.

6. This Ordinance shall take effect and be in full force from and after third reading, public hearing, and enactment by County Council.

ORDAINED in meeting, duly assembled, this _____ day of _____, 2022.

ATTEST:

Jennifer Adams
Clerk to Oconee County Council

John Elliott
Chair, Oconee County Council

First Reading: November 15, 2022
Second Reading: _____
Third Reading: _____
Public Hearing: _____

OCONEE COUNTY PLANNING COMMISSION

415 South Pine Street - Walhalla, SC



TEL (864) 638-4218 FAX (864) 638-4168

Date: November 8, 2022

To: Oconee County Council Chairman John Elliott

From: James Coley

Re: Report to Council: Ordinance 2022-24

Results:

- The Planning Commission recommends approve the Ordinance, by a vote of 7-0.

Background:

- The Planning Commission received Ordinance 2022-24 from Council for a recommendation.
- Two speakers signed up for public comment. One speaker was in favor and one was opposed.

Synopsis of Comments:

- Speaker in favor believed the ordinance would improve the lake area
- Speaker against believed the ordinance was over reach and a duplication of overlay districts

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
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.

WHEREAS, consistent with the powers granted county governments by S.C. Code § 4-9-25 and S.C. Code § 4-9-30, Oconee County (“County”), a body politic and corporate and a political subdivision of the State of South Carolina, acting by and through its governing body, the Oconee County Council (“County Council”), has the authority to enact regulations, resolutions, and ordinances, not inconsistent with the Constitution and the general law of the State of South Carolina, including the exercise of such powers in relation to health and order within its boundaries and respecting any subject as appears to it necessary and proper for the security, general welfare, and convenience of the County or for preserving health, peace, order, and good government therein;

WHEREAS, the County has adopted multiple ordinances for the effective, efficient governance of the County, which, subsequent to adoption, are codified in the Oconee County Code of Ordinances (“Code of Ordinances”), as amended;

WHEREAS, pursuant to S.C. Code Sections 6-9-50 and 6-9-60 the County has adopted by reference certain mandatory and permissive building and related codes and standards, as reflected in Article II of Chapter 6 of the Code of Ordinances;

WHEREAS, County Council recognizes that there is a need to revise the law of the County to meet the changing needs of the County and that there is a need to amend, specifically, Article II of Chapter 6 of the Code of Ordinances in order to adopt and recognize the latest editions of the following mandatory codes and appendices with modifications, as adopted by the South Carolina Building Codes Council, to be effective January 1, 2023:

1. 2021 International Building Code with South Carolina modifications;
2. 2021 International Residential Code with South Carolina modifications;
3. 2021 International Fire Code with South Carolina modifications;
4. 2021 International Plumbing Code with South Carolina modifications;
5. 2021 International Mechanical Code with South Carolina modifications;
6. 2021 International Fuel Gas Code with South Carolina modifications;
7. 2020 National Electrical Code (NFPA 70) with South Carolina modifications; and the
8. 2009 International Energy Conservation Code (Energy Standard Act); and

WHEREAS, County Council recognizes that there is a need to revise the law of the County to meet the changing needs of the County and that there is a need to amend, specifically, Article

II of Chapter 6 of the Code of Ordinances in order to adopt and/or specifically recognize the latest editions of the following permissive codes:

1. 2021 International Property Maintenance Code;
2. 2021 International Existing Building Code;
3. 2021 International Performance Code for Buildings and Facilities; and the
4. 2021 International Swimming Pool and Spa Code.

NOW THEREFORE, it is hereby ordained by the Oconee County Council, in meeting duly assembled, that:

1. The foregoing mandatory and permissive codes are hereby adopted as the building and related codes and standards for Oconee County, as reflected on Exhibit A, which is attached hereto and incorporated herein by reference, and which delineates the modifications to Article II of Chapter 6 of the Oconee County Code of Ordinances with greater particularity and which will hereafter be codified as law of the County.
2. The above-referenced mandatory codes shall become effective January 1, 2023.
3. Should any part or provision of this Ordinance be deemed unconstitutional or unenforceable by any court of competent jurisdiction, such determination shall not affect the remainder of this Ordinance, all of which is hereby deemed separable.
4. All ordinances, orders, resolutions, and actions of County Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked, and rescinded.
5. All other terms, provisions, and parts of the Code of Ordinances, and specifically the remainder of Chapter 6, not amended hereby, directly or by implication, shall remain in full force.
6. This Ordinance shall take effect and be in full force from and after third reading, public hearing, and enactment by County Council.

Signatures on Following Page

ORDAINED in meeting, duly assembled, this _____ day of _____, 2022.

ATTEST:

Jennifer Adams
Clerk to Oconee County Council

John Elliott
Chair, Oconee County Council

First Reading: November 15, 2022
Second Reading: _____
Third Reading: _____
Public Hearing: _____

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
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.

WHEREAS, the 2019 Novel Coronavirus (“COVID-19”) is a respiratory disease that has caused severe illness and death by the SARS-CoV-2 virus, which is a new strain of coronavirus previously unidentified in humans and which can spread from person to person;

WHEREAS, COVID 19 has disrupted nearly every facet of American life, affecting families, schools, communities, and businesses in profound and unprecedented ways;

WHEREAS, the negative financial impact of COVID 19 on American society has been experienced in a variety of ways, including food and housing insecurity, business closures, job loss and long term unemployment, and a widespread want of opportunity;

WHEREAS, throughout the COVID-19 crisis local governments were at the forefront of the response, addressing untold numbers and types of emergencies and exigencies;

WHEREAS, local governments remain uniquely positioned to take a leadership role in the recovery effort;

WHEREAS, on March 11, 2021, the American Rescue Plan Act (“ARPA”) was signed into law by the President of the United States;

WHEREAS, among other things, ARPA established the Coronavirus Local Fiscal Recovery Fund (“Fiscal Recovery Fund”), which provides for direct aid to counties and municipalities to support their efforts in combating the impact of COVID-19 on their communities, residents, and businesses;

WHEREAS, the Fiscal Recovery Fund provides local governments, including Oconee County (“County”), with significant monetary resources, purposed to assist in responding to the COVID-19 public health emergency;

WHEREAS, financial assistance received by local governments through the Fiscal Recovery Fund may be used in several different ways, including but not limited to: (1) generally responding to the COVID-19 public health emergency or its negative economic impacts; (2) providing premium pay to eligible workers; (3) replacing lost public sector revenue; and (4) making necessary investments in water, sewer, or broadband infrastructure;

WHEREAS, the County has been allocated Fifteen Million, Four Hundred Fifty Thousand, Eight Hundred Seventy-Eight, and 00/100 (\$15,450,878.00) Dollars (“County ARPA Funds”);

WHEREAS, County ARPA Funds may be used toward the provision of general government services by virtue of a revenue loss calculation or a standard allowance;

WHEREAS, additionally, County ARPA Funds may be used in making necessary investments in water, sewer, or broadband infrastructure;

WHEREAS, the County desires to expend Two Million and 00/100 (\$2,000,000.00) Dollars of County ARPA Funds toward the “Sewer South Project,” a joint project between the County and the Oconee Joint Regional Sewer Authority, purposed to extend sewer infrastructure from the Golden Corner Commerce Park to Interstate 85.

NOW THEREFORE, be it ordained by the Oconee County Council in meeting duly assembled that:

Section 1. Appropriation. Two Million and 00/100 (\$2,000,000.00) Dollars of County ARPA Funds are hereby appropriated and set aside for the Sewer South Project.

Section 2. Expenditures. The expenditure of funds appropriated out of County ARPA Funds for the Sewer South Project is approved in an amount up to Two Million and 00/100 (\$2,000,000.00) Dollars, subject to the following conditions:

- a) This appropriation and expenditure authorization only applies to available County ARPA Funds that have been received by the County from the United States Department of Treasury and which have not been otherwise appropriated.
- b) All federal requirements, specifically including applicable regulations promulgated by the United States Department of Treasury, shall be strictly adhered to in the administration of these funds.
- c) County and the Oconee Joint Regional Sewer Authority shall enter into a subrecipient agreement, in a form common to federal grant funding, prior to the expenditure of County ARPA Funds for the Sewer South Project. The County Administrator is authorized to execute such an agreement on the advice of the County Attorney.
- d) The subrecipient agreement shall address all matters relevant to the County’s receipt of Fiscal Recovery Funds, including but not limited to regulatory compliance, accounting, reporting, audit preparation, use restrictions, and clawback provisions. 31 CFR Part 35.9.
- e) County may discontinue the expenditure of funding appropriated hereby for the Sewer South Project at any time based on: (1) emergency or exigent circumstances; (2) lack of available funds; (3) the Sewer South Project being deemed an impermissible use of County ARPA Funds, in whole or part, under ARPA, Department of Treasury regulations, or other binding legal authority; or (4) for convenience.

Section 3. Severability. Should any term, provision, or content of this Ordinance be deemed unconstitutional or otherwise unenforceable by any court of competent jurisdiction, such determination shall not affect the remainder of this Ordinance.

Section 4. General Repeal. All ordinances, orders, resolutions, and actions of the Oconee County Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked, and superseded.

Section 5. Effective Date. This Ordinance shall become effective and be in full force from and after public hearing and third reading in accordance with the Code of Ordinances of Oconee County, South Carolina.

ORDAINED in meeting, duly assembled, this ____ of _____, 2022.

ATTEST:

Jennifer C. Adams
Clerk to Oconee County Council

John Elliott
Chair, Oconee County Council

First Reading: November 15, 2022
Second Reading: _____
Third Reading: _____
Public Hearing: _____

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
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.**

WHEREAS, consistent with the powers granted county governments by S.C. Code § 4-9-25 and S.C. Code § 4-9-30, Oconee County (“County”), a body politic and corporate and a political subdivision of the State of South Carolina, acting by and through its governing body, the Oconee County Council (“County Council”), has the authority to enact regulations, resolutions, and ordinances not inconsistent with the Constitution and the general law of the State of South Carolina, including the exercise of such powers in relation to health and order within its boundaries and respecting any subject as appears to it necessary and proper for the security, general welfare, and convenience of the County or for preserving health, peace, order, and good government therein;

WHEREAS, the County has adopted multiple ordinances for the effective, efficient governance of the County, which, subsequent to adoption, are codified in the Oconee County Code of Ordinances (the “Code of Ordinances”), as amended;

WHEREAS, County Council recognizes that there is a need to revise the law of the County to meet the changing needs of the County and that there is a need to amend, specifically, certain sections of Chapter 4 of the Code of Ordinances, entitled the *Oconee County Animal Control Act*;

WHEREAS, the County has specific authority pursuant South Carolina state law, including the provisions of S.C. Code § 47-3-10, et seq. and S.C. Code § 47-5-10, et seq., to regulate issues related to animal control and care; and

WHEREAS, County Council has therefore determined to modify Chapter 4 of the Code of Ordinances and to affirm and preserve all other provisions of the Code of Ordinances not specifically, or by implication, amended hereby.

NOW, THEREFORE, it is hereby ordained by the Oconee County Council, in meeting duly assembled, that:

1. Chapter 4 of the Code of Ordinances, entitled the *Oconee County Animal Control Act*, is hereby revised, rewritten, and amended to read as set forth in Exhibit A which is attached hereto and incorporated herein by reference. Attached hereto as Exhibit B is a version of Chapter 4 showing the substantive changes made to the existing ordinance; it is for illustrative purposes only and shall not be codified.

2. Should any part or provision of this Ordinance be deemed unconstitutional or unenforceable by any court of competent jurisdiction, such determination shall not affect the rest and remainder of this Ordinance, all of which is hereby deemed separable.

3. All ordinances, orders, resolutions, and actions of County Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked, and rescinded.

4. All other terms, provisions, and parts of the Code of Ordinances not amended hereby, directly or by implication, shall remain in full force.

5. This Ordinance shall take effect and be in full force from and after third reading and enactment by County Council.

ORDAINED in meeting, duly assembled, this _____ day of _____, 2022.

ATTEST:

Jennifer C. Adams
Clerk to Oconee County Council

John Elliott
Chair, Oconee County Council

First Reading: November 15, 2022
Second Reading: _____
Third Reading: _____
Public Hearing: _____

2022-29 EXHIBIT A

Chapter 4 ANIMALS¹

Sec. 4-1. Title.

This chapter shall be known as the Oconee County Animal Control Act.
(Ord. No. 2005-01, § 1, 2-1-2005)

Sec. 4-2. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Abandoned animal means an animal that has been deserted, forsaken, or given up without another owner being secured. An abandoned animal is also one that has not been provided regular access to adequate and appropriate food, water, shelter, and care. Cats subject to an approved community cat program or trap, neuter, spay, and release program are not considered abandoned animals.

Adequate shelter means that shelter which will keep a non-aquatic animal dry, out of the direct path of winds, out of direct sun, and at a temperature that is healthful for the animal. The containment area for the animal shall be free of accumulated waste and debris so that the animal shall be free to walk or lie down without coming in contact with waste or debris; shall be free of unsanitary conditions which result in offensive odors or are dangerous to the animal or to public health, welfare or safety; and shall be as free of ticks, fleas, flies, and mosquitoes as reasonably possible. A suitable method of drainage shall be provided to eliminate any excess water or moisture rapidly. Aquatic and semi-aquatic animals shall have an adequate amount of clean water in which to move. For dogs outside and unattended, adequate shelter shall meet the following minimum standards:

1. The shelter shall adequately resist water and wind and be of a suitable size to accommodate the dog and allow retention of body heat.
2. At or below thirty-two degrees Fahrenheit, the structure shall be provided with a sufficient quantity of dry bedding material or other means of protection from the weather that will allow the animal to retain body heat.
3. At or above eighty degrees Fahrenheit, each dog must be afforded one or more separate areas of shade large enough to accommodate the entire body of the dog at one time to ensure protection from the direct rays of the sun.

¹Cross reference(s)—Environment, ch. 12.

State law reference(s)—Authority to provide for control of dogs and other domestic pets, S.C. Code 1976, § 47-3-10 et seq.; rabies control, S.C. Code 1976, §§ 47-5-10—47-5-210.

Animal means a living vertebrate creature, excepting homo-sapiens.

Animal at large means any animal not under the restraint of a person capable of controlling the animal and/or off the premises of the owner. A community cat is not considered an animal at large.

Animal control officer means any person designated by the State of South Carolina or county governing authority of Oconee County as a law enforcement officer pursuant to S.C. Code 1976, § 47-3-30.

Animal rescuer means any recognized group or person who routinely obtains an unwanted dog or cat and who promptly finds an adoptive home for that spayed or neutered dog or cat.

Animal shelter means any premises designated by the county governing body for the purpose of impounding, care, or humane euthanasia of animals held under authority of this chapter and/or state law.

Community cat means any free-roaming cat found outside, which one or more citizens participate in caring for. Citizens that partake in caring for a community cat must ensure that the cat's ears are tipped so that it can be distinguished from owned or stray cats. Community cats must also be spayed or neutered and vaccinated to prevent the spread of disease to owned animals.

Dangerous animal means an animal:

- (1) Which the owner knows or reasonably should know has a propensity, tendency, or disposition to attack unprovoked or cause injury or otherwise endanger the safety of human beings or domestic animals;
- (2) Which makes an unprovoked attack that causes bodily injury to a human being and the attack occurs in a place other than the place where the animal is confined as required by S.C. Code 1976, § 47-3-720;
- (3) Which commits unprovoked acts in a place other than the place where the animal is confined as required by S.C. Code 1976, § 47-3-720, and those acts cause a person to reasonably believe that the animal will attack and cause bodily injury to a human being;
- (4) Which is owned or harbored primarily or in part for the purpose of fighting or which is trained for fighting; or
- (5) Which attacks, bites, or injures a human being or domesticated animal without adequate provocation, or which, because of temperament, conditioning or training, has a known propensity to attack, bite, or injure human beings or domesticated animals.

An animal is not a dangerous animal solely by virtue of its breed or species.

Owner means any person, partnership, or corporation owning, keeping, or harboring one or more animals. An animal, excluding a community cat, shall be declared to be harbored if it is fed for three (3) consecutive days or more, unless said person, partnership or corporation has notified animal control to pick up the stray animal.

Pet or companion animal means any animal kept for pleasure rather than utility; an animal of a species that has been bred and raised to live in or about the habitation of humans and is dependent on people for food and shelter.

Potentially dangerous animal means an animal that, without provocation, chases or approaches any person or domestic animal, anywhere other than on the property of the owner, in a menacing fashion or with an apparent attitude of attack, including, but not limited to, behavior such as growling or snarling.

Public nuisance animal means any animal, that unreasonably annoys humans, endangers the life or health of other citizens (other than its owners), or interferes with a citizen's enjoyment of life or property. The term "public nuisance animal" means and includes, but is not limited to, any animal that:

- (1) Is found at large after a written complaint has been filed;
- (2) Damages the property of anyone other than its owner;
- (3) Molests or intimidates pedestrians or passersby;
- (4) Excessively makes disturbing noises, including, but not limited to, continued and repeated howling, barking, whining, or other utterances causing unreasonable annoyance, disturbance, or discomfort to neighbors or others in close proximity to the premises where the animal is kept or harbored. (Refer to Chapter 12, Article 2 of the Oconee County Code of Ordinances for additional provisions related to noise disturbance;
- (5) Causes fouling of the air off the premises of the owner by odor resulting from failure to remove feces every 24 hours or washing of same into an approved underground disposal system every 24 hours, excepting animals lawfully raised for food or food products;
- (6) Has been found by the animal control officer after notice of its owner to be a public nuisance animal by virtue of being a menace to the public health, welfare, or safety; or
- (7) A dog or cat that does not have attached a valid current rabies inoculation tag as required by state law.

Under restraint. An animal shall be deemed under restraint if it is on the premises of its owner or custodian or is accompanied by its owner or custodian and under the physical control of such owner or custodian by means of a restraining device. This section does not apply to dogs lawfully engaged in hunting.

(Ord. No. 2005-01, § 2, 2-1-2005)

Sec. 4-3. Authority.

This chapter is adopted pursuant to the provisions of S.C. Code 1976, § 47-3-20 et seq.

(Ord. No. 2005-01, § 3, 2-1-2005)

Sec. 4-4. Restraint.

- (a) All owned animals shall be kept under restraint, which includes confinement to the owner's or custodian's premises. (See Section 4-2 Definitions, above.)
- (b) No owner shall fail to exercise proper care and control of his animal to prevent it from being a public nuisance.

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- (c) Owners shall ensure that if their female dog or cat is in heat, it shall be confined in a building or secure enclosure in such a manner that such female dog or cat cannot come into contact with another animal except for planned breeding.
 - (d) Every dangerous animal and potentially dangerous animal, as determined under this chapter, shall be confined by the owner within a building or secure enclosure and shall be securely muzzled or caged whenever off the premises of its owner.
 - (e) Owners shall ensure their animals are restrained in a humane manner.
 - (f) If a dog must be restrained by means other than a fence or other humane enclosure, a tethering system must be used that meets the following criteria:
 - (1) The tether shall be at least 10 feet in length.
 - (2) The tether shall not be a logging chain, tow chain, or other tether that is of a weight that is likely to cause injury to the dog;
 - (3) The tether should have swivels on both ends and allow the dog to have the highest degree of movement practicable without becoming entangled; 360 degrees is ideal. This is best accomplished by using a single stake system with swivel on top to allow the dog free movement. A secondary option is to have the dog tether, with swivels, attached to a trolley system that allows the dog to move freely along a runner line. The trolley system should be at least three feet above the ground.
 - (4) The tether must allow the dog free access to food, potable water, and adequate shelter (as defined in Section 4-2 of this Chapter).
 - (5) The tether must be attached to a properly fitting collar or harness so that there is no harm to the dog.
 - (6) If more than one dog is tethered in the same area, they must be separated to prevent entanglement.
 - (7) If an underground or wireless fence is used to restrain a dog(s), the fence and appurtenances must be properly maintained so as to keep the dog(s) within the enclosed area and the fence must be capable of restraining the animal confined.

(Ord. No. 2005-01, § 4, 2-1-2005)

Sec. 4-5. Biting or attacking persons.

All animal bites or injuries to a human being shall be reported by medical personnel with knowledge of the bite or injury to the rabies control officer in the department of health and environmental control. Whenever the animal control officer is notified and shown that an animal has bitten or attacked a person, such officer shall promptly notify the county department of health and environmental control of such bite or attack and shall cooperate with the health department in impounding and quarantining such animal.

(Ord. No. 2005-01, § 5, 2-1-2005)

Sec. 4-6. Impoundment and violation notice.

- (a) (1) Unrestrained and nuisance animals, upon receipt of a written complaint signed by the complainant, may be taken by law enforcement officials and/or animal control officers and impounded in the county animal shelter and there be confined in a humane manner.
- (2) In addition to, or in lieu of, impounding an animal at large, the animal control officer or lawful constable or deputy sheriff may issue to the known owner of such animal a notice of ordinance violation. Such notice shall impose upon the owner a warning for a first offense, with subsequent offenses being punishable up to the jurisdictional limits of the magistrate's court
- (3) In addition, the owner shall be required to pay a fee of \$10.00 per day for each day the animal is boarded by the county, actual cost for inoculation of the animal (if applicable) and a \$10.00 impoundment fee. Further, a \$15.00 fee will be charged for a mandatory microchip implant for animals not previously microchipped.
- (b) Notwithstanding the above, an animal control officer and/or law enforcement officer may without written complaint impound animals not having a valid current rabies inoculation tag and found off the owner's property.
- (c) Impounded dogs and cats shall not be kept for fewer than five (5) calendar days.
- (d) Animal control officers shall not destroy any positively identifiable dog until they have notified the owner at his last known address by registered mail that they have the dog in their possession. The owner must notify the animal control officer within two weeks that he will pick up his dog. If the owner does not pick up his dog within two weeks of notification to the animal control officer, the dog may be destroyed. Reasonable costs associated with the above extended holding period, including cost of mailing the required notice, must be paid before the dog is returned to its owner, or the owner's designee, in addition to any other established costs, fines, fees, or other charges.
- (e) Abandoned animals shall be impounded and shall be kept for no fewer than five (5) calendar days.
- (f) Any owner reclaiming an impounded dog or cat shall pay the fee provided for in subsection (a) of this section before the animal can be released.
- (g) Any owner claiming an impounded dog or cat shall show proof that the animal is currently inoculated against rabies. If such animal is not currently inoculated against rabies the owner shall cause the animal to be inoculated at the owner's expense.
- (h) Any animal not reclaimed by its owner within five (5) calendar days, or in the case of a positively identifiable animal within ten (10) calendar days, shall become the property of the local government authority and shall be placed for adoption in a suitable home or humanely euthanized, as approved by state law.
- (i) The animal shelter director shall keep complete and accurate records of the care, veterinary treatment, and disposition of all animals impounded at the shelter.

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- (j) It shall be unlawful for any person to release or take out of impoundment any animal without proper authority.
 - (k) It shall be unlawful to resist or hinder animal control officers or law enforcement officers engaging in the capture and impoundment of an animal.
 - (l) It shall be unlawful to remove the rabies tag from the dog for which the tag was issued.
- (Ord. No. 2005-01, § 6, 2-1-2005)

Sec. 4-7. Dangerous animals.

- (a) If an animal control officer has probable cause to believe that a dangerous animal is being harbored or cared for in violation of S.C. Code § 47-3-720 (unconfined on premises) or § 47-3-740 (owning/harboring for purposes of fighting) or § 47-3-760(E) (registration), the officer may petition the court having jurisdiction to order the seizure and impoundment of the dangerous animal while the trial is pending.
- (b) If an animal control agent has probable cause to believe that a dangerous animal is being harbored or housed in violation of S. C. Code Section § 47-3-730 (unrestrained off premises), the agent or officer may seize and impound the dangerous animal while the trial is pending.
- (c) Animals impounded under subsections (a) or (b), above, shall be kept at the county animal shelter or at a veterinarian designated by the owner at the owner's expense for quarantine pending a determination of the animal's status as a dangerous animal. In the event an animal bites a member of the animal owner's family, and the animal owner requests that the animal be impounded by the animal owner, the animal control officer or law enforcement officer may, in his discretion, allow the animal owner to impound said animal on said animal owner's property.
- (d) Upon impounding an animal under this section, a determination hearing should be conducted as soon as reasonably possible, with notice of such hearing being served on the owner by registered mail or personal service at least ten (10) days prior to the hearing. If the owner fails to appear at the hearing, the hearing shall nevertheless proceed and an appropriate order may be issued. The magistrate shall determine whether to declare the animal to be a dangerous animal based upon the evidence and testimony presented at the hearing by the owner, witnesses to any incidents, or any other persons possessing information pertinent to such determination, such as veterinarians or dog obedience trainers. The magistrate shall issue written findings within ten (10) business days after the hearing. The owner of such animal shall have a right to appeal the decision to the court of common pleas of the county within ten (10) days of receiving the decision of the magistrate.
- (e) An animal determined to be dangerous under this section, which has attacked or caused injury to a human being or a domestic animal, may be ordered destroyed by the magistrate when in the magistrate's judgment the dangerous animal represents a continuing threat of serious harm to human beings or other domestic animals after the quarantine period has expired. Any dangerous animal may also be destroyed if the owner of the dangerous animal relinquishes ownership or control of the animal to the animal shelter or law enforcement officer. A

magistrate may return a dangerous animal to the owner if the magistrate finds that the animal will not pose a threat to human beings and/or domestic animals and that the owner has and will fully comply with subsections (f), (g), and (h) of this section.

- (f) The owner of a dangerous animal shall secure and confine said dangerous animal on the owner's property in an enclosed pen or structure which must be secured by lock and key or combination lock. The pen or structure shall be suitable to prevent the animal from escaping. The pen or structure shall have secure sides and a secure top which protects the animal from the elements. Also, all sides must be embedded into the ground with no less than two feet unless the bottom is secured to the sides. The structure must be kept in a clean and sanitary condition and provide adequate light and ventilation. The enclosure shall not be less than five feet by ten feet and not less than six feet high.
- (g) No person owning or harboring or having care of a dangerous animal may permit the animal to go beyond the person's premises unless the animal is securely muzzled and restrained with a leash or chain having a minimum tensile strength of 300 pounds and not exceeding three feet in length.
- (h) In accordance with S.C. Code of Laws § 47-3-760 (E) all dangerous animals inside Oconee County must be registered with the Oconee County Animal Control, or its successor "law enforcement authority." If the animal was deemed dangerous by an Oconee County Court, a copy of the court order must be kept on file. If the dangerous animal was transferred into Oconee from another county or state, documentation from that jurisdiction must be provided within thirty (30) days. The Director of Animal Control will be responsible for maintaining records of all dangerous animals inside Oconee County. The registration application must be accompanied by proof of liability insurance or surety bond of at least fifty thousand dollars insuring or securing the owner for personal injuries inflicted by the dangerous animal. Oconee County Animal Control, or its successor, shall provide to the owner registering the dangerous animal a metal license tag and a certificate along with a designated dangerous dog collar. Fees for these items must be collected at registration. The metal license tag must be attached to a collar or harness and worn at all times by the dangerous animal for which the certificate and tag have been issued. The pen or structure must be clearly marked on 4 sides with a sign stating "dangerous animal."

(1) Registration information required for dangerous animals:

- (a) Species and breed.
- (b) Address of where animal will be located.
- (c) Owner information.
- (d) Proof of rabies inoculation (must be submitted annually).
- (e) Photo of animal (must be submitted annually).
- (f) Waiver for inspections of confinement site.

(2) The owner of a dangerous animal shall notify Oconee County Animal Control if any changes occur with the following:

(a) Ownership. In the case of a change of ownership, the name, address, and telephone number of the new owner/custodian must, within five (5) days of transfer, be provided to Oconee County Animal Control. Oconee County Animal Control will notify the new owner/custodian of the dangerous animal's status, and also notify the animal control services in the jurisdiction where the animal is housed.

(b) Address change of the owner/custodian or any change in the location in which the animal is housed.

(c) Any material change in the health status of the animal.

(d) Death of the animal.

(Ord. No. 2005-01, § 7, 2-1-2005)

Cross reference(s)—Environment. ch. 12

Sec. 4-8. Potentially dangerous animals.

- (a) The animal control officer or law enforcement officials shall have the power to summarily and immediately impound any animal where there is any evidence that the animal has chased or approached any person or domestic animal, on property other than the property of the owner, in a menacing fashion or with an apparent attitude of attack, including, but not limited to, behavior such as growling or snarling. The animal shall be kept at the county animal shelter or at a veterinarian designated by the owner at the owner's expense for quarantine pending determination of the animal's status as a potentially dangerous animal. The animal control officer or law enforcement officer may, in his discretion, allow the animal owner to impound said animal on said animal owner's property.
- (b) Upon impounding a potentially dangerous animal a determination hearing should be conducted as soon as reasonably possible, with notice of such hearing being served on the owner by registered mail or personal service at least ten (10) days prior to the hearing. If the owner fails to appear at the hearing, the hearing shall nevertheless proceed and an appropriate order may be issued. The magistrate shall determine whether to declare the animal to be a potentially dangerous animal based upon the evidence and testimony presented at the hearing by the owner, witnesses to any incidents, or any other persons possessing information pertinent to such determination, such as veterinarians or dog obedience trainers. The magistrate shall issue written findings within ten (10) business days after the hearing. The owner of such animal shall have a right to appeal the decision to the court of common pleas of the county within ten (10) days of receiving the decision of the magistrate.
- (c) Upon a finding that an animal is a potentially dangerous animal, the magistrate may order that the animal be forfeited by the owner and placed with an agency willing to accept custody of said animal or may return said animal to the owner if the owner has and will comply with subsections (d) and (e) of this section.
- (d) The owner of a potentially dangerous animal shall secure and confine said potentially dangerous animal on the owner's property in an enclosed and locked (with a key or combination lock) pen or structure, suitable to prevent the animal from escaping said pen or
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structure. The pen or structure shall have secure sides and a secure top which protects the animal from the elements. Also, all sides must be embedded into the ground with no less than two feet unless the bottom is secured to the sides. The structure must be kept in a clean and sanitary condition and provide adequate light and ventilation. The enclosure shall not be less than five feet by ten feet and not less than six feet high.

- (e) No person owning or harboring or having care of a potentially dangerous animal may permit the animal to go beyond the person's premises unless the animal is securely muzzled and restrained with a leash or chain having a minimum tensile strength of 300 pounds and not exceeding three feet in length.

(Ord. No. 2005-01, § 8, 2-1-2005)

Sec. 4-9. Animal care.

- (a) No owner shall fail to provide his animals with:
 - (1) Necessary subsistence and adequate shelter, as defined in Section 4-2;
 - (2) Veterinary care when needed to prevent suffering; and
 - (3) Humane care and treatment.

All animals shall be kept in a clean and sanitary condition. The premises upon which the animal is kept shall be kept in a clean and sanitary condition and provide adequate light, shelter and ventilation.

- (b) No owner of an animal shall abandon such animal. A person who returns a community cat to the location from where it was collected shall not be considered to have abandoned that animal.
- (c) Any animal found abandoned and not properly cared for, appearing to be diseased or injured past recovery for any useful purpose, may be humanely euthanized by an agent of the department of health and environmental control, law enforcement officer, or an animal control officer, by a method approved by state law.
 - (1) If the animal is identifiable, attempts to contact the owner shall be made by phone or at the residence in person.
 - (2) If the animal is not identifiable and is in great pain, the cause of which is not reasonably treatable, the animal may be humanely euthanized immediately without attempts to contact the owner.
- (d) Any animal found abandoned, neglected, cruelly treated, or unfit for use may be seized from the owner's property by the animal control officer or law enforcement officer and impounded at the county animal shelter; provided, however, that the officer shall give notice of this seizure by posting a copy of it at the location where the animal was seized or by delivering it to a person residing on the property of the owner within 24 hours of the time the animal was seized.

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- (e) The owner of any animal impounded under the provisions of this section shall be responsible for payment of any necessary medical care as determined by a veterinarian in addition to any penalties, impoundment fees, and board fees.

(Ord. No. 2005-01, § 9, 2-1-2005)

Sec. 4-10. Sterilization.

- (a) No unclaimed dog or cat shall be released for adoption without written agreement by means of a spay/neuter contract from the adopter guaranteeing that such animal will be sterilized within 30 days for adults and a specified date in the contract for pups and kittens; provided, however, the county provides a program whereby the spay/neuter is included with the adoption fee.
- (b) No animal shall be released for adoption from the county animal shelter that has not been sterilized; provided however, that the county or its contractor provides a program whereby the spay/neuter is included with the adoption fee.

(Ord. No. 2005-01, § 10, 2-1-2005)

Sec. 4-11. Enforcement.

The civil and criminal provisions of this chapter shall be enforced by those persons or agencies legally authorized by the county for that purpose. It shall be a violation of this chapter to interfere with an animal control officer or law enforcement officer in the performance of his duties. It shall be a violation of this chapter to provide false information to a law enforcement officer or an animal control officer. This includes but is not limited to information provided on intake forms, bite reports, owner surrender forms, complaint forms, and reclaim forms. Any person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction may be fined and/or imprisoned consistent with the jurisdictional limits of the magistrate's court. Additionally, the magistrate of the county shall have the authority to issue a bench warrant in the enforcement of this chapter.

(Ord. No. 2005-01, § 11, 2-1-2005)

Sec. 4-12. Penalties for violation of chapter.

Any person found violating any provision of this chapter shall be deemed guilty of a misdemeanor and, for each offense, may be fined and/or imprisoned consistent with the jurisdictional limits of the magistrate's court. In addition, upon conviction of any violation under this chapter, a court may order an animal forfeited by the owner or owners and placed within an agency willing to accept custody of the animal, where the court finds that the animal has been cruelly treated, or the owners have been convicted of allowing the animal to run at large on two or more previous occasions.

(Ord. No. 2005-01, § 12, 2-1-2005)

Sec. 4-13. Applicability of Rabies Control Act.

The provisions of S.C. Code 1976, § 47-5-10 et seq., commonly known as the Rabies Control Act, are hereby adopted in their entirety, as the same may be from time to time amended, as an integral part of this chapter, except insofar as the provisions of such act may conflict with or be less restrictive than the provisions of this chapter.

(Ord. No. 2005-01, § 13, 2-1-2005)

2022-29 EXHIBIT B

Chapter 4 ANIMALS¹

Sec. 4-1. Title.

This chapter shall be known as the Oconee County Animal Control Act.
(Ord. No. 2005-01, § 1, 2-1-2005)

Sec. 4-2. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

~~*Abandoned or stray animal* means any animal unattended for a period of more than three days.~~

Abandoned animal means an animal that has been deserted, forsaken, or given up without another owner being secured. An abandoned animal is also one that has not been provided regular access to adequate and appropriate food, water, shelter, and care. Cats subject to an approved community cat program or trap, neuter, spay, and release program are not considered abandoned animals.

Adequate shelter means that shelter which will keep a non-aquatic animal dry, out of the direct path of winds, out of direct sun, and at a temperature that is healthful for the animal. The containment area for the animal shall be free of accumulated waste and debris so that the animal shall be free to walk or lie down without coming in contact with waste or debris; shall be free of unsanitary conditions which result in offensive odors or are dangerous to the animal or to public health, welfare or safety; and shall be as free of ticks, fleas, flies, and mosquitoes as reasonably possible. A suitable method of drainage shall be provided to eliminate any excess water or moisture rapidly. Aquatic and semi-aquatic animals shall have an adequate amount of clean water in which to move. For dogs outside and unattended, adequate shelter shall meet the following minimum standards:

1. The shelter shall adequately resist water and wind and be of a suitable size to accommodate the dog and allow retention of body heat.

2. At or below thirty-two degrees Fahrenheit, the structure shall be provided with a sufficient quantity of dry bedding material or other means of protection from the weather that will allow the animal to retain body heat.

¹Cross reference(s)—Environment, ch. 12.

State law reference(s)—Authority to provide for control of dogs and other domestic pets, S.C. Code 1976, § 47-3-10 et seq.; rabies control, S.C. Code 1976, §§ 47-5-10—47-5-210.

3. At or above eighty degrees Fahrenheit, each dog must be afforded one or more separate areas of shade large enough to accommodate the entire body of the dog at one time to ensure protection from the direct rays of the sun.

Animal means ~~every nonhuman species of animal.~~ a living vertebrate creature, excepting homo-sapiens.

Animal at large means any animal not under the restraint of a person capable of controlling the animal and/or off the premises of the owner. A community cat is not considered an animal at large.

Animal control officer means any person designated by the State of South Carolina or county governing authority of Oconee County as a law enforcement officer pursuant to S.C. Code 1976, § 47-3-30.

Animal rescuer means any recognized group or person who routinely obtains an unwanted dog or cat and ~~for~~ who promptly finds an adoptive home for that spayed or neutered dog or cat.

Animal shelter means any premises designated by the county governing body for the purpose of impounding, care, or ~~destruction~~ humane euthanasia of animals held under authority of this chapter and/or state law.

Community cat means any free-roaming cat found outside, which one or more citizens participate in caring for. Citizens that partake in caring for a community cat must ensure that the cat's ears are tipped so that it can be distinguished from owned or stray cats. Community cats must also be spayed or neutered and vaccinated to prevent the spread of disease to owned animals.

Dangerous animal means an animal:

- (1) Which the owner knows or reasonably should know has a propensity, tendency, or disposition to attack unprovoked or cause injury or otherwise endanger the safety of human beings or domestic animals;
- (2) Which makes an unprovoked attack that causes bodily injury to a human being and the attack occurs in a place other than the place where the animal is confined as required by S.C. Code 1976, § 47-3-720;
- (3) ~~2~~ Which commits unprovoked acts in a place other than the place where the animal is confined as required by S.C. Code 1976, § 47-3-720, and those acts cause a person to reasonably believe that the animal will attack and cause bodily injury to a human being;
- (4) Which is owned or harbored primarily or in part for the purpose of fighting or which is trained for fighting; or
- (5) Which attacks, bites, or injures a human being or domesticated animal without adequate provocation, or which, because of temperament, conditioning or training, has a known propensity to attack, bite, or injure human beings or domesticated animals.

An animal is not a dangerous animal solely by virtue of its breed or species.

~~Humane Society means the South Carolina Society for the Prevention of Cruelty to Animals.~~

~~Humane Society officer means any officer or employee of the Humane Society.~~

Owner means any person, partnership, or corporation owning, keeping, or harboring one or more animals. An animal, ~~excluding a community cat,~~ shall be declared to be harbored if it is fed for three (3) consecutive days or more, unless said person, partnership or corporation has notified animal control to pick up the stray animal.

Pet or companion animal means any animal kept for pleasure rather than utility; an animal of a species that has been bred and raised to live in or about the habitation of humans and is dependent on people for food and shelter.

Potentially dangerous animal means an animal that, without provocation, chases or approaches any person or domestic animal, anywhere other than on the property of the owner, in a menacing fashion or with an apparent attitude of attack, including, but not limited to, behavior such as growling or snarling.

Public nuisance animal means any animal, ~~except those raised for food and/or food products,~~ that unreasonably annoys humans, endangers the life or health of other citizens (other than its owners), or interferes with a citizen's enjoyment of life or property. The term "public nuisance animal" means and includes, but is not limited to, any animal that:

- (1) Is found at large after a written complaint has been filed;
- (2) Damages the property of anyone other than its owner;
- (3) Molests or intimidates pedestrians or passersby;
- (4) Excessively makes disturbing noises, including, but not limited to, continued and repeated howling, barking, whining, or other utterances causing unreasonable annoyance, disturbance, or discomfort to neighbors or others in close proximity to the premises where the animal is kept or harbored; (Refer to Chapter 12, Article 2 of the Oconee County Code of Ordinances for additional provisions related to noise disturbance;
- (5) Causes fouling of the air off the premises of the owner by odor resulting from failure to remove feces every 24 hours or washing of same into an approved underground disposal ~~systems~~system every 24 hours, excepting animals lawfully raised for food or food products;
- (6) Has been found by the animal control officer after notice of its owner to be a public nuisance animal by virtue of being a menace to the public health, welfare, or safety; or
- (7) ~~Does~~A dog or cat that does not have attached a valid current rabies inoculation tag as required by state law.

Under restraint. An animal shall be deemed under restraint if it is on the premises of its owner or ~~keeper~~custodian or is accompanied by its owner or ~~keeper~~custodian and under the physical control of such owner or ~~keeper~~custodian by means of a ~~restraining devices, or under the verbal command, or under the active control of the owner or trainer while~~device. This section does not apply to dogs lawfully engaged in hunting ~~or being trained and while on property of the owner or with the property owner's permission.~~

(Ord. No. 2005-01, § 2, 2-1-2005)

Sec. 4-3. Authority.

This chapter is adopted pursuant to the provisions of S.C. Code 1976, § 47-3-20 et seq. (Ord. No. 2005-01, § 3, 2-1-2005)

Sec. 4-4. Restraint.

- (a) All owned animals shall be kept under restraint, which includes confinement to the owner's or custodian's premises. (See Section 4-2 Definitions, above.)
- (b) No owner shall fail to exercise proper care and control of his animal to prevent it from being a public nuisance.
- (c) ~~Every~~ Owners shall ensure that if their female dog or cat is in heat, it shall be confined in a building or secure enclosure in such a manner that such female dog or cat cannot come into contact with another animal except for planned breeding.
- (d) Every dangerous animal and potentially dangerous animal, as determined under this chapter, shall be confined by the owner within a building or secure enclosure and shall be securely muzzled or caged whenever off the premises of its owner.

(e) Owners shall ensure their animals are restrained in a humane manner.

(f) If a dog must be restrained by means other than a fence or other humane enclosure, a tethering system must be used that meets the following criteria:

(1) The tether shall be at least 10 feet in length.

(2) The tether shall not be a logging chain, tow chain, or other tether that is of a weight that is likely to cause injury to the dog;

(3) The tether should have swivels on both ends and allow the dog to have the highest degree of movement practicable without becoming entangled; 360 degrees is ideal. This is best accomplished by using a single stake system with swivel on top to allow the dog free movement. A secondary option is to have the dog tether, with swivels, attached to a trolley system that allows the dog to move freely along a runner line. The trolley system should be at least three feet above the ground.

(4) The tether must allow the dog free access to food, potable water, and adequate shelter (as defined in Section 4-2 of this Chapter).

(5) The tether must be attached to a properly fitting collar or harness so that there is no harm to the dog.

(6) If more than one dog is tethered in the same area, they must be separated to prevent entanglement.

(7) If an underground or wireless fence is used to restrain a dog(s), the fence and appurtenances must be properly maintained so as to keep the dog(s) within the enclosed area and the fence must be capable of restraining the animal confined.

(Ord. No. 2005-01, § 4, 2-1-2005)

Sec. 4-5. Biting or attacking persons.

All animal bites or injuries to a human being shall be reported by medical personnel with knowledge of the bite or injury to the rabies control officer in the department of health and environmental control. Whenever the animal control ~~officer or Humane Society~~ officer is notified and shown that an animal has bitten or attacked a person, such officer shall promptly notify the county department of health and environmental control of such bite or attack and shall cooperate with the health department in impounding and quarantining such animal.

(Ord. No. 2005-01, § 5, 2-1-2005)

Sec. 4-6. Impoundment and violation notice.

- (a) (1) Unrestrained and nuisance ~~animals~~animals, upon receipt of a written complaint signed by the complainant, may be taken by law enforcement officials and/or animal control officers and impounded in the county animal shelter and there be confined in a humane manner.
- (2) In addition to, or in lieu of, impounding an animal at large, the animal control officer or lawful constable or deputy sheriff may issue to the known owner of such animal a notice of ordinance violation. ~~Such notice shall impose upon the owner a warning for a first offense. The owner shall be charged a penalty of \$100.00 for the second violation, \$125.00 for the third violation and \$150.00 for each subsequent violation. Said penalties shall be made payable to the treasurer of the county and paid at the county animal shelter within ten business days from the date of issuance in full satisfaction of the assessed penalty. In the event that such penalty is not paid within the time period described, a bench warrant shall be issued by a magistrate and, upon conviction, the owner shall be punished as provided in section 4-12. Such notice shall impose upon the owner a warning for a first offense, with subsequent offenses being punishable up to the jurisdictional limits of the magistrate's court~~
- (3) In addition, the owner shall be required to pay a fee of ~~\$5~~10.00 per day for each day the animal is boarded by the county, actual cost for inoculation of the animal (if applicable) and a ~~\$5.00 impoundment fee. In addition, at the discretion of the animal shelter, a fee of \$30.00 and mandatory sterilization of the animal may be required if the animal is impounded on more than one occasion. The impoundment fee shall be \$5.00 and \$25.00 shall help defray the cost of sterilization. The sterilization shall not be required if the owner or other person redeeming the animal provides a written statement from a licensed veterinarian that the spay or neuter procedure would be harmful to the animal due to reasons of age or health or that the animal has already been sterilized.~~10.00 impoundment fee. Further, a \$15.00 fee will be charged for a mandatory microchip implant for animals not previously microchipped.
- (b) Notwithstanding the above, an animal control officer and/or law enforcement officer may without written complaint impound animals not having a valid current rabies inoculation tag and found off the owner's property.
- (c) Impounded dogs and cats shall not be kept for fewer than five ~~working~~(5) calendar days.

-
- (d) ~~if by tag or other means~~ Animal control officers shall not destroy any positively identifiable dog until they have notified the owner of an impounded animal can be identified, at his last known address by registered mail that they have the dog in their possession. The owner must notify the animal control officer shall immediately upon impoundment notify the owner by telephone within two weeks that he will pick up his dog. If the owner does not pick up his dog within two weeks of notification to the animal control officer, the dog may be destroyed. Reasonable costs associated with the above extended holding period, including cost of mailing the required notice, must be paid before the dog is returned to its owner, or the owner's designee, in addition to any other established costs, fines, fees, or certified mail. Any identifiable animal, not appearing to be abandoned, upon notification of the owner by telephone or certified mail, shall not be kept for fewer than ten days. ~~other charges.~~
- (e) Abandoned animals shall be impounded and shall be kept for no fewer than five ~~working~~ (5) calendar days.
- (f) Any owner reclaiming an impounded dog or cat shall pay the fee provided for in subsection (a) of this section before the animal can be released.
- (g) Any owner claiming an impounded dog or cat shall show proof that the animal is currently inoculated against rabies. If such animal is not currently inoculated against rabies the owner shall cause the animal to be inoculated at the owner's expense.
- (h) Any animal not reclaimed by its owner within five ~~working~~ (5) calendar days, or in the case of a positively identifiable animal within ten (10) calendar days, shall become the property of the local government authority and shall be placed for adoption in a suitable home or humanely ~~disposed of~~ euthanized, as approved by state law.
- (i) The animal shelter director shall keep complete and accurate records of the care, veterinary treatment, and disposition of all animals impounded at the shelter.
- (j) It shall be unlawful for any person to release or take out of impoundment any animal without proper authority.
- (k) It shall be unlawful to resist or hinder animal control officers or law enforcement officers engaging in the capture and impoundment of an animal. ~~It shall be unlawful to give false information to an animal control officer or law enforcement officer.~~
- (l) It shall be unlawful to remove the rabies tag from the dog for which the tag was issued.
- (Ord. No. 2005-01, § 6, 2-1-2005)

Sec. 4-7. Dangerous animals.

- (a) ~~The~~ If an animal control officer ~~and law enforcement officials shall have the power~~ has probable cause to summarily and immediately impound any ~~believe that a dangerous animal where there is any evidence that the animal has attacked, bitten, or injured any human being~~ harbored or cared for in violation of S.C. Code § 47-3-720 (unconfined on premises) or domestic § 47-3-740 (owning/harboring for purposes of fighting) or § 47-3-760(E) (registration), the officer may petition the court having

jurisdiction to order the seizure and impoundment of the dangerous animal while the trial is pending.

(b) If an animal, ~~The control agent has probable cause to believe that a dangerous animal is being harbored or housed in violation of S. C. Code Section § 47-3-730 (unrestrained off premises), the agent or officer may seize and impound the dangerous animal while the trial is pending.~~

(c) Animals impounded under subsections (a) or (b), above, shall be kept at the county animal shelter or at a veterinarian designated by the owner at the owner's expense for quarantine pending a determination of the animal's status as a dangerous animal. In the event ~~that~~ an animal bites a member of the animal owner's family, and the animal owner requests that the animal be impounded by the animal owner, the animal control officer or law enforcement officer may, in his discretion, allow the animal owner to impound said animal on said animal owner's property.

(~~b~~d) Upon impounding ~~a potentially dangerous~~an animal ~~or a dangerous animal that has attacked, bitten or injured a human being or a domestic animal~~under this section, a determination hearing should be conducted ~~within five business days of serving~~as soon as reasonably possible, with notice ~~to~~of such hearing being served on the owner by ~~certified~~registered mail or personal service at least ten (10) days prior to the hearing. If the owner fails to appear at the hearing, the hearing shall nevertheless proceed and an appropriate order may be issued. The magistrate shall determine whether to declare the animal to be a dangerous animal based upon the evidence and testimony presented at the hearing by the owner, witnesses to any incidents, or any other persons possessing information pertinent to such determination, such as veterinarians or dog obedience trainers. The magistrate shall issue written findings within ~~five~~ten (10) business days after the hearing. The owner of such animal shall have a right to appeal the decision to the court of common pleas of the county within ten (10) days of receiving ~~such~~the decision of the magistrate.

(~~e~~e) An animal determined to be dangerous ~~as determined in subsection (b) of~~under this section, which has attacked or caused injury to a human being or a domestic animal, may be ordered destroyed by the magistrate when in the magistrate's judgment the dangerous animal represents a continuing threat of serious harm to human beings or other domestic animals after the quarantine period has expired. Any dangerous animal may also be destroyed if the owner of the dangerous animal relinquishes ownership or control of the animal to the ~~Humane Society~~animal shelter or law enforcement officer. A magistrate may return a dangerous animal to the owner if the magistrate finds that the animal will not pose a threat to human beings and/or domestic animals and that the owner has and will fully comply with subsections ~~(~~d~~f), (g), and (~~e~~h)~~(~~d~~f), (g), and (~~e~~h) of this section.

(~~e~~f) The owner of a dangerous animal shall secure and confine said dangerous animal on the owner's property in an enclosed ~~pen or structure which must be secured by lock and locked (with a key or combination lock).~~ The pen or structure, shall be suitable to prevent the animal from escaping ~~said pen or structure.~~ The pen or structure shall have secure sides and a secure top which protects the animal from the elements. Also, all sides must be embedded into the

ground with no less than two feet unless the bottom is secured to the sides. The structure must be kept in a clean and sanitary condition and provide adequate light and ventilation. The enclosure shall not be less than five feet by ten feet and not less than six feet high.

(eg) No person owning or harboring or having care of a dangerous animal may permit the animal to go beyond the person's premises unless the animal is securely muzzled and restrained with a leash or chain having a minimum tensile strength of 300 pounds and not exceeding three feet in length.

(h) In accordance with S.C. Code of Laws § 47-3-760 (E) all dangerous animals inside Oconee County must be registered with the Oconee County Animal Control, or its successor "law enforcement authority." If the animal was deemed dangerous by an Oconee County Court, a copy of the court order must be kept on file. If the dangerous animal was transferred into Oconee from another county or state, documentation from that jurisdiction must be provided within thirty (30) days. The Director of Animal Control will be responsible for maintaining records of all dangerous animals inside Oconee County. The registration application must be accompanied by proof of liability insurance or surety bond of at least fifty thousand dollars insuring or securing the owner for personal injuries inflicted by the dangerous animal. Oconee County Animal Control, or its successor, shall provide to the owner registering the dangerous animal a metal license tag and a certificate along with a designated dangerous dog collar. Fees for these items must be collected at registration. The metal license tag must be attached to a collar or harness and worn at all times by the dangerous animal for which the certificate and tag have been issued. The pen or structure must be clearly marked on 4 sides with a sign stating "dangerous animal."

(1) Registration information required for dangerous animals:

- _____ (a) Species and breed.
- _____ (b) Address of where animal will be located.
- _____ (c) Owner information.
- _____ (d) Proof of rabies inoculation (must be submitted annually).
- _____ (e) Photo of animal (must be submitted annually).
- _____ (f) Waiver for inspections of confinement site.

(2) The owner of a dangerous animal shall notify Oconee County Animal Control if any changes occur with the following:

(a) Ownership. In the case of a change of ownership, the name, address, and telephone number of the new owner/custodian must, within five (5) days of transfer, be provided to Oconee County Animal Control. Oconee County Animal Control will notify the new owner/custodian of the dangerous animal's status, and also notify the animal control services in the jurisdiction where the animal is housed.

(b) Address change of the owner/custodian or any change in the location in which the animal is housed.

(c) Any material change in the health status of the animal.

(d) Death of the animal.

(Ord. No. 2005-01, § 7, 2-1-2005)

Cross reference(s)—Environment. ch. 12

Sec. 4-8. Potentially dangerous animals.

- (a) The animal control officer or law enforcement officials shall have the power to summarily and immediately impound any animal where there is any evidence that the animal has chased or approached any person or domestic animal, on property other than the property of the owner, in a menacing fashion or with an apparent attitude of attack, including, but not limited to, behavior such as growling or snarling. The animal shall be kept at the county animal shelter or at a veterinarian designated by the owner at the owner's expense for quarantine pending determination of the animal's status as a potentially dangerous animal. The animal control officer or law enforcement officer may, in his discretion, allow the animal owner to impound said animal on said animal owner's property.
- (b) Upon impounding a potentially dangerous animal, ~~the a~~ determination hearing should be conducted ~~within five days of serving~~ as soon as reasonably possible, with notice ~~to~~ of such hearing being served on the owner by ~~certified~~ registered mail or personal service at least ten (10) days prior to the hearing. If the owner fails to appear at the hearing, the hearing shall nevertheless proceed and an appropriate order may be issued. The magistrate shall determine whether to declare the animal to be a potentially dangerous animal based ~~on~~ upon the evidence ~~of and~~ testimony presented at the hearing by the owner, witnesses to any ~~incidences, and incidents, or~~ any other persons possessing information pertinent to such determination, such as veterinarians or dog obedience trainers. The magistrate shall issue written findings within ~~five~~ ten (10) business days after the hearing. The owner of such animal shall have ~~the~~ right to appeal ~~such a~~ the decision to the court of common pleas of the county within ten (10) days of receiving the decision of the magistrate.
- (c) Upon a finding that an animal is a potentially dangerous animal, the magistrate may order that the animal be forfeited by the owner and placed with an agency willing to accept custody of said animal or may return said animal to the owner if the owner has and will comply with subsections (d) and (e) of this section.
- (d) The owner of a potentially dangerous animal shall secure and confine said potentially dangerous animal on the owner's property in an enclosed and locked (with a key or combination lock) pen or structure, suitable to prevent the animal from escaping said pen or structure. The pen or structure shall have secure sides and a secure top which protects the animal from the elements. Also, all sides must be embedded into the ground with no less than two feet unless the bottom is secured to the sides. The structure must be kept in a clean and sanitary condition and provide adequate light and ventilation. The enclosure shall not be less than five feet by ten feet and not less than six feet high.

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- (e) No person owning or harboring or having care of a potentially dangerous animal may permit the animal to go beyond the person's premises unless the animal is securely muzzled and restrained with a leash or chain having a minimum tensile strength of 300 pounds and not exceeding three feet in length.

(Ord. No. 2005-01, § 8, 2-1-2005)

Sec. 4-9. Animal care.

- (a) No owner shall fail to provide his animals with:

- (1) ~~The necessary~~Necessary subsistence and adequate shelter, as defined in Section 4-2;
- (2) Veterinary care when needed to prevent suffering; and
- (3) Humane care and treatment.

All animals shall be kept in a clean and sanitary condition. The premises upon which the animal is kept shall be kept in a clean and sanitary condition and provide adequate light, shelter and ventilation.

- (b) No owner of an animal shall abandon such animal. A person who returns a community cat to the location from where it was collected shall not be considered to have abandoned that animal.

- (c) Any animal found abandoned and not properly cared for, appearing to be diseased or injured past recovery for any useful purpose, may be ~~lawfully destroyed~~humanely euthanized by an agent of the department of health and environmental control, law enforcement officer, or an animal control officer~~or officer of the Humane Society,~~ by a method approved by state law.

(1) If the animal is identifiable, attempts to contact the owner shall be made by phone or at the residence in person.

(2) If the animal is not identifiable and is in great pain, the cause of which is not reasonably treatable, the animal may be humanely euthanized immediately without attempts to contact the owner.

- (d) Any animal found abandoned, neglected, cruelly treated, or unfit for use may be seized from the owner's property by the animal control officer or law enforcement officer and impounded at the county animal shelter; provided, however, that the officer shall give notice of this seizure by posting a copy of it at the location where the animal was seized or by delivering it to a person residing on the property of the owner within 24 hours of the time the animal was seized.

- (e) The owner of any animal impounded under the provisions of this section shall be responsible for payment of any necessary medical care as determined by a veterinarian in addition to any penalties, impoundment fees, and board fees.

(Ord. No. 2005-01, § 9, 2-1-2005)

Sec. 4-10. Sterilization.

- (a) No unclaimed dog or cat shall be released for adoption without written agreement by means of a spay/neuter contract from the adopter guaranteeing that such animal will be sterilized within 30 days for adults and a specified date in the contract for pups and kittens; provided, however, the county provides a program whereby the spay/neuter is included with the adoption fee.
- (b) No animal shall be released for adoption from the county animal shelter that has not been sterilized; provided however, that the county or its contractor provides a program whereby the spay/neuter is included with the adoption fee.

(Ord. No. 2005-01, § 10, 2-1-2005)

Sec. 4-11. Enforcement.

The civil and criminal provisions of this chapter shall be enforced by those persons or agencies legally authorized by the county ~~authority~~for that purpose. It shall be a violation of this chapter to interfere with an animal control officer or law enforcement officer in the performance of his duties. ~~It shall be a violation of this chapter to provide false information to a law enforcement officer or an animal control officer. This includes but is not limited to information provided on intake forms, bite reports, owner surrender forms, complaint forms, and reclaim forms. Any person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction may be fined and/or imprisoned consistent with the jurisdictional limits of the magistrate's court. Additionally, the~~ magistrate of the county shall have the authority to issue a bench warrant in the enforcement of this chapter.

(Ord. No. 2005-01, § 11, 2-1-2005)

Sec. 4-12. Penalties for violation of chapter.

Any person found violating any ~~provisions~~provision of this chapter shall be deemed guilty of a misdemeanor and ~~shall, for every each offense, may be guilty of a misdemeanor fined and be punished by imprisonment in jail not exceeding 30 days / or by a fine not exceeding \$500.00~~imprisoned consistent with the jurisdictional limits of the magistrate's court. In addition, upon conviction of any violation under this chapter, a court may order an animal forfeited by the owner or owners and placed within an agency willing to accept custody of the animal, where the court finds that the animal has been cruelly treated, or the owners have been convicted of allowing the animal to run at large on two or more previous occasions.

(Ord. No. 2005-01, § 12, 2-1-2005)

Sec. 4-13. Applicability of Rabies Control Act.

The provisions of S.C. Code 1976, § 47-5-10 et seq., commonly known as the Rabies Control Act, are hereby adopted in their entirety, as the same may be from time to time amended, as an

integral part of this chapter, except insofar as the provisions of such act may conflict with or be less restrictive than the provisions of this chapter.

(Ord. No. 2005-01, § 13, 2-1-2005)

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
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) 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.

WHEREAS, the 2019 Novel Coronavirus (“COVID-19”) is a respiratory disease that has caused severe illness and death by the SARS-CoV-2 virus, which is a new strain of coronavirus previously unidentified in humans and which can spread from person to person;

WHEREAS, COVID-19 has disrupted nearly every facet of American life, affecting families, schools, communities, and businesses in profound and unprecedented ways;

WHEREAS, the negative financial impact of COVID-19 on American society has been experienced in a variety of ways, including food and housing insecurity, business closures, job loss and long term unemployment, and a widespread want of opportunity;

WHEREAS, throughout the COVID-19 crisis local governments were at the forefront of the response, addressing untold numbers and types of emergencies and exigencies;

WHEREAS, local governments remain uniquely positioned to take a leadership role in the recovery effort;

WHEREAS, on March 11, 2021, the American Rescue Plan Act (“ARPA”) was signed into law by the President of the United States;

WHEREAS, among other things, ARPA established the Coronavirus Local Fiscal Recovery Fund (“Fiscal Recovery Fund”), which provides for direct aid to counties and municipalities to support their efforts in combating the impact of COVID-19 on their communities, residents, and businesses;

WHEREAS, the Fiscal Recovery Fund provides local governments, including Oconee County (“County”), with significant monetary resources, purposed to assist in responding to the COVID-19 public health emergency;

WHEREAS, financial assistance received by local governments through the Fiscal Recovery Fund may be used in several different ways, including but not limited to: (1) generally responding to the COVID-19 public health emergency or its negative economic impacts; (2) providing premium pay to eligible workers; (3) replacing lost public sector revenue; and (4) making necessary investments in water, sewer, or broadband infrastructure;

WHEREAS, the County was allocated Fifteen Million, Four Hundred Fifty Thousand, Eight Hundred Seventy-Eight, and 00/100 (\$15,450,878.00) Dollars (collectively “County ARPA Funds”);

WHEREAS, County ARPA Funds may be used toward the provision of general government services by virtue of a revenue loss calculation or a standard allowance; and

WHEREAS, the County desires to expend Six Hundred Thirty-Eight Thousand, Two Hundred Twenty-Nine and 00/100 (\$638,229.00) Dollars of County ARPA Funds toward construction of the Bountyland Fire Substation.

NOW THEREFORE, be it ordained by the Oconee County Council in meeting duly assembled that:

Section 1. Appropriation. Six Hundred Thirty-Eight Thousand, Two Hundred Twenty-Nine and 00/100 (\$638,229.00) Dollars of County ARPA Funds are hereby appropriated and set aside for construction of the Bountyland Fire Substation.

Section 2. Expenditures. The expenditure of funds appropriated out of County ARPA Funds for construction of the Bountyland Fire Substation is approved in an amount up to Six Hundred Thirty-Eight Thousand, Two Hundred Twenty-Nine and 00/100 (\$638,229.00), subject to the following conditions:

- a) This appropriation and expenditure authorization only applies to available County ARPA Funds that have been received by the County from the United States Department of Treasury and which have not been otherwise appropriated.
- b) All federal requirements, specifically including applicable regulations promulgated by the United States Department of Treasury, shall be strictly adhered to in the administration of these funds.
- c) County may discontinue the expenditure of funding appropriated hereby for construction of the Bountyland Fire Substation at any time based on: (1) emergency or exigent circumstances; (2) lack of available funds; (3) construction of the Bountyland Fire Substation being deemed an impermissible use of County ARPA Funds, in whole or part, under ARPA, Department of Treasury regulations, or other binding legal authority; or (4) for convenience.

Section 3. Severability. Should any term, provision, or content of this Ordinance be deemed unconstitutional or otherwise unenforceable by any court of competent jurisdiction, such determination shall not affect the remainder of this Ordinance.

Section 4. General Repeal. All ordinances, orders, resolutions, and actions of the Oconee County Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked, and superseded.

Section 5. Effective Date. This Ordinance shall become effective and be in full force from and after public hearing and third reading in accordance with the Code of Ordinances of Oconee County, South Carolina.

ORDAINED in meeting, duly assembled, this ____ of _____, 2022.

ATTEST:

Jennifer C. Adams
Clerk to Oconee County Council

John Elliott
Chair, Oconee County Council

First Reading: November 15, 2022
Second Reading: December 6, 2022
Third Reading: December 16, 2022
Public Hearing: December 16, 2022

PROCUREMENT - AGENDA ITEM SUMMARY

OCONEE COUNTY, SC

COUNCIL MEETING DATE: November 15, 2022

ITEM TITLE:

Title: Shelter for High Falls Park

Department: PRT

Amount: \$268,990.18

Contingency (10%): \$ 26,899.02

Total Amount: \$295,889.20

FINANCIAL IMPACT:

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

Budget: \$ 295,889.20 Project Cost: \$ 295,889.20 Balance: \$ 0.00

Finance Approval: _____

(Funding for this project is from Capital PRT Millage Fund)

BACKGROUND DESCRIPTION:

This request is for the purchase and installation / construction of a new turnkey point shelter for High Falls County Park. The existing point shelter is nearing fifty years old and is beginning to show signs of structural rot. This shelter is available for the public to reserve for gatherings and weddings. The new shelter will incorporate the existing stone fireplace. The grill is currently located under the existing shelter; this project will relocate it to a designated grilling area outside the shelter. By relocating the grilling area there will be more space for events under the shelter.

The turnkey shelter project includes: demolition of existing structure and concrete, any site preparations that will be required, permits, electrical, concrete, and installation. In addition to the shelter, the project includes adding a concrete patio area outside the shelter for additional gathering space to be used by park patrons.

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.

SPECIAL CONSIDERATIONS OR CONCERNS:

Cedar Forest Products, LLC was awarded an HGAC contract under contract number PR11-20.

ATTACHMENT(S):

- 1.) HGAC Quote – Cedar Forest Products, LLC.
- 2.) Drawing of proposed Shelter
- 3.) HGAC Contract Award Information

STAFF RECOMMENDATION:

It is the staff's recommendation that Council

- 1.) Award the purchase and construction of the point shelter for High Falls County Park to Cedar Forest Products, LLC., located in West Olive, MI, in the amount of \$268,990.18 plus 10% contingency in the amount of \$26,899.02, for a total award of \$295,889.20.
- 2.) Authorize the County Administrator to execute documents for this project and sign any change orders within the contingency amount.
- 3.) Approve waiving the County Permit and Plan Review fees for this project.

Submitted or Prepared By: _____

Tronda C. Popham, Procurement Director

Approved for Submittal to Council: _____

Amanda F. Brock, County Administrator

Council has directed that they receive their agenda packages a week prior to each Council meeting, therefore, Agenda Items Summaries must be submitted to the Administrator for his review/approval no later than 12 days prior to each Council meeting. It is the Department Head / Elected Officials responsibility to ensure that all approvals are obtained prior to submission to the Administrator for inclusion on an agenda.

A calendar with due dates marked may be obtained from the Clerk to Council.



CONTRACT PRICING WORKSHEET
For Catalog & Price Sheet Type Purchases

Contract No.: PR11-20

Date Prepared: 11/3/2022

This Worksheet is prepared by Contractor and given to End User. If a PO is issued, both documents MUST be faxed to H-GAC @ 713-993-4548. Therefore please type or print legibly.

Buying Agency:	Oconee Parks	Contractor:	Cedar Forest Products
Contact Person:		Prepared By:	Ben LaBarge
Phone:		Phone:	616-433-6008
Fax:		Fax:	616-228-9046
Email:		Email:	ben@cedarforestproducts.com

Catalog / Price Sheet Name:	Cedar Forest Products Co. / PR11-20A08
General Description of Product:	2020 Cedar Forest Shelter Catalog

A. Catalog / Price Sheet Items being purchased - Itemize Below - Attach Additional Sheet If Necessary

Quan	Description	Unit Pr	Total
1	OTT3460	70577	70577
			0
8	Add for installations of footings / each - PR11-20G	1200	9600
2970	Add for shelter installation - PR11-20E	12	35640
			0
180	Add for Electrical Installation - PR11-20N	150	27000
3	Add for Site Clearing - PR11-20J	2500	7500
6645	Add for 4' Concrete Slab	14	93030
			0
			0
1	6% HGAC Discount	-14600.82	-14600.82
	Permit Fee's Estimated \$7,500.00 (if not waived by the County this will be added to the cost)		0
Total From Other Sheets, If Any:			
Subtotal A:			228746.18

B. Unpublished Options, Accessory or Service items - Itemize Below - Attach Additional Sheet If Necessary

(Note: Unpublished Items are any which were not submitted and priced in contractor's bid.)

Quan	Description	Unit Pr	Total
1	Add to modify OTT3460 to OTT31'x56' 6:12 with 8 column design	18880	18880
1	Add for installation cost / (1) finish coat of stain	10710	10710
			0
			0
Total From Other Sheets, If Any:			
Subtotal B:			29590

Check: Total cost of Unpublished Options (B) cannot exceed 25% of the total of the Base Unit Price plus Published Options (A+B).

For this transaction the percentage is:

13%

C. Trade-Ins / Special Discounts / Other Allowances / Freight / Installation / Miscellaneous Charges

Freight to Seneca, SC	2700
Sales Tax	7954
Subtotal C:	10654

Delivery Date:

D. Total Purchase Price (A+B+C):

268990.18



Product Information

Product Description

2020 Cedar Forest Shelters Catalog

Manufacturer

Cedar Forest Products

Product Code

PR11-20A08

Contract

PR11-20 Parks & Recreation Equipment

Contract Category

Grounds Facilities & Parks Equipment

Discount

6.00%

Price Unit

Discount off list

Keyword(s)

parks; parks and rec; shade and shelter

[View Catalog \(/media/hgacbuy/catalogs/PR11-20/CF-Products.zip\)](/media/hgacbuy/catalogs/PR11-20/CF-Products.zip)

Vendors Offering This Product

CF Products, LLC (Cedar Forest Products Co.)

Ben LaBarge

ben@cedarforestproducts.com (mailto:ben@cedarforestproducts.com)

Phone: 800-552-9495

Fax: 616-228-9046

Contact HGACBuy

Veronica Johnson

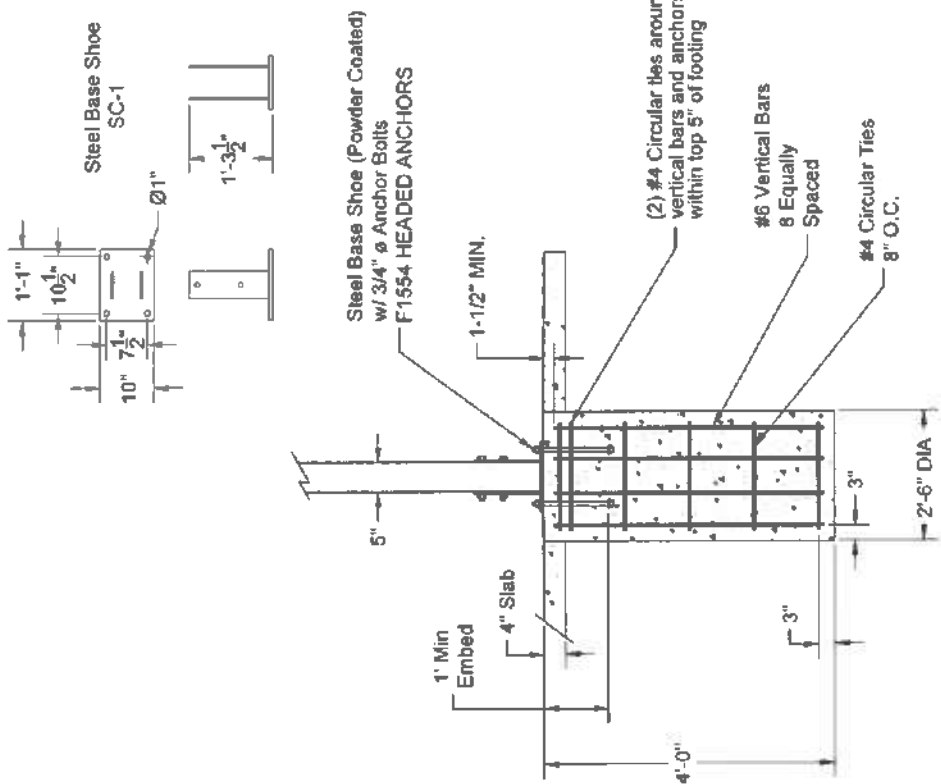
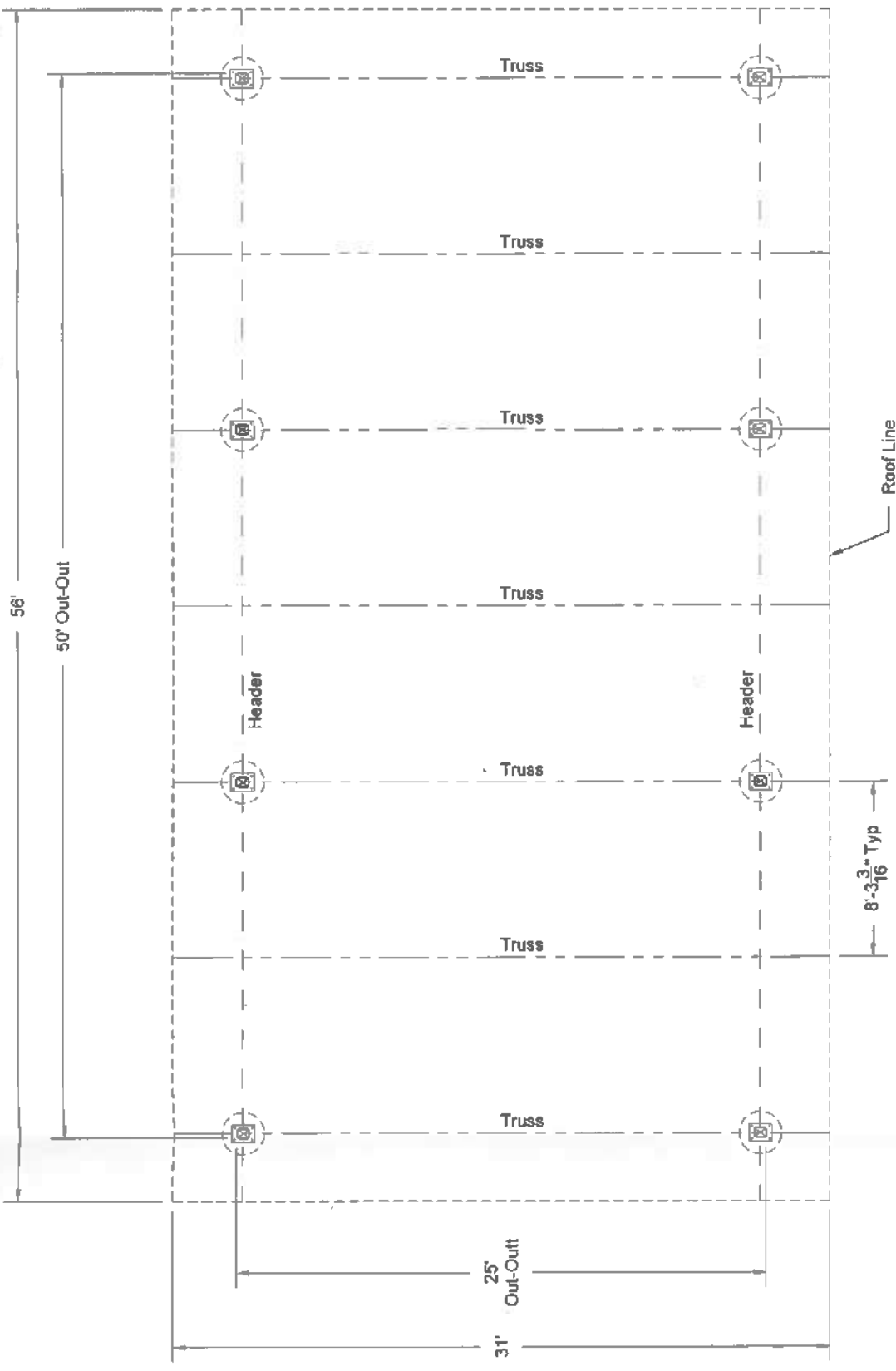
veronica.johnson@h-gac.com (mailto:veronica.johnson@h-gac.com)

Phone: 713-993-2446

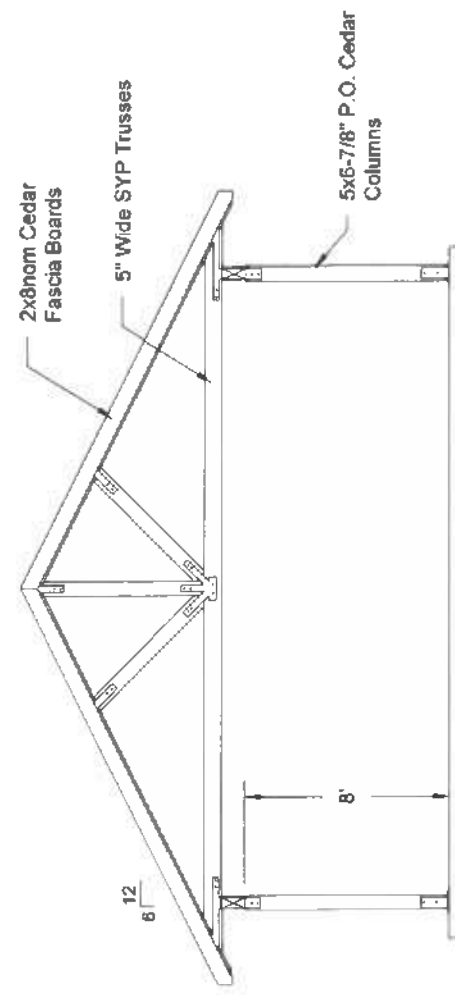
Fax: 713-993-4548

[Return to Products & Services \(/products-and-services\)](/products-and-services)

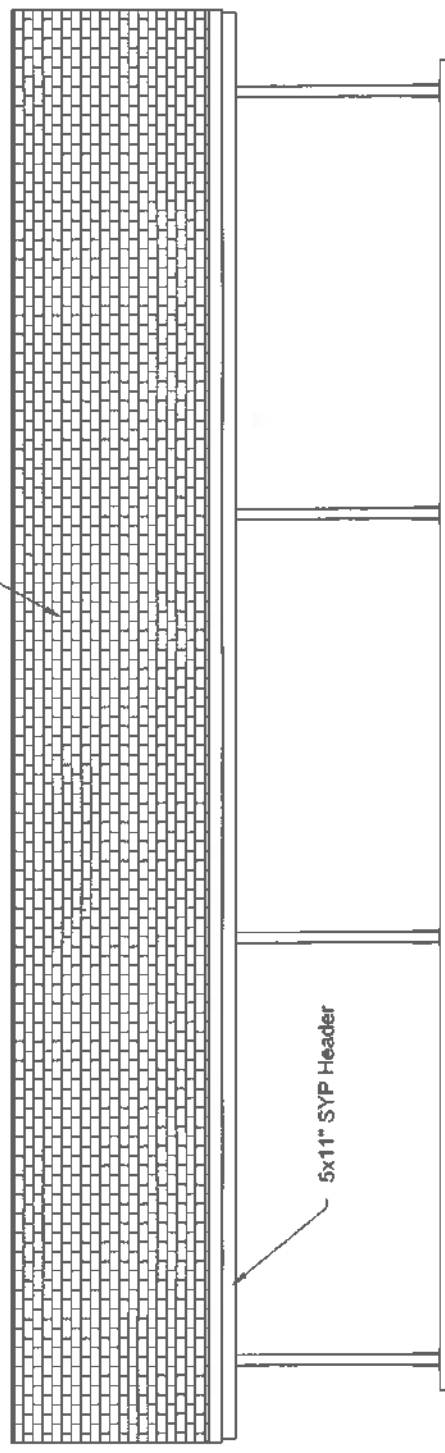
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Column/Footing Detail
Concrete Pier By Others



Asphalt Shingles



<p>P.O. BOX 145 WEST OLIVE, MI 49460 800-553-9495 WWW.CEDARFORESTPRODUCTS.COM</p>	<p>PRELIMINARY NOT FOR CONSTRUCTION</p>		<p>© Copyright 2022, these drawings are the intellectual property of CFP and shall not be copied or distributed to any unauthorized party in part or in entirety without our written permission. They shall not be used for construction unless approved by a CFP Representative.</p>	<p>MODEL NUMBER: OTT3156-612P</p>	<p>SHOWN WITH STANDARD OPTIONS</p>	<p>REVISION DATES</p>	<p>DATE: 9-30-22</p>
	<p>DESCRIPTION: 31'x56' Open Timber Truss Shelter - 6:12 Pitch</p>	<p>Possible Options:</p> <ul style="list-style-type: none"> <input type="checkbox"/> 29ga METAL ROOF <input type="checkbox"/> STANDING SEAM ROOF <input type="checkbox"/> CEDAR SHINGLES <input type="checkbox"/> METAL BASE SHOES <input type="checkbox"/> STEEL COLUMNS <input type="checkbox"/> CUSTOM ROOF PITCH <input type="checkbox"/> LIGHTNING PROTECTION <input type="checkbox"/> 2 TIER ROOF <input type="checkbox"/> CUPOLA 		<p>REVISION DATES</p>	<p>DATE: 9-30-22</p>		

PROCUREMENT - AGENDA ITEM SUMMARY

OCONEE COUNTY, SC

COUNCIL MEETING DATE: October 4, 2022

ITEM TITLE:

Procurement #: PO 55153 Change Order 1 – Trane U.S. Inc. Department: Law Enforcement Center

PO Amount: \$ 41,825.00

CO #1: \$ 23,250.00

PO Total: \$ 65,075.00

10% Contingency: \$ 6,507.50

Total Award: \$ 71,582.50

FINANCIAL IMPACT:

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

Budget: **\$29,757.50** Project Cost: **\$29,757.50** Balance: **\$0.00**

Finance Approval: _____

BACKGROUND DESCRIPTION:

The existing variable air volume (VAV) boxes were originally installed in 2003 and approximately 75% of the current boxes are malfunctioning. They no longer heat the space they are responsible for and cannot maintain the static pressure within the air ducts. The original VAV boxes were manufactured by KMC who no longer manufactures the model or repair parts required to bring the boxes to working condition; therefore, replacement is not an option.

With temperature's in these offices staying in the low 60's staff deemed it necessary move forward with phases 1 and 2, in order to get some heat in the building working properly. Procurement issued Purchase Order Number 55153 to Trane U.S. of Atlanta, GA in the amount of \$41,825.00 for Phase 1 and 2 for the upgrade/retrofit of the VAV controls at the Oconee County Sheriff's Office. The retrofitting of the VAV boxes includes new mechanics, controls, and thermostats within the Sheriff's Office, administrative corner, records area, communications, and the judicial support areas of the building. The retrofitting is needed to ensure the VAV boxes can effectively heat the areas and control the static pressure within the air ducts.

The requested change order, in the amount of \$23,250.00, is to add Phase 3 and 4 for the remaining areas of the building that also require VAV upgrades/retrofit. These spaces include: 2nd floor offices, conference rooms, and reception areas. A 10% contingency, in the amount of \$6,507.50, is requested to cover any unforeseen items that may arise during the upgrades/retrofit.

SPECIAL CONSIDERATIONS:

The current HVAC system installed at the Sheriff's Office is Trane. The VAV boxes will be upgraded/retrofitted by the manufacturer and their authorized service personnel.

ATTACHMENT(S):

- 1.) Trane Quote for Phase 3 and 4
- 2.) Trane Authorized Dealer/Manufacture Letter

STAFF RECOMMENDATION:

It is the staff's recommendation that Council:

- 1.) Approve PO 55153 CO-1 in the amount of \$23,250.00, which makes the total purchase order amount \$65,075.00.
- 2.) Approve a 10% contingency in the amount of \$6,507.50 and authorize the County Administrator to approve any change orders within the contingency amount.
- 3.) Authorize the County Administrator to transfer sufficient funds for the above project to the departments appropriate line item.

Submitted or Prepared By: _____ Approved for Submittal to Council: _____
Tronda Popham, Procurement Director Amanda F. Brock, County Administrator

Council has directed that they receive their agenda packages a week prior to each Council meeting, therefore, Agenda Items Summaries must be submitted to the Administrator for his review/approval no later than 12 days prior to each Council meeting. It is the Department Head / Elected Officials responsibility to ensure that all approvals are obtained prior to submission to the Administrator for inclusion on an agenda.

A calendar with due dates marked may be obtained from the Clerk to Council.



November 12, 2019

Katie Brown
Oconee County Procurement
415 South Pine Street
Walhalla, SC 29691

Subject: Trane OEM Parts, Equipment, Controls, & Service

Dear Katie,

Please be advised that the Greenville, SC Trane office is the sole source of Trane Factory Authorized Parts, Trane Equipment, Trane Controls, and Trane Factory Service for the counties of the Upstate of South Carolina, including Abbeville, Anderson, Cherokee, Chester, Greenville, Greenwood, McCormick, Laurens, Oconee, Pickens and Spartanburg. All Trane OEM Factory Parts, Equipment, Controls, and Service are provided to accounts in Upstate South Carolina by Trane's Greenville office.

Trane Greenville is the factory owned sales and service office of Trane, U.S., Inc.

Please feel free to contact me if you have any additional questions regarding this information.

Respectfully Submitted,

A handwritten signature in black ink that reads 'Pete Arsenault'.

Pete Arsenault
Account Manager
Trane, U.S., Inc.



Trane U.S. Inc.
412 Fairforest Way
Greenville, SC 29607
Phone: (864) 672-6000
Fax: (864) 672-6001

October 10, 2022

Oconee County Procurement
415 S Pine St
Walhalla, SC 29691-2969

Site Address:
Oconee Law Enforcement Center
300 S Church St
Walhalla, SC 29691
United States

ATTENTION: Jeremy LaBoone

PROJECT NAME: Oconee County VAV Retrofit

We are pleased to propose the following Trane services for the equipment listed. Services will be performed using Trane's exclusive service procedures provided by factory trained and experienced technicians. You receive the full benefit of our expertise derived from being Trane equipment's original manufacturer. Our procedures are environmentally and safety conscious while providing for the efficient delivery of these services.

CURRENT SITUATION

The existing VAV box controls installed at the Sheriff's Office are malfunctioning and in need of repair. To restore functionality and increase reliability, Trane will retrofit the existing VAV boxes with new controls, and bring them into a web-based controller, The Tracer SC+. This new device is web based and requires no computer-based software and allows the customer freedom to access the system via **any computer, cell phone or notepad.**

Another benefit of this proactive approach is to limit downtime and loss of reliability. When an upgrade is performed, the upgrade is scheduled as opposed to reactive upon a failure and loss of environmental conditions or tenant comfort.

This installation requires complete system reprogramming and graphical user interface updates. This proposal includes all programming, materials, and training for the customer to have a fully updated and functional building automation system.

SCOPE OF SERVICE

Phase 3 – 2nd Floor Offices, Conference Rooms, Reception Areas

- Retrofit existing (9) VAV boxes with Trane Controls.
- Provide Integration into Tracer SC+ for the following devices:
 - 9 – VAV boxes

Phase 4 – Remaining 2nd Floor Offices, Conference Rooms, Reception Areas

- Wire and mount (1) wireless coordinator for wireless VAV box communications.
- Retrofit existing (7) VAV boxes with Trane Controls.
- Provide Integration into Tracer SC+ for the following devices:
 - 7 – VAV boxes

NOT INCLUDED IN THIS SCOPE

1. All existing hardware is being reused except for the items specifically included in the scope of work above.
2. Wiring or installation of LAN cabling or data jacks. Trane will require a data drop at the SC panel with static IP address.
3. Existing communication link related issues.
4. This proposal does not provide upgrade or repairs to existing mechanical equipment.
5. This proposal does not include any additional programming and/or optimizations strategies than those mentioned in the scope above.
6. As built documentation / updates will be limited to the changes made with this project. Additional changes such as communication loop layouts can be priced separately upon request.
7. Temporary controls for any equipment.
8. Labor for demonstration or testing with a commissioning agent.
9. Troubleshooting of any existing equipment communication or mechanical issues

PRICING AS FOLLOWS:

PHASE 3	11,720.00 USD
PHASE 4	11,530.00 USD
TOTAL AMOUNT	23,250.00 USD

CLARIFICATIONS

1. Any service not listed is not included.
2. Work will be performed during normal Trane business hours.
3. Work will be performed during normal Trane business hours.
4. This proposal is valid for 30 days from October 17, 2022.

I appreciate the opportunity to earn your business and look forward to helping you with all of your service needs. Please contact me if you have any questions or concerns.

Sincerely,

Nicholas Eggers
Account Manager
Cell: (864) 640-5409

PROCUREMENT - AGENDA ITEM SUMMARY

OCONEE COUNTY, SC

COUNCIL MEETING DATE: **November 15, 2022**

ITEM TITLE:

Procurement #: RFP 22-06 Title: On Call Program/Construction Management Consultant Department(s): All Amount: TBD

FINANCIAL IMPACT:

There is no dollar amount associated with this approval at this time. All County departments with a budget for this service may utilize this RFP as long as they do not exceed their budgeted amounts for these services. Any future projects under this RFP / Contract that exceeds \$50,000 will be brought to Council for approval.

BACKGROUND DESCRIPTION:

Procurement Staff issued RFP 22-06 for On Call Program/Construction Management Consultant to solicit proposals for a consulting firm to provide professional program / construction management and design services as needed for projects with a focus on new construction, infrastructure and ground-up projects, additions, remodels and/or alteration to existing facilities, including but not limited to, office buildings, essential services facilities, court facilities, detention centers, maintenance buildings and site work. These services would include Pre-Design Services, Procurement Assistance, Design Phase Services, Construction Phase Services and Transition Phase Services.

The Awarded firm will serve as the County's advocate and partner to develop projects that are well-designed and constructed, delivered on time and within approved budgets on an As-Needed Basis.

RFP 22-06 On Call Program/Construction Management Consultant was issued on September 22, 2022 and sent to 6 firms. Five proposals were received on October 18, 2022.

An Evaluation Committee consisting of County Staff reviewed / scored all responses and recommended interviewing all Firms scoring above 300 points in Round 1. The Committee conducted interviews on November 1, 2022 and unanimously recommended Skanska USA Building, Inc. of Atlanta, GA for award.

This contract will be for one year, with four additional one-year renewals, if all work is satisfactory.

ATTACHMENT(S):

- 1) Summary Score Sheet

STAFF RECOMMENDATION:

It is the staff's recommendation that Council:

- 1) Approve the award of RFP 22-06, On Call Program/Construction Management Consultant, to Skanska USA Building, Inc. of Atlanta, GA.
- 2) Authorize the County Administrator to execute the contract documents and renew this contract for up to four (4) one-year renewals, as long as, the services provided are satisfactory.

Submitted or Prepared By: _____ **Approved for Submittal to Council:** _____
Tronda C. Popham, Procurement Director **Amanda F. Brock, County Administrator**

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SUMMARY SHEET

On Call Program/Construction Management Consultant- RFP 22-06

ROUND 1 - Proposals Submitted Committee Scoring / Ranking						ROUND 2 - Interview / Final Ranking			
Proposer	JLL Jones Lang LaSalle America's Inc.	Johnson Controls, Inc.	Ry Design	Skanska USA Buildings, Inc.	Stantec Consulting Servies, Inc.	JLL Jones Lang LaSalle America's Inc.	Johnson Controls, Inc.	Skanska USA Buildings, Inc.	Stantec Consulting Servies, Inc.
Location	Charlotte, NC	Greenville, SC	Trenton, SC	Atlanta, GA	Charlotte, NC				
TOTAL	1650	1655	1390	1900	1860	3	4	1	2
Average Score	330	331	278	380	372				
RANKING	4	3	5	1	2				

PROCUREMENT - AGENDA ITEM SUMMARY

OCONEE COUNTY, SC

COUNCIL MEETING DATE: November 15, 2022

ITEM TITLE:

Title: 2023 Caterpillar 259D3 Track Loader

Department: Solid Waste

Amount: \$77,000.00

FINANCIAL IMPACT:

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

Budget: **\$77,000.00**

Project Cost: **\$77,000.00**

Balance: **\$0.00**

Finance Approval: _____

Funding from Capital Equipment / Vehicle Fund (325)

BACKGROUND DESCRIPTION:

The Solid Waste department utilizes skid steers in and around the Material Recovery Facility (MRF) for loading and unloading recyclables. All paper, cardboard, plastic and aluminum cans that are recycled in the MRF are loaded onto the baler conveyor with a skid steer for the material to be baled so they can be shipped to a recycler. The last skid steer was purchased in FY06 and has become unreliable to be used on a daily basis. Over the past 2 years, several major components such as lift arms and control arms have snapped and have been welded back together.

After researching skid steers/track loaders that would meet the requirements of the department, staff determined that the Caterpillar 259D3 Compact Track Loader best met the needs of the Solid Waste Department.

The current skid steer will be sold as surplus or reassigned to another County department at a later date. The County's Vehicle Maintenance Director approves this purchase.

SPECIAL CONSIDERATIONS OR CONCERNS:

The SC Materials Management Office has awarded state contract #4400018718 for Caterpillar loaders, skid steer, compact loaders, compact mini-excavators, and articulating loaders to Blanchard Machinery Company, Inc. of Columbia, SC.

ATTACHMENT(S):

- 1.) Quote from Blanchard CAT
- 2.) CAT 259D3 Specification Sheet
- 3.) SC State Contract Information

STAFF RECOMMENDATION:

It is the staff's recommendation that Council approve the purchase of the Caterpillar 259D3 Track Loader from Blanchard Machinery Company of Columbia, SC in the amount of \$77,000.00 per SC State Contract # 4400018718.

Submitted or Prepared By: _____ **Approved for Submittal to Council:** _____
Tronda C. Popham, Procurement Director **Amanda F. Brock, County Administrator**

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COUNTY OF OCONEE
PURCHASING DEPT
415 S PINE ST
WALHALLA, SC 29691 2145

Nov 04, 2022

Attention: SWAIN STILL

We would like to thank you for your interest in our company and our products, and are pleased to quote the following for your consideration.

One (1) New Cat Model: 259D3 AS2 COMPACT TRACK LOADERS with all standard equipment in addition to the additional specifications listed below:

MACHINE SPECIFICATIONS

Description

259D3 COMPACT TRACK LOADER
RUBBER BELT, 2 SPD, TF IDLERS
INSTRUCTIONS, ANSI, USA
TRACK,RUBBER,400MM(15.7 IN)BAR
BATTERY,HD,DISCONNECT, 850 CCA
DOOR, CAB, POLYCARBONATE
PRODUCT LINK, CELLULAR PL243
SEAT BELT, 2"
REAR LIGHTS
CERTIFICATION ARR, P65
CAB PACKAGE, PRO PLUS
HYDRAULICS, PERFORMANCE, (H2)

CONTROL, ISO, PROP, WT
ROPS, ENCLOSED WITH A/C (C3)
DISPLAY, ADVANCED, LCD, CAMERA
QUICK COUPLER, HYDRAULIC
SEAT,AIR SUSPENSION,CLOTH,HEAT
FILM, TWO SPEED
STANDARD RADIO(12V),BLUETOOTH

Equipment:	MSRP Price	State Contract Discount	Sell Price
New CAT 259D3 AS2	\$94,368.00	25%	\$70,775.00
Attachments:			
CAT Tooth Bucket BUCKET-GP, 74", BOT - C41852	\$1,735.50	15%	\$1,475.00
CAT Skid Steer Forks CARRIAGE, 46", FORKS, 48", SSL	\$1,119.00	15%	\$950.00
CAT Grapple Bucket	\$4,471.00	15%	\$3,800.00
Extended Warranty	Included		Included
Sales Tax			N/A
GRAND TOTAL			\$77,000.00

WARRANTY

Extended Warranty:

259-60 MO/2000 HR PREMIER

We wish to thank you for the opportunity of quoting on your equipment needs. This quotation is valid for 30 days, after which time we reserve the right to re-quote. If there are any questions, please do not hesitate to contact me.

Sincerely,

Patrick Whitlock
Machine Sales Representative

PAYMENT TERMS

Cash Invoice Terms

CASH WITH ORDER	QUOTE SELL PRICE
\$0.00	\$77,000.00

Accepted by _____ on _____

Signature



Cat[®] 259D3

COMPACT TRACK LOADER

FEATURES:

The Cat[®] 259D3 Compact Track Loader, with its vertical lift design, delivers extended reach and lift height for quick and easy truck loading. Its standard, suspended undercarriage system provides superior traction, flotation, stability and speed to work in a wide range of applications and underfoot conditions. The 259D3 features the following:

- **Industry leading sealed and pressurized cab option** provides a cleaner and quieter operating environment with excellent work tool visibility.
- **Available high-back, heated, air ride seat with seat mounted adjustable joystick controls** makes the D3 Series the industry leader in operator comfort.
- **High performance power train** provides maximum performance and production capability through the Electronic Torque Management system, standard two speed travel and an electronic hand/foot throttle with decel pedal capability.
- **High Flow hydraulic system** is available for applications that demand maximum hydraulic work tool performance.
- **Electronically controlled Cat C3.3B engine** provides high horsepower and torque while meeting U.S. EPA Tier 4 Final and EU Stage V emission standards.
- **Cat "Intelligent Leveling" system** provides industry leading technology, integration, and available features such as dual direction self level, work tool return to dig, and work tool positioner.
- **Standard fully independent torsion axle suspension** combined with the optional Speed Sensitive Ride Control system improves operation on rough terrain, enabling better load retention, increased productivity and greater operator comfort.
- **Maximize machine capability and control** with optional Advanced Display providing on-screen adjustments for implement response, hystat response and creep control. Also features multi-language functionality with customizable layouts, security system and rearview camera.
- **Ground level access** to all daily service and routine maintenance points helps reduce machine downtime for greater productivity.
- **Broad range of performance matched Cat Work Tools** make the Cat Compact Track Loader the most versatile machine on the job site.

Specifications

Engine

Engine Model	Cat C3.3B DIT (turbo)	
Gross Power SAE J1995	55.4 kW	74.3 hp
Net Power SAE 1349	54.6 kW	73.2 hp
Net Power ISO 9249	55.1 kW	73.9 hp
Peak Torque at 1,500 rpm SAE J1995	265 N-m	195 lbf-ft
Displacement	3.3 L	203 in ³
Stroke	120 mm	4.7 in
Bore	94 mm	3.7 in

Weights*

Operating Weight	4076 kg	8,987 lb
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*Operating Weight, Operating Specifications and Dimensions all based on 75 kg (165 lb) operator, all fluids, two speed, OROPS, 1730 mm (68 in) low profile bucket, 320 mm (12.6 in) tracks, dual flange front idler/single flange rear idler, standard flow hydraulics, mechanical suspension seat, no optional counterweights and manual quick coupler (unless otherwise noted).

Power Train

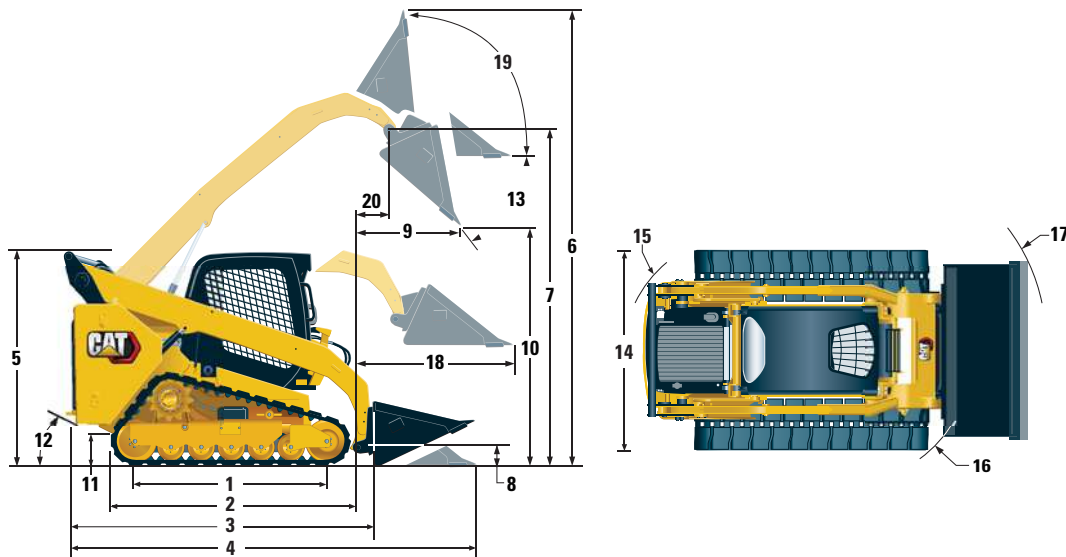
Travel Speed (Forward or Reverse)			
One Speed	9.5 km/h	5.9 mph	
Two Speed	13.7 km/h	8.5 mph	

Hydraulic System

Hydraulic Flow – Standard:			
Loader Hydraulic Pressure	23 000 kPa	3,335 psi	
Loader Hydraulic Flow	76 L/min	20 gal/min	
Hydraulic Power (calculated)	29 kW	39 hp	
Hydraulic Flow – High Flow:			
Loader Hydraulic Pressure	23 000 kPa	3,335 psi	
Loader Hydraulic Flow	112 L/min	30 gal/min	
Hydraulic Power (calculated)	43 kW	58 hp	



259D3 Compact Track Loader



Dimensions*

1 Length of Track on Ground	1499 mm	59.0 in	12 Departure Angle	35°
2 Overall Length of Track	1999 mm	78.7 in	13 Maximum Dump Angle	52°
3 Length without Bucket	2767 mm	108.9 in	14 Vehicle Width (320 mm/12.6 in tracks)	1676 mm 66.0 in
4 Length with Bucket on Ground	3486 mm	137.3 in	Vehicle Width (400 mm/15.7 in tracks)	1755 mm 69.0 in
5 Height to Top of Cab	2111 mm	83.1 in	15 Turning Radius from Center – Machine Rear	1561 mm 61.5 in
6 Maximum Overall Height	3915 mm	154.1 in	16 Turning Radius from Center – Coupler	1392 mm 54.8 in
7 Bucket Pin Height at Maximum Lift	3075 mm	121.0 in	17 Turning Radius from Center – Bucket	2184 mm 86.0 in
8 Bucket Pin Height at Carry Position	198 mm	7.8 in	18 Maximum Reach with Arms Parallel to Ground	1305 mm 51.4 in
9 Reach at Maximum Lift and Dump	608 mm	23.9 in	19 Rack Back Angle at Maximum Height	87°
10 Clearance at Maximum Lift and Dump	2283 mm	89.9 in	20 Bucket Pin Reach at Maximum Lift	238 mm 9.4 in
11 Ground Clearance	226 mm	8.9 in		

Operating Specifications*

Rated Operating Capacity:		
35% Tipping Load	915 kg	2,010 lb
50% Tipping Load	1305 kg	2,870 lb
Rated Operating Capacity with Optional Counterweight		
Tipping Load	2610 kg	5,745 lb
Breakout Force, Tilt Cylinder	2252 kg	4,965 lb
Ground Contact Area (320 mm/12.6 in track)	0.96 m ²	1,483 in ²
Ground Contact Area (400 mm/15.7 in track)	1.19 m ²	1,848 in ²
Ground Pressure (320 mm/12.6 in track)	41.8 kPa	6.1 psi
Ground Pressure (400 mm/15.7 in track)	34.0 kPa	4.9 psi

Cab

ROPS	ISO 3471:2008
FOPS	ISO 3449:2005 Level I

Service Refill Capacities

Cooling System	14 L	3.7 gal
Engine Crankcase	11 L	3.0 gal
Fuel Tank	94 L	24.8 gal
Hydraulic System	50 L	13.2 gal
Hydraulic Tank	39 L	10.3 gal

Noise Level

Inside Cab**	83 dB(A)
Outside Cab***	103 dB(A)

- Cab and Rollover Protective Structures (ROPS) are standard in North America and Europe.

**The declared dynamic operator sound pressure levels per ISO 6396:2008. The measurements were conducted with the cab doors and windows closed and at 70% of the maximum engine cooling fan speed. The sound level may vary at different engine cooling fan speeds.

***The labeled sound power level for the CE marked configurations when measured according to the test procedure and conditions specified in 2000/14/EC.

Air Conditioning System (if equipped)

The air conditioning system on this machine contains the fluorinated greenhouse gas refrigerant R134a (Global Warming Potential = 1430). The system contains 0.81 kg of refrigerant which has a CO₂ equivalent of 1.158 metric tonnes.

MANDATORY EQUIPMENT

- Hydraulics, Standard or High Flow
- Quick Coupler, Mechanical or Powered
- High Visibility Seat Belt, 50 mm (2 in) or 75 mm (3 in)
- EU Preparation Package
- Steel Imbed Rubber Track – 320 mm (12.6 in) or 400 mm (15.7 in)
- Dual Flange Front Idler/Single Flange Rear Idler or Triple Flange Front/Rear Idlers

PERFORMANCE PACKAGES

- Performance Package H1: *Standard Flow Hydraulics (No Self Level)*
- Performance Package H2: *Standard Flow Hydraulics, Dual Direction Electronic Self Level (Raise and Lower), Work Tool Return to Dig, Work Tool Positioner, and Electronic Snubbing (Raise and Lower)*
- Performance Package H3: *High Flow Hydraulics, Dual Direction Electronic Self Level (Raise and Lower), Work Tool Return to Dig, Work Tool Positioner, and Electronic Snubbing (Raise and Lower)*

STANDARD EQUIPMENT

ELECTRICAL

- 12 volt Electrical System
- 80 ampere Alternator
- Ignition Key Start/Stop Switch
- Lights: *Gauge Backlighting, Two Rear Tail Lights, Two Adjustable Front and Rear Halogen Lights, Dome Light*
- Backup Alarm
- Heavy Duty Battery, 850 CCA

OPERATOR ENVIRONMENT

- Advanced Display with Rearview Camera: *Full Color, 127 mm (5 in) LCD screen; Advanced Multi-operator Security System; On-screen Adjustments for Implement Response, Hystat Response, and Creep Control*
- Gauges: *Fuel Level, Hour Meter*
- Operator Warning System Indicators: *Air Filter Restriction, Alternator Output, Armrest Raised/Operator Out of Seat, Engine Coolant Temperature, Engine Oil Pressure, Glow Plug Activation, Hydraulic Filter Restriction, Hydraulic Oil Temperature, Park Brake Engaged, Engine Emission System*
- Adjustable Vinyl Seat
- Fold In Ergonomic Contoured Armrest
- Control Interlock System, when operator leaves seat or armrest raised: *Hydraulic System Disables, Hydrostatic Transmission Disables, Parking Brake Engages*
- ROPS Cab, Open, Tilt Up
- FOPS, Level I
- Top and Rear Windows
- Floor Mat
- Interior Rearview Mirror
- 12 volt Electric Socket
- Horn
- Hand (Dial) Throttle, Electronic
- Adjustable Joystick Controls
- Anti-theft Security System with 6-button Keypad
- Storage Compartment with Netting

COMFORT PACKAGES

- Open ROPS (C0): *Static Seat (No Foot Throttle, Headliner, Heater or Door)*
- Open ROPS (C1): *Foot Throttle, Headliner, Cup Holder, and choice of Seat (Mechanical Suspension or High Back, Heated, Air Ride Seat) (No Heater or Door)*
- Enclosed ROPS with Heater (C2): *Foot Throttle, Headliner, Heater and Defroster, Side Windows, Cup Holder, Radio Ready, choice of Seat (Mechanical Suspension or High Back, Heated, Air Ride Seat) and Door (Glass or Polycarbonate)*
- Enclosed ROPS with A/C (C3): *C2 + Air Conditioner*

POWER TRAIN

- Cat C3.3B, Turbo Diesel Engine, Meeting Tier 4 Final and Stage V Emission Standards
- Air Cleaner, Dual Element, Radial Seal
- S-O-SSM Sampling Valve, Hydraulic Oil
- Filters, Cartridge-type, Hydraulic
- Filters, Canister-type, Fuel and Water Separator
- Radiator/Hydraulic Oil Cooler (side-by-side)
- Spring Applied, Hydraulically Released Parking Brakes
- Hydrostatic Transmission, Two Speed Travel
- Suspension – Independent Torsion Axles (4)

OTHER

- Engine Enclosure, Lockable
- Extended Life Antifreeze, –36° C (–33° F)
- Machine Tie Down Points (6)
- Support, Lift Arm
- Hydraulic Oil Level Sight Gauge
- Radiator Coolant Level Sight Gauge
- Radiator, Expansion Bottle
- Cat ToughGuardTM Hose
- Auxiliary, Hydraulics, Continuous Flow
- Heavy Duty, Flat Faced Quick Disconnects with Integrated Pressure Release
- Split D-Ring to Route Work Tool Hoses Along Side of Left Lift Arm
- Electrical Outlet, Beacon
- Belly Pan Cleanout
- Variable Speed Demand Fan
- Product LinkTM PL240, Cellular

259D3 Compact Track Loader

OPTIONAL EQUIPMENT

- Hand-Foot Style Controls
- External Counterweights
- Beacon, Rotating
- Engine Block Heater – 120V
- Oil, Hydraulic, Cold Operation
- Paint, Custom
- Product Link PL641, Cellular
- Speed Sensitive Ride Control
- Bluetooth® Radio with Microphone (AM/FM/Weather Band Receiver with USB and Auxiliary Input Jack)

For more complete information on Cat products, dealer services, and industry solutions, visit us on the web at www.cat.com

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Materials and specifications are subject to change without notice. Featured machines in photos may include additional equipment. See your Cat dealer for available options.

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AEHQ8198-01 (08-2019)
Replaces AEHQ8198
(Am North, EU, APD, ANZP)





PROCUREMENT SERVICES

[Refresh](#)

Contract 4400018718

[Back to Initial Screen](#)

Validity Start 06/01/2018

Validity End 05/31/2023

Target Value \$ 5,425,000.00

Bid Invitation [5400015056](#)

Contract Notes

Vendor 7000052564

Vendor Address BLANCHARD MACHINERY COMPANY
PO Box 7517
COLUMBIA SC 29202

District

E-mail bsmith@blanchardmachinery.com

Telephone (803) 791-7100

Fax Number

Minority Status Not Applicable

Home Page <http://www.blanchardmachinery.com/>

Other URL

Vendor Contacts

4 Contacts found, displaying all Contacts.

Contact Name	Function	Phone	E-mail
JOHNSON, DALYS	CONTROLLER	(803) 791-7100 ext 4189	djohnson@blanchardmachinery.com
SMITH, BRIAN	Primary Contact	(803) 518-0113	bsmith@blanchardmachinery.com
SMITH, BRIAN	Emergency Contact	(803) 518-0113	bsmith@blanchardmachinery.com
SPISAK, AMY	TAX/AUDIT MANAGER	(803) 791-7100 ext 4117	amyspisak@blanchardmachinery.com

Attachments

One Attachment found.

Attachment Title

Date/Time Posted

[Intent to Award.pdf](#)

05/22/2018 08:37:26 AM

Contract Items

One Item found.

Item Pricing

00003 LOT 4 - CATERPILLAR

Material Group: 02000 - agricultural equipment, implements, and accessories (see class 022 for parts)

Agency: Statewide

PROCUREMENT - AGENDA ITEM SUMMARY

OCONEE COUNTY, SC

COUNCIL MEETING DATE: November 15, 2022

ITEM TITLE:

Title: **Bountyland Substation Construction**

Department(s): **Emergency Services**

Amount: **\$1,150,722.40**

Contingency (10%): **\$ 115,072.24**

Total Award: **\$1,265,794.64**

FINANCIAL IMPACT:

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

Budget: **\$ 1,265,794.64**

Project Cost: **\$1,265,794.64**

Balance: **\$0.00**

Finance Approval: _____

BACKGROUND DESCRIPTION:

On January 19, 2021, Council approved the Design Updates and Construction Award of the Bountyland Substation to J. Davis Construction, Inc., of Westminster, SC. This contract consists of furnishing all labor, materials and equipment needed for the construction of the Bountyland SubStation. The building will include 2 pull-thru bays, kitchen, dayroom, office, 3 bunkrooms, Male and Female bathrooms.

Staff has worked with J. Davis, Inc. to finalize design, plans, drawings and specifications and the project is now ready to begin construction.

J. Davis Construction, Inc. will be utilizing several subcontractors located in Oconee County, SC to complete this project.

This request is for Council Approval for the cost of construction in the amount of \$ 1,150,722.40. Staff is also requesting a 10% contingency in the amount of \$115,072.64, to cover any unforeseen items that may arise. The total construction cost with contingency is \$1,265,794.64.

SPECIAL CONSIDERATIONS OR CONCERNS:

Funding for the construction of this project will come from

- 1.) Current Bond Balance \$449,553.52
- 2.) ARPA Funds \$638,229.00
- 3.) Balance from Westminster Magistrates Office \$66,673.00
- 4.) Remaining Funds Required \$111,339.12

ATTACHMENT(S):

- 1.) J. Davis, Inc. price proposal
- 2.) Elevations / Floor Plan
- 3.) Cost Breakdown – Tracked Changes since 10-18-2022

STAFF RECOMMENDATION:

It is the staff's recommendation that Council

- 1.) Approve the construction of Bountyland Substation to J. Davis, Inc. in the amount of \$1,150,722.40, plus a 10% contingency in the amount of \$ 115,072.24 for a total award of \$1,265,794.64.
- 2.) Authorize the County Administrator to execute documents for this project and sign any change orders within the contingency amount.
- 3.) Approve waiving the County Permit and Plan Review fees for this project.
- 4.) Authorize the use of funding listed in Special Considerations
- 5.) Authorize the County Administrator to transfer funds, in the amount of \$111,339.12, to the departments appropriate line item(s).

Submitted or Prepared By: _____

Tronda C. Popham, Procurement Director

Approved for Submittal to Council: _____

Amanda F. Brock, County Administrator

Council has directed that they receive their agenda packages a week prior to each Council meeting, therefore, Agenda Items Summaries must be submitted to the Administrator for his review/approval no later than 12 days prior to each Council meeting. It is the Department Head / Elected Officials responsibility to ensure that all approvals are obtained prior to submission to the Administrator for inclusion on an agenda.

A calendar with due dates marked may be obtained from the Clerk to Council.

**Tracked Changes from Document Presented to
County Council on October 18, 2022**

Construction Cost	1,146,793.58
Plumbing for Water Heater for future turnout gear extractor and relocation of ice machine drain line	8,000.00
HVAC - added gas piping to water heater	914.84
Additional Electric Receptacles	150.00
Bond changed due to above additions	90.65
Overhead and Fee changed due to above Additions	549.33
Construction Cost as of 11-1-2022	1,156,498.40

Breakdown with Deducts

Construction	1,156,498.40
Building Permits (Waived)	-3,276.00
Dumpsters (to be provided by Solid Waste)	-2,500.00
Construction Cost	1,150,722.40
10% Contingency	115,072.24
Total Award (J.Davis Construction, Inc.)	1,265,794.64



Company City, State, Zip: Anderson, South Carolina, 29625

**Estimate: 720908 Bountyland Fire Station
GMP 10.6.22**

Client Report

This represents the price for the work as described in scope

Description	Total
01 General Requirements	
Building Permits	3,276.00
Plan Review	1,638.00
Superintendent	40,722.00
Superintendent Fuel	2,505.00
Project Executive	5,607.00
Superintendent Vehicle	4,495.00
Estimating	3,702.00
Safety Material	1,050.00
Temporary Toilet	1,764.00
Plan Reproduction	100.00
Dumpster(s)	2,500.00
Progress Cleaning	700.00
Construction Surveying	1,500.00
Job Signage	500.00
Project Manager Fuel	1,750.00
Office Supplies	150.00
Project Manager Vehicle	3,146.50
Project Manager	24,063.00
Final Cleaning	2,565.00
Project Record Documents	150.00
Small Tools And Supplies	350.00
Safety Labor	3,030.00
Temporary Fencing	3,780.00
Temporary Job Site Trailer (Connex)	3,000.00
Temporary Job Site Trailer Delivery & Setup	1,000.00



Date: 11/01/2022

Company City, State, Zip: Anderson, South
Carolina, 29625

Description	Total
Temporary Job Site Trailer Teardown & Haul Off	1,000.00
01 - General Requirements Totals	\$114,043.50
03 Concrete	
Concrete Subcontractor	75,960.00
Termite Pre-treatment	700.00
Transformer Pad	2,500.00
03 - Concrete Totals	\$79,160.00
04 Masonry	
Masonry Contractor	90,491.00
04 - Masonry Totals	\$90,491.00
05 Metal	
Bollards (Material)	2,400.00
Stainless Steel Sheet	800.00
05 - Metal Totals	\$3,200.00
06 Wood , Plastic and Composites	
Turn Key Framing Package - Framing & Trusses	60,900.00
Millwork and Shelving	11,900.00
06 - Wood , Plastic and Composites Totals	\$72,800.00
07 Thermal and Moisture Protection	
Roofing Contractor	13,102.10
Fiber Cement Siding, Fascia, Soffit, Garage Door Casing	8,700.00
07 - Thermal and Moisture Protection Totals	\$21,802.10
08 Openings	
Doors, Light Kits, Frames, Hardware, and Bathroom Accessories	27,624.66
Overhead Doors	28,364.00
Windows Material and Install	4,100.00
Storefront	2,115.94



Date: 11/01/2022

Company City, State, Zip: Anderson, South
Carolina, 29625

Description	Total
Doors, Frames, Hardware, and Bathroom Accessories Install	4,250.00
08 - Openings Totals	\$66,454.60
09 Finishes	
Interior and Exterior Painting	16,987.00
Carpet, VCT, Rubber Base, Tile	7,150.00
Octaform Liner Panels in Bay	0.00
Drywall and Batt Insul. Subcontractor	19,800.00
Stained/Sealed Concrete	10,484.25
09 - Finishes Totals	\$54,421.25
22 Plumbing	
Plumbing	50,000.00
22 - Plumbing Totals	\$50,000.00
23 Heating, Ventilating and Air-Conditioning (HVAC)	
HVAC Subcontractor	48,943.94
23 - Heating, Ventilating and Air-Conditioning (HVAC) Totals	\$48,943.94
26 Electrical	
Electrical	110,150.00
26 - Electrical Totals	\$110,150.00
31 Earthwork	
Earthwork and Utilities Subcontractor	223,360.00
Hydroseeding	1,800.00
31 - Earthwork Totals	\$225,160.00
32 Exterior Improvements	
HD Asphalt Paving	92,112.00
Landscaping Allowance	20,000.00
32 - Exterior Improvements Totals	\$112,112.00
Totals	\$1,048,738.39



Date: 11/01/2022

Company City, State, Zip: Anderson, South
Carolina, 29625

Direct cost Details

Description	Percentage	Amount	Type	Cost Types	Total	Compound
Contingency	0.0000%	0.00	Markup	All Cost Types	0.00	no
Bond	1.0000%	0.00	Markup	All Cost Types	10,802.34	yes
Sub-Total (Indirect Cost)					\$1,091,036.23	

Indirect cost Details

Description	Percentage	Amount	Type	Cost Types	Total	Compound
Overhead and Fee	6.0000%	0.00	Markup	All Cost Types	65,462.17	no
Total Estimate					\$1,156,498.40	



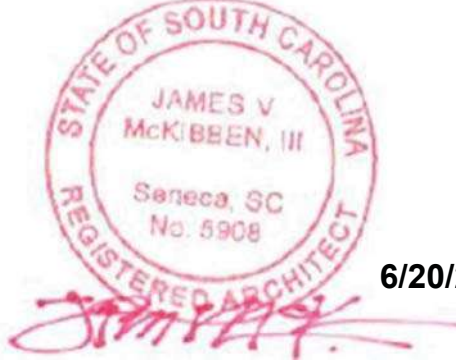
McKIBBEN ARCHITECTS, LLC

108 East North First Street
Suite E
Seneca, SC 29678
864-723-4472
864-888-8638

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SEAL

DAVIS
CONSTRUCTION

DESIGN/BUILD
CONTRACTOR

Oconee County
Emergency Services

BOUNTYLAND
FIRE STATION

Keowee School Road
Seneca, SC 29672

PROJECT TITLE

6-20-22 PERMIT ISSUE 1

6-2-22 DESIGN DEVELOPMENT ISSUE 1

4-11-22 PRELIM. ISSUE 3

4-18-22 PRELIM. ISSUE 2

4-1-22 PRELIM. ISSUE 1

ISSUE

PROJECT NUMBER

S30-21

DRAWN BY

JVM

CHECKED BY

JVM

ISSUE DATE

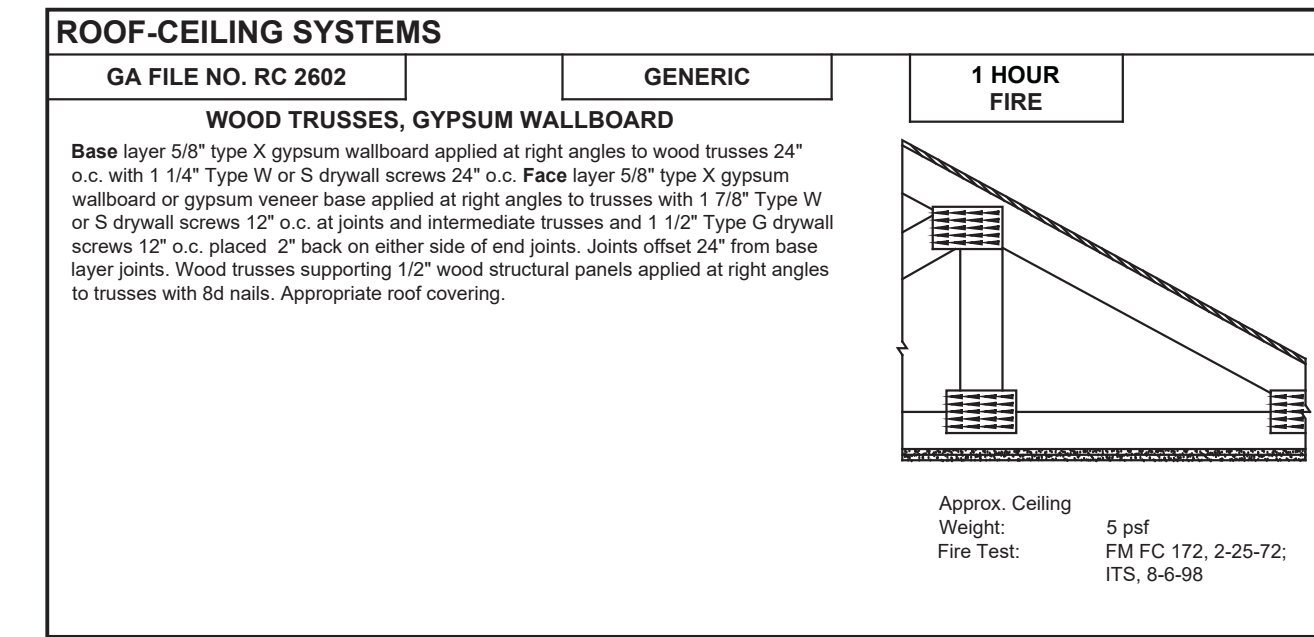
6/20/2022

PROJECT DATA

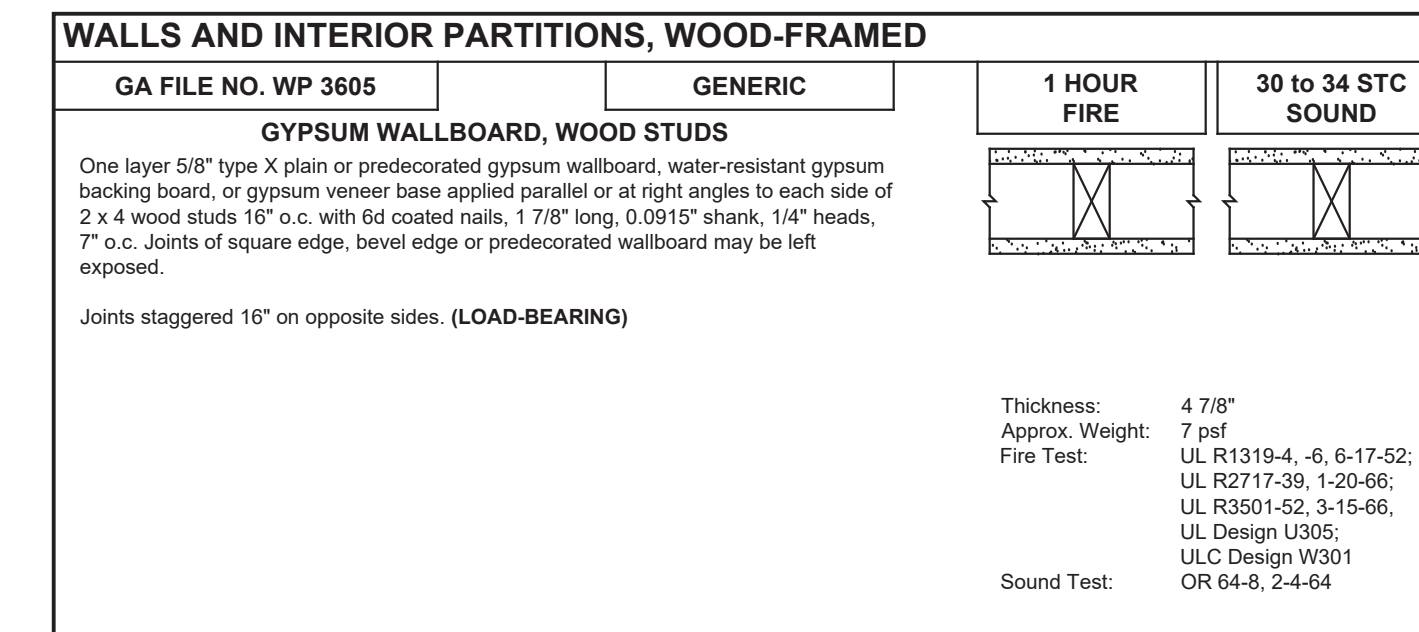
LIFESAFETY
PLAN

DRAWING TITLE

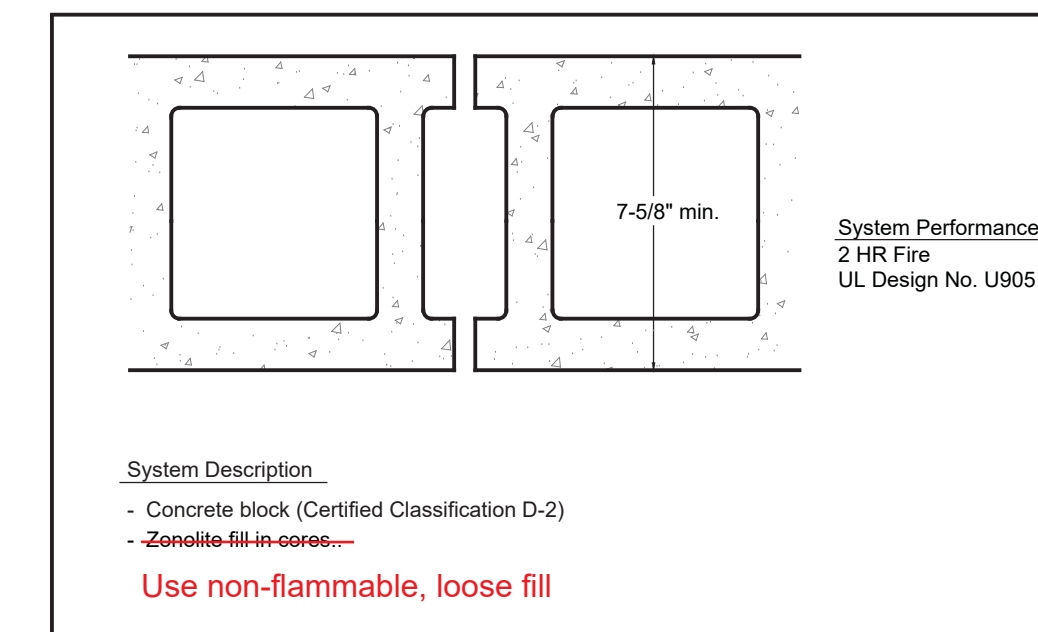
A0.1
SHEET



2 1 HR. RATED BUNKROOM CEILING
A0.1 SCALE: NTS



3 1 HR. RATED FIRE PARTITION
A0.1 SCALE: NTS



4 2 HR. FIRE BARRIER WALL
A0.1 SCALE: NTS

FIRESTOPPING SYSTEM

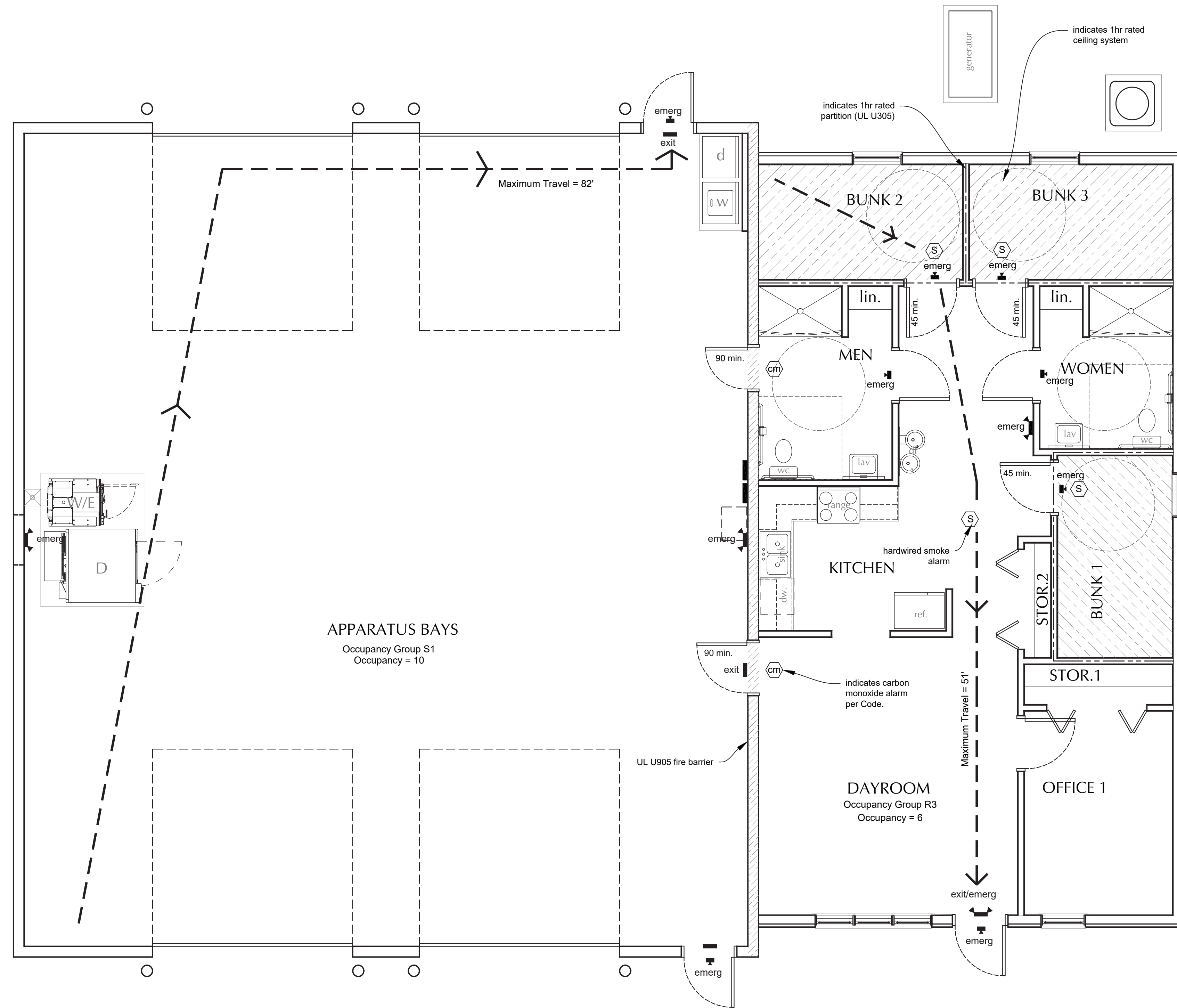
Fire partition penetration / firestopping system:

Provide and install 3-M FIREDAM SPRAY 200 in accordance with the manufacturer's specifications to obtain 1hr. and 2 hr. ratings at locations indicated on plan.

The system carries the following UL approval numbers:

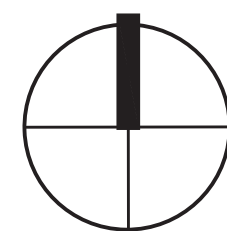
UL #CAJ 1275
UL #CAJ 8106
UL #WL 8033
UL #WL 8034

This material (or equivalent) shall be installed to seal all penetrations and joints in all rated partitions.



1 LIFESAFETY PLAN
A0.1 SCALE: 1/4" = 12"

PROJECT NORTH





McKIBBEN ARCHITECTS, LLC

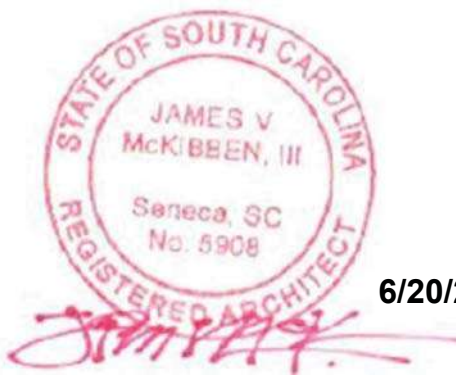
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SEAL



DESIGN/BUILD CONTRACTOR

Oconee County Emergency Services

BOUNTYLAND FIRE STATION

Keowee School Road Seneca, SC 29672

PROJECT TITLE

6-20-22 PERMIT ISSUE 1

6-2-22 DESIGN DEVELOPMENT ISSUE 1

4-11-22 PRELIM. ISSUE 3

4-18-22 PRELIM. ISSUE 2

4-1-22 PRELIM. ISSUE 1

ISSUE

PROJECT NUMBER

S30-21

DRAWN BY

JVM

CHECKED BY

JVM

ISSUE DATE

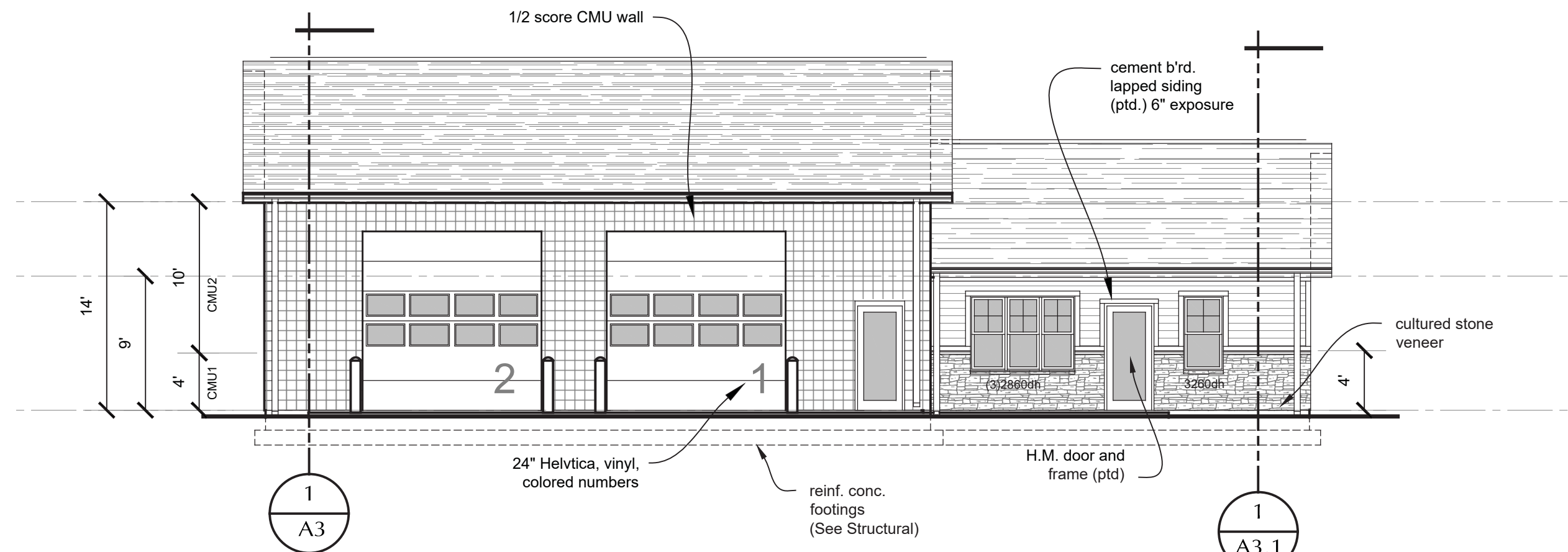
6/20/2022

PROJECT DATA

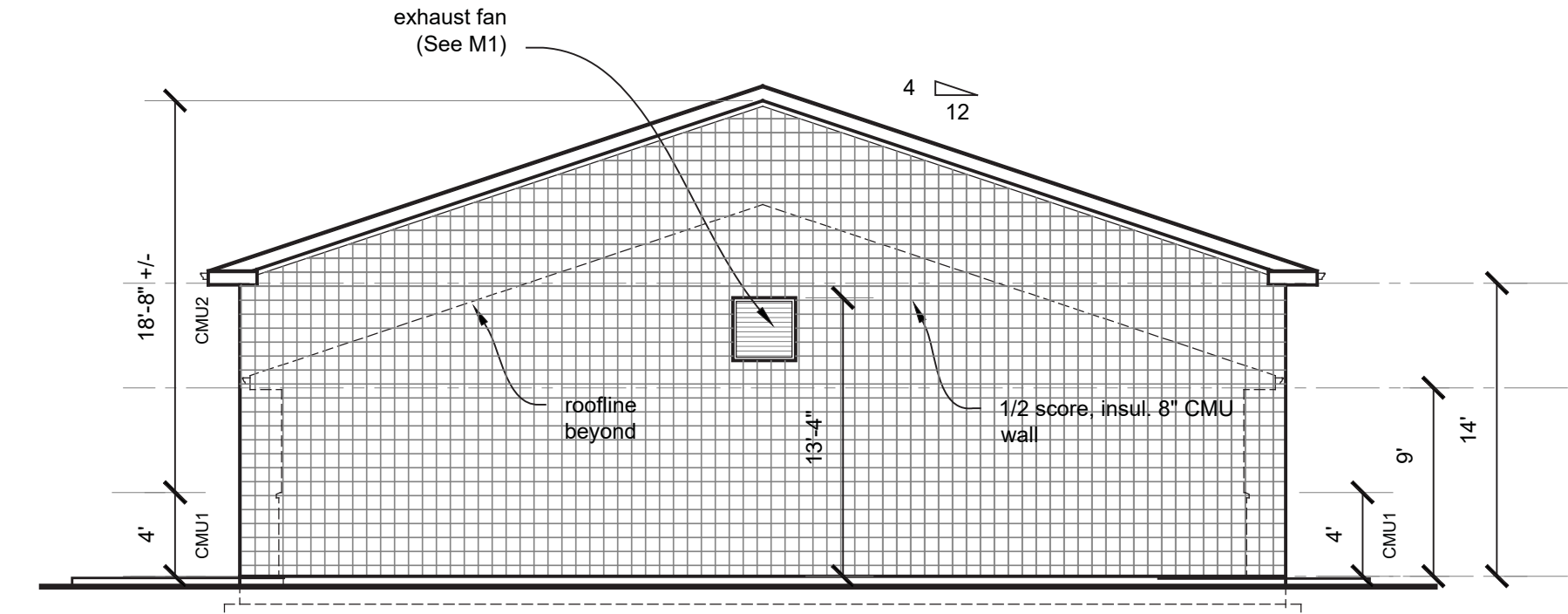
ELEVATIONS

DRAWING TITLE

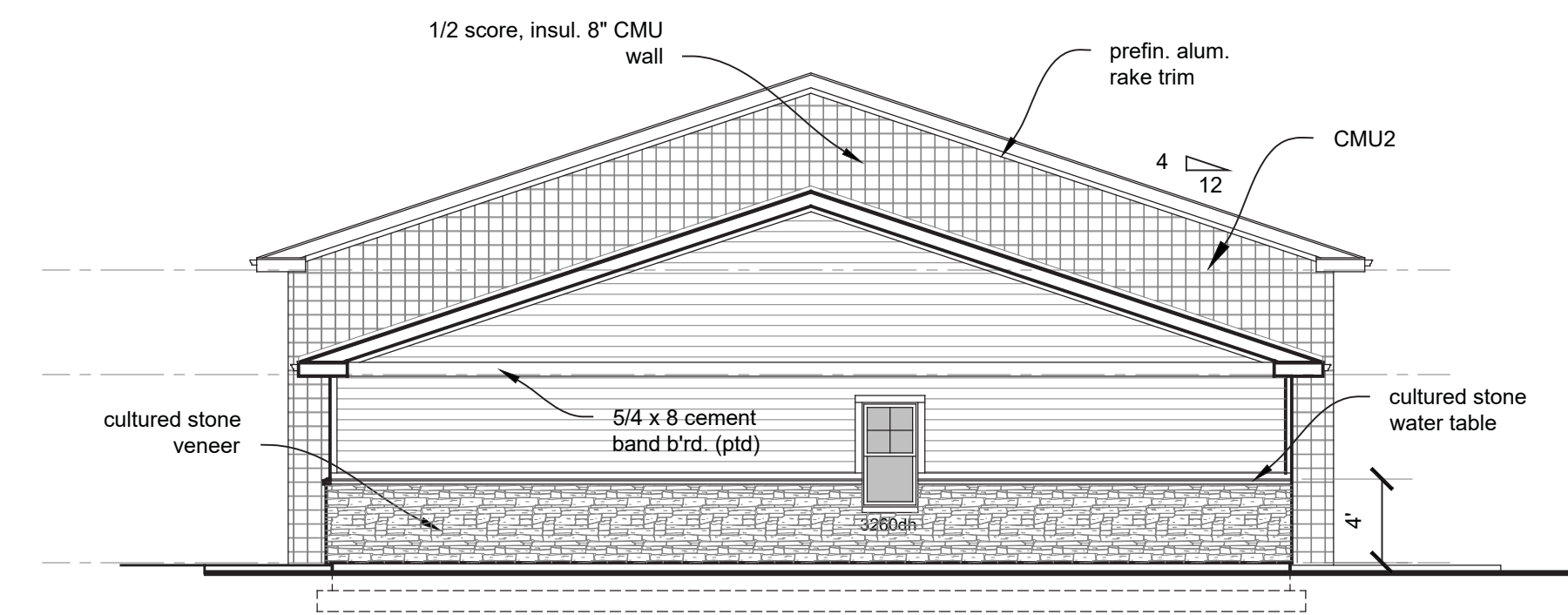
A2 SHEET



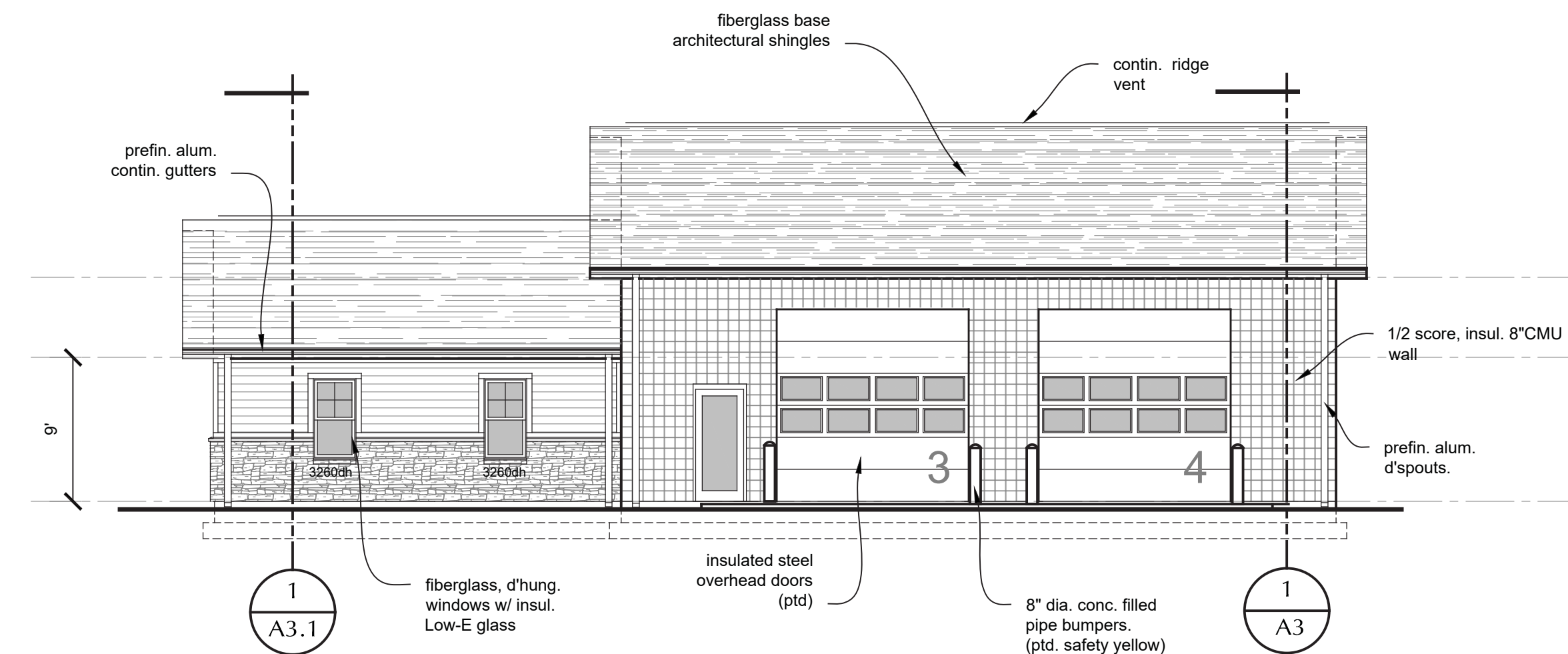
1 WEST ELEVATION SCALE: 1/8" = 12"



2 NORTH ELEVATION SCALE: 1/8" = 12"



4 SOUTH ELEVATION SCALE: 1/8" = 12"



4 EAST ELEVATION SCALE: 1/8" = 12"

PUBLISHER'S AFFIDAVIT

STATE OF SOUTH CAROLINA COUNTY OF OCONEE

OCONEE COUNTY COUNCIL

IN RE: Public Hearing, November 15

BEFORE ME the undersigned, a Notary Public for the State and County above named, This day personally came before me, Hal Welch, who being first duly sworn according to law, says that he is the General Manager of **THE JOURNAL**, a newspaper published Tuesday through Saturday in Seneca, SC and distributed in **Oconee County, Pickens County** and the Pendleton area of **Anderson County** and the notice (of which the annexed is a true copy) was inserted in said papers on 11/01/2022 and the rate charged therefore is not in excess of the regular rates charged private individuals for similar insertions.



Hal Welch
General Manager

Subscribed and sworn to before me this
11/01/2022



Jessica Wells
Notary Public
State of South Carolina
My Commission Expires November 13, 2030



Jessica Lee Wells
NOTARY PUBLIC
State of South Carolina
My Commission Expires
November 13, 2030

phone (803) 787-9678, be and hereby is appointed Attorney for any unknown Defendants who are, or may be, in the Military Service of the United States of America and as such are entitled to the benefits of the Servicemember's Civil Relief Act aka Soldiers' and Sailors' Civil Relief Act of 1940, and any amendments thereto, to represent and protect the interest of said Defendants.

AND IT IS FURTHER ORDERED That a copy of this Order shall be forth with served upon said Defendants by publication in The Journal, a newspaper of general circulation published in the County of Oconee, State of South Carolina, once a week for three (3) consecutive weeks, together with the Summons and Notice of Filing of Complaint in the above entitled action.

Robertson, Anschutz, Schneid, Crane & Partners, PLLC
110 Frederick St, Suite 200,
Greenville, SC 29607
Phone 470-321-7112
Fax 404-393-1425
Attorneys for Plaintiff

SENECA PLANNING
COMMISSION
Agenda
November 21 st , 2022
Council Chambers – City Hall
6:00 PM

- I. Opening
- II. Approval of Minutes
- III. Docket Item:
Public Hearing of
Comprehensive Plan
- IV. New Business:
- V. Old Business
- I. Adjourn

There will be a public hearing held at 6 p.m. on November 15, 2022 in Oconee County Council Chambers located at 415 S. Pine Street, Walhalla, SC for the following:

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.

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CONCRETE SERVICES

PUBLISHER'S AFFIDAVIT

STATE OF SOUTH CAROLINA
COUNTY OF OCONEE

OCONEE COUNTY COUNCIL

IN RE: Oconee County 2022 Meetings

BEFORE ME the undersigned, a Notary Public for the State and County above named, This day personally came before me, Hal Welch, who being first duly sworn according to law, says that he is the General Manager of **THE JOURNAL**, a newspaper published Tuesday through Saturday in Seneca, SC and distributed in **Oconee County, Pickens County** and the Pendleton area of **Anderson County** and the notice (of which the annexed is a true copy) was inserted in said papers on 01/08/2022 and the rate charged therefore is not in excess of the regular rates charged private individuals for similar insertions.



Hal Welch
General Manager



Jessica Wells
Notary Public
State of South Carolina
My Commission Expires November 13, 2030

Subscribed and sworn to before me this
01/08/2022



Jessica Lee Wells
NOTARY PUBLIC
State of South Carolina
My Commission Expires
November 13, 2030

ROOM FOR RENT

to Clemson Univ. student. 14 miles (20) minutes from campus, this semester. WIFI, fridge, microwave, washer, dryer, den, Dish TV, downstairs. I'm retired, I live upstairs, my greatroom and BR, and kitchen are there. I only come downstairs to wash cloths. Fully furnished. Very nice safe neighborhood. No lease required. Prefer female or grad student. \$600 bucks. 864-710-1704.

REAL ESTATE SALES

HOUSES

PUBLISHERS NOTICE

ALL real estate advertising in this newspaper is subject to Federal Fair Housing Act of 1968 which makes it illegal to advertise "any preference, limitations or discrimination" based on race, color, religion, sex, handicap, familial status or national origin, or intention to make any such preference, limitation or discrimination." This newspaper will not knowingly accept any advertising for real estate which is in violation of the law. Our readers are hereby informed that all dwellings advertised in this newspaper are available on an equal opportunity basis.

ANNOUNCEMENTS

ANNOUNCEMENTS

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DONATE YOUR CAR TO KIDS.

Your donation helps fund the search for missing children. Accepting Trucks, Motorcycles & RV's, too! Fast Free Pickup - Running or Not - 24 Hour Response - No Title Tax Donation - **Call (888) 515-3810**

Classifieds Work

complex in the Seneca area. If you are looking for a great place to live, Springbrook is the place! We would love to show you around. Credit and background check required. Units designed for persons with disabilities subject to availability. Rental assistance available. Come visit us at **115 Dalton Rd. or call (864) 882-5932 or TDD# (800) 735-2905** for more info. Equal Housing Opportunity. Managed by Partnership Property Management, an equal opportunity provider and employer. **Apply TODAY!**

WESTMINSTER EAST APTS:

NOW AVAILABLE!! Large 1BR & 2BR energy-efficient apartment homes, cable-ready, water included in rent. Credit and background check required. Section 8 welcome. Units designed for persons with disabilities and/or rental assistance subject to availability. Located at **100 Sunshine Circle in Westminster.** Call **(864) 647-8093 or TDD#: (800)735-2905** for more info. Equal Housing Opportunity. Managed by Partnership Property Management, an equal opportunity provider and employer. **Apply TODAY!**

SALES & SERVICES

AUCTIONS

ADVERTISE YOUR AUCTION... in 99 S.C. newspapers for only \$375. Your 25-word classified will reach more than 2.1 million readers.

Call **Randall Savelly** at the S.C. Newspaper Network. 1-800-421-1074

REAL ESTATE SALES

BUSINESS PROPERTY

PUBLISHERS NOTICE ALL real estate advertising in this newspaper is subject to Federal Fair Housing Act of 1968 which makes it illegal to advertise "any preference, limitations or discrimination" based on race, color, religion, sex, handicap, familial status or national origin, or intention to make any such preference, limitation or discrimination." This newspaper will not knowingly accept any advertising for real estate which is in violation of the law. Our readers are hereby informed that all dwellings advertised in this newspaper are available on an equal opportunity basis.

preference, limitations or discrimination." This newspaper will not knowingly accept any advertising for real estate which is in violation of the law. Our readers are hereby informed that all dwellings advertised in this newspaper are available on an equal opportunity basis.

- 16. October 17, 2022
- 17. November 7, 2022
- 18. November 21, 2022
- 19. December 5, 2022
- 20. December 19, 2022
- 21. January 16, 2023

The Oconee County Council will meet in 2022 at 6 p.m. on the first and third Tuesday of each month with the following exceptions:
July & August meetings, which will be only on the third Tuesday of each of these months;
December meeting, which will be only the first Tuesday of the month.

All Council meetings, unless otherwise noted, are held in Council Chambers, Oconee County Administrative Offices, 415 South Pine Street, Walhalla, South Carolina.

Oconee County Council will also hold a Planning Retreat beginning at 9:00 a.m. on Friday, February 18, 2022 in Council Chambers to establish short and long term goals.

Oconee County Council will also meet on Tuesday, January 3, 2023 in Council Chambers at which point they will establish their 2023 Council and Committee meeting schedules.

Oconee County Council will also hold a Budget workshop on Friday, March 18, 2022 in Council Chambers.

Additional Council meetings, workshops, and/or committee meetings may be added throughout the year as needed.

Oconee County Council Committees will meet in 2022 prior to County Council meetings on the following dates/times in Council Chambers located at 415 South Pine Street, Walhalla, South Carolina unless otherwise advertised.

The Law Enforcement, Public Safety, Health, & Welfare Committee at 4:30 p.m. on the following dates: February 15, April 5, July 19, & September 20, 2022.

The Transportation Committee at 4:30 p.m. on the following dates: February 15, April 19 [4:00 p.m.], July 19, & September 20, 2022.

The Real Estate, Facilities, & Land Management Committee at 4:30 p.m. on the following dates: March 15, May 17, August 16, & October 18, 2022.

The Planning & Economic Development Committee at 4:30 p.m. on the following dates: March 15, May 17, August 16, & October 18, 2022.

The Budget, Finance, & Administration Committee at 9:00 a.m. on the following dates: February 18 [Strategic Planning Retreat] & March 18 [Budget Workshop] and 4:30 p.m. on the following dates: March 1, April 19, & May 3, 2022.

U-STOR-IT

Mini Warehouse
Inside • Outside • No Cameras
Fenced • Not Gated • Lighted
Old Clemson Hwy.
654-1000

Oconee County Council

Oconee County
Administrative Offices
415 South Pine Street
Walhalla, SC 29691

Phone: 864-718-1023
Fax: 864 718-1024

E-mail:
jennifercadams@oconeesc.com

John Elliott
Chairman
District I

Matthew Durham
District II

Paul A. Cain
Vice Chairman
District III

Julian Davis, III
Chairman Pro Tem
District IV

J. Glenn Hart
District V



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OCONEE CODE OF ORDINANCES

Sec. 2-61. - Access to and conduct at county meetings, facilities and property.

(a) *Purpose.* The county council has determined that it is necessary to regulate access to county facilities, grounds and property in order to ensure the safety and security of the public who visit these areas or the county employees who serve them. The conduct of persons who visit county facilities and/or who have contact with county employees must also be regulated to preserve public order, peace and safety. The regulation of access and conduct must be balanced with the right of the public to have reasonable access to public facilities and to receive friendly, professional service from county employees. These regulations apply to all county facilities and meetings, as defined below, for and over which county council exercises control and regulation, and to the extent, only, not pre-empted by state or federal law.

(b) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Facility means any building, structure, or real property owned, leased, rented, operated or occupied by the county or one of its departments, offices or agencies.

Meeting means any assemblage of persons for the purpose of conducting county governmental business, operations or functions or any assemblage of persons within a county governmental facility. The term "meeting" includes, but is not limited to, county council meetings, county board and committee and staff meetings, trials, hearings and other proceedings conducted in the courts of general sessions and common pleas, family court, master-in-equity, probate court and magistrate's court; and other meetings by entities duly authorized by the county council.

(c) *Prohibited acts.* It shall be unlawful for any person to:

- (1) Utter loud, obscene, profane, threatening, disruptive or abusive language or to engage in any disorderly or disruptive conduct that impedes, disrupts or disturbs the orderly proceedings of any meeting, or operations of any department or function of the county government, including, without limitation, speaking when not explicitly recognized and authorized to do so by the presiding official in such meeting.
- (2) Bring, carry, or otherwise introduce any firearm, knife with blade longer than two inches or other dangerous weapon, concealed or not concealed, into any facility or meeting. This prohibition does not apply to law enforcement personnel or any other person whose official, governmental duties require them to carry such firearm, knife, or other weapon.
- (3) Engage in partisan political activity, including speech, in any meeting not authorized and called for the purpose of partisan political activity and explicitly authorized for such purpose in the facility in which such activity is to be conducted, or refusing to cease such activity when the presiding official of the meeting in question has ruled that the activity in question is partisan political activity and has directed that such activity stop.
- (4) Interfere with, impede, hinder or obstruct any county governmental official or employee in the performance of his duties, whether or not on county government property.
- (5) Enter any area of a county government facility, grounds or property when such entry is prohibited by signs, or obstructed or enclosed by gates, fencing or other physical barriers. Such areas include rooms if clearly marked with signs to prohibit unauthorized entry.
- (6) Enter by vehicle any area of a county governmental facility, grounds or property when such area is prohibited by signs or markings or are obstructed by physical barriers; or park a vehicle in such restricted areas; or park in a manner to block, partially block or impede the passage of traffic in driveways; or park within 15 feet of a fire hydrant or in a fire zone; or park in any area not designated as a parking space; or park in a handicapped parking space without proper placarding or license plate; or park in a reserved parking space without authorization.



Public Comment

SIGN IN SHEET

6:00 PM

November 15, 2022

The Public Comment Sessions at this meeting is limited to a total of 40 minutes, 4 minutes per person. Please be advised that citizens not utilizing their full four [4] minutes may not "donate" their remaining time to another speaker.

PLEASE PRINT

	FULL NAME	PURPOSE OF COMMENT
1	DARRAGH GEIST	CCMO-SCORE Fund USE
2	DAVID DIAL	County Property Taxes
3		
4	JIM CODNER	2022-24
5	TOM MARKOVICH	Chapter 38 zoning
6		
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25		

Everyone speaking before Council will be required to do so in a civil manner. Council will not tolerate personal attacks on individual council members, county staff or any person or group. Racial slurs will not be permitted. Council's number one priority is to conduct business for the citizens of this county. All citizens who wish to address Council and all Boards and Commission appointed by Council should do so in an appropriate manner.



PUBLIC HEARING SIGN IN SHEET

Oconee County Council Meeting

November 15, 2022 ~ ~ 6:00 p.m.

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.

Everyone speaking before Council will be required to do so in a civil manner. Council will not tolerate personal attacks on individual council members, county staff or any person or group. Racial slurs will not be permitted. Council's number one priority is to conduct business for the citizens of this county. All citizens who wish to address Council and all Boards and Commission appointed by Council should do so in an appropriate manner.

Written comments may be submitted at any time prior to the hearing for inclusion in the official record of the meeting.

PRINT Your Name & Check Ordinance[s] You Wish to Address

	Ordinance #	Ordinance 2022-23 ²⁰²²⁻²⁷	Ordinance 2022-25
1.			
2.			
3.			
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14.			
15.			

None



OCONEE COUNTY COUNCIL
RECUSAL FORM

Council Member Name: JULIAN DAVIS III
[Please Print]

Council Member Signature: [Handwritten Signature]

Meeting Date: 11-15-22

Item for Discussion / Vote: Bountyland Substation Contract

Reason for Recusal I was not present for original meeting/discussion

I have a personal/familial interest in the issue.

Other: Cousin owns J. Davis Inc
I have no Financial Interest
in his company.

Jennifer C. Adams
Jennifer C. Adams
Clerk to Council

Oconee County
Administration

Amanda F. Brock
Administrator

Oconee County
Administrative Offices
415 South Pine Street
Walhalla, SC 29691

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Fax: 864 638-4246

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abrock@oconeesc.com

COUNCIL

John Elliott
Chairman
District I

District II

Paul Cain
District III

Julian Davis,
District IV

J. Glenn Hart
District V



Departmental Proposals for Opioid Funding Resources

OCONEE COUNTY EMERGENCY SERVICES

- Opioid education/training personnel to help distribute, provide education on Naloxone usage, and preventative educational programs.
 - Establish a training program for citizens who are wanting education on Narcan administration. At public events or where requested, instruct a Narcan administration class and ensure that all persons in the class are competent and confident in the signs, symptoms, and treatment of an opioid overdose. This class can be completed once a year for all citizens who are requesting requalification in the medication administration. This will be a chance to provide training to families of opioid patients, businesses, doctor's offices, schools, and community groups.
 - Ensure that all public safety agencies in Oconee County (to include municipalities and special tax districts) have the proper training when it comes to giving Narcan to patients in overdose situations. Provide training for employees in public safety and in the school district on how to speak to patients who have overdosed, and to look for more "advanced" signs and symptoms of opioid overdoses. These classes will be conducted once a year and can be placed in the orientation phase of new volunteers or employees for the Sheriff's Office and Emergency Services. The certification will be good for one year in which they will have to be recertified. The Emergency Services Community Outreach Division can provide these trainings along with assistance of EMT's who have taken an approved Naloxone Administration "Train the Trainer" course, developed by Oconee County Emergency Services.
 - Partner with other governmental and non-governmental organizations to establish an "Opioid Response Taskforce." This task force will be to provide live forums in the community to provide answers to their questions on the opioid epidemic in Oconee County and South Carolina. This Taskforce can consist of Emergency Services, Law Enforcement, a rehabilitated overdose survivor(s), counselor(s), and a community member.
- Naloxone Kits for all persons who may be presented with an overdose situation.
 - Provide all law enforcement agencies in Oconee County with Naloxone (Narcan) kits for rapid use in the event first response or EMS is delayed to the incident scene.
 - Provide all fire departments, rescue squads, and schools with Naloxone (Narcan) for rapid use. First responders will receive two, in the event of more complex overdoses. Medical Control can be contacted for additional administrations of medication in prolonged overdoses.
 - Community Outreach Division to ask patients upon initial visit if they would like to be provided with Naloxone in the event they, or another family member having the potential for an opioid overdose in the household. Training will be provided for those patients if they are wanting the Narcan in their possession. The patient will sign a document stating that they have received training on the



**Oconee County
Administration**



**Amanda F. Brock
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administration. The file will be attached to a call for service on Emergency Reporting.

- In the event of an overdose at a residence, Naloxone can be left at the household of where the overdose occurred. The medication will be given with education and a pamphlet on how to give it in an emergency. A release will be signed by the person who receives the Naloxone. The form will be filed into Emergency Reporting on completion of the ePCR.

■ Establishment of counseling programs for first responders and others who have experienced trauma.

- Work with counselors and mental health professionals in the area to provide care for first responders who have experienced trauma in the field.
- Establish a Peer Support Team and Network in-county to deploy in the event of a traumatic incident in need of Critical Incident Stress Management or Debriefings.
 - The Peer Support Team will be a robust team of first responders, law enforcement officers, and other medical providers who have had trainings in traumatic stress management.
 - They will be contacted in accordance with what type of traumatic event has occurred and what types of responders arrived at the scene.
- Work with SC State Firemen's Association and Sheriff's Associations for treatment of mental health concerns for first responders who have witnessed traumatic events. Work with Oconee County's Employee Assistance Program to provide more robust assistance in the need of prolonged counseling needs from experiencing the traumatic event.

Oconee County Sheriff's Office

- Drug Education - Expand the DARE program into the middle and high schools where our students are getting drug prevention in the elementary, middle and high schools.
- Drug Interdiction/Prevention - A body scanner for the Detention Center would help prevent illegal drugs getting into the facility.
- Drug Treatment - Identify the current treatment programs in our county and further fund them where no one has to pay for drug treatment.

Additional items presented

- Establishment of a Registration Program organizations that provide recovery or addiction resources. This is in an effort to ensure that resources are spent in a cost-efficient manner.
- Identify a training program for nonprofit leaders and volunteers on how to help those in need and at-risk populations to ensure effectiveness and cost-efficiency (see "Toxic Charity").
- Identify counseling program for front-line trauma for first responders and others who have experienced trauma.

**Oconee County
Administration**

**Amanda F. Brock
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- Establishment of/increase capacity of Mental Health Counseling resources.
- Therapy program in conjunction with Mental Health Counseling because when addiction is being resolved, people need something to fill that void. Therapies could include the following programs: Art, Farming (chickens, equine, etc.) Gardening, Homesteading classes, Sewing, and Woodworking.
- Workforce Development to provide skills for people to make a living upon exit of treatment/counseling program. Existing resources include Hamilton Career Center, Tri-County Technical College, and Vocational Rehabilitation.



BUDGET REPORT BY FUND - REVENUE

Oconee County

Fiscal Year Start Date: 07/01/2022

FY 2022-2023

Current Period End Date: 10/31/2022

Ideal Remaining Percent: 67 %

Account	Budgeted	Current	Year To Date	Encumbrance	Remaining Balance	PCT
Fund: 010 General Fund						
080 Local Revenue	55,149,500.00	3,185,254.52	7,719,261.36	0.00	47,430,238.64	86
081 State Revenue	3,918,343.00	28,738.46	884,313.25	0.00	3,034,029.75	77
082 Federal Revenue	199,500.00	0.00	7,514.65	0.00	191,985.35	96
090 Other Financing Sources	1,729,677.00	15,420.10	21,679.38	0.00	1,707,997.62	99
010 General Fund	60,997,020.00	3,229,413.08	8,632,768.64	0.00	52,364,251.36	86

BUDGET REPORT BY FUND - EXPENDITURE

Oconee County

Fiscal Year Start Date: 07/01/2022

FY 2022-2023

Current Period End Date: 10/31/2022

Ideal Remaining Percent: 67 %

Account	Budgeted	Current	Year To Date	Encumbrance	Remaining Balance	PCT
Fund: 010 General Fund						
080 Local Revenue	2,161,980.00	0.00	0.00	0.00	2,161,980.00	100
095 Other Financing Uses	149,367.00	0.00	0.00	0.00	149,367.00	100
101 Sheriff	11,075,271.73	993,494.63	3,518,754.78	137,297.33	7,419,219.62	67
103 Coroner	373,596.00	27,431.72	97,737.37	42,723.08	233,135.55	62
104 Communications	1,951,158.00	180,158.30	663,700.91	7,926.71	1,279,530.38	66
106 Law Enforcement Center	5,263,322.00	429,634.19	1,615,589.89	712,858.99	2,934,873.12	56
107 Ems & Fire Services	7,221,199.34	375,840.51	1,261,931.87	648,116.48	5,311,150.99	74
110 Animal Control	732,662.25	64,353.69	254,146.31	5,026.43	473,489.51	65
120 Sheriff'S Bailiffs	0.00	743.67	12,745.59	0.00	-12,745.59	0
202 Parks, Recreation, & Tour	977,004.00	-18,983.55	212,719.63	1,254.43	763,029.94	78
203 High Falls Park	453,196.00	54,902.14	197,928.41	332.40	254,935.19	56
204 South Cove Park	601,882.00	55,987.39	208,289.68	0.00	393,592.32	65
205 Chau Ram Park	407,469.00	39,923.99	141,789.36	1,741.27	263,938.37	65
206 Library	1,576,359.00	140,950.94	562,300.25	6,357.19	1,007,701.56	64
301 Assessor	1,096,607.00	112,918.01	404,723.00	29,267.85	662,616.15	60
302 Auditor	667,476.00	89,562.90	226,839.40	64,648.66	375,987.94	56
303 Brd Of Assessment Appeals	7,526.00	1,088.03	2,319.70	0.00	5,206.30	69
305 Delinquent Tax	448,571.00	26,177.04	135,485.94	123,013.08	190,071.98	42
306 Treasurer	706,729.00	53,803.63	240,519.64	73,571.08	392,638.28	56
402 Dept Of Social Services	12,700.00	972.51	3,837.16	0.00	8,862.84	70
403 Health Department	29,150.00	2,159.04	7,150.95	0.00	21,999.05	75
404 Veterans' Affairs	235,175.00	29,836.29	82,877.56	1,179.61	151,117.83	64
501 Clerk Of Court	788,291.00	76,956.96	286,957.52	5,633.10	495,700.38	63
502 Probate Court	384,245.00	42,753.88	130,352.44	2,395.58	251,496.98	65
504 Solicitor	1,005,004.00	97,074.81	309,088.20	0.00	695,915.80	69
509 Magistrate	1,058,568.86	84,055.20	281,884.04	32,061.32	744,623.50	70
510 Public Defender	250,000.00	125,000.00	125,000.00	0.00	125,000.00	50
601 Road Department	3,143,133.00	286,598.99	944,263.16	9,795.73	2,189,074.11	70
702 Building Codes	734,647.00	79,479.93	253,273.95	66,150.29	415,222.76	57
704 County Council	322,151.00	27,323.54	116,487.83	54,066.13	151,597.04	47
705 Direct Aid	829,367.00	30,000.00	198,646.32	0.00	630,720.68	76
706 Delegation	102,957.00	3,213.17	7,535.65	648.54	94,772.81	92
707 Economic Development	665,752.00	117,431.43	267,095.03	2,696.12	395,960.85	59
708 Finance Department	715,308.00	67,051.16	262,195.82	3,256.47	449,855.71	63
709 Non-Departmental	3,249,958.14	70,800.80	558,596.28	212,335.87	2,479,025.99	76
710 Human Resources	427,817.00	37,965.34	134,315.09	2,561.85	290,940.06	68
711 Information Technology	1,329,845.28	71,485.09	357,823.12	327,003.74	645,018.42	49
712 Planning Department	444,572.00	26,907.23	120,284.64	2,976.47	321,310.89	72
713 Procurement	250,378.00	21,740.72	86,895.98	1,526.62	161,955.40	65
714 Facilities Maintenance	1,460,350.00	137,208.84	479,554.28	2,663.78	978,131.94	67

BUDGET REPORT BY FUND - EXPENDITURE

Oconee County

Fiscal Year Start Date: 07/01/2022

FY 2022-2023

Current Period End Date: 10/31/2022

Ideal Remaining Percent: 67 %

Account	Budgeted	Current	Year To Date	Encumbrance	Remaining Balance	PCT
715 Registration & Elections	298,458.00	22,271.30	129,035.77	6,385.39	163,036.84	55
716 Soil & Water Conservation	81,981.00	6,839.01	20,611.83	9,600.00	51,769.17	63
717 Administrator'S Office	777,456.00	39,179.19	156,225.59	36,037.67	585,192.74	75
718 Solid Waste Department	6,505,410.90	490,576.94	1,630,007.85	2,561,376.17	2,314,026.88	36
720 Airport	2,636,305.50	55,956.99	631,347.99	950,991.51	1,053,966.00	40
721 Vehicle Maintenance	1,050,423.00	123,395.93	362,519.13	4,008.68	683,895.19	65
735 Register Of Deeds	341,909.00	36,200.76	112,825.00	39,629.39	189,454.61	55
741 County Attorney	404,792.00	28,093.36	122,047.06	2,166.04	280,578.90	69
799 Poll Workers	6,000.00	0.00	9,943.36	0.00	-3,943.36	-66
010 General Fund	65,413,480.00	4,866,517.64	17,946,200.33	6,191,281.05	41,275,998.62	63

BUDGET REPORT BY FUND - REVENUE

Fiscal Year Start Date: 07/01/2022

Current Period End Date: 10/31/2022

Oconee County

FY 2022-2023

Ideal Remaining Percent: 67 %

Account	Budgeted	Current	Year To Date	Encumbrance	Remaining Balance	PCT
Fund: 017 Rock Quarry Enterprise Fund						
080 Local Revenue	7,482,167.74	1,071,972.57	2,724,022.70	0.00	4,758,145.04	64
017 Rock Quarry Enterprise Fund	7,482,167.74	1,071,972.57	2,724,022.70	0.00	4,758,145.04	64

BUDGET REPORT BY FUND - EXPENDITURE

Fiscal Year Start Date: 07/01/2022

Current Period End Date: 10/31/2022

Oconee County

FY 2022-2023

Ideal Remaining Percent: 67 %

Account	Budgeted	Current	Year To Date	Encumbrance	Remaining Balance	PCT
Fund: 017 Rock Quarry Enterprise Fund						
095 Other Financing Uses	1,000,000.00	0.00	0.00	0.00	1,000,000.00	100
719 Rock Quarry	6,993,762.74	726,081.16	2,496,460.59	1,197,080.38	3,300,221.77	47
017 Rock Quarry Enterprise Fund	7,993,762.74	726,081.16	2,496,460.59	1,197,080.38	4,300,221.77	54

BUDGET REPORT BY FUND - REVENUE

Fiscal Year Start Date: 07/01/2022

Current Period End Date: 10/31/2022

Oconee County

FY 2022-2023

Ideal Remaining Percent: 67 %

Account	Budgeted	Current	Year To Date	Encumbrance	Remaining Balance	PCT
Fund: 020 Uninc Emergency Services Protection Srf						
080 Local Revenue	1,603,817.48	77,006.47	135,311.24	0.00	1,468,506.24	92
020 Uninc Emergency Services Protection Srf	1,603,817.48	77,006.47	135,311.24	0.00	1,468,506.24	92

BUDGET REPORT BY FUND - EXPENDITURE

Fiscal Year Start Date: 07/01/2022

Current Period End Date: 10/31/2022

Oconee County

FY 2022-2023

Ideal Remaining Percent: 67 %

Account	Budgeted	Current	Year To Date	Encumbrance	Remaining Balance	PCT
Fund: 020 Uninc Emergency Services Protection Srf						
107 Ems & Fire Services	1,403,817.48	306,735.94	338,333.88	41,972.98	1,023,510.62	73
199 Emerg. Serv. Volunteers	200,000.00	0.00	208.98	0.00	199,791.02	100
020 Uninc Emergency Services Protection Srf	1,603,817.48	306,735.94	338,542.86	41,972.98	1,223,301.64	76

BUDGET REPORT BY FUND - REVENUE

Fiscal Year Start Date: 07/01/2022

Current Period End Date: 10/31/2022

Oconee County

FY 2022-2023

Ideal Remaining Percent: 67 %

Account	Budgeted	Current	Year To Date	Encumbrance	Remaining Balance	PCT
Fund: 090 County Debt Service Fund						
080 Local Revenue	1,857,268.00	75,882.26	248,651.73	0.00	1,608,616.27	87
090 County Debt Service Fund	1,857,268.00	75,882.26	248,651.73	0.00	1,608,616.27	87

BUDGET REPORT BY FUND - EXPENDITURE

Oconee County

Fiscal Year Start Date: 07/01/2022

FY 2022-2023

Current Period End Date: 10/31/2022

Ideal Remaining Percent: 67 %

Account	Budgeted	Current	Year To Date	Encumbrance	Remaining Balance	PCT
Fund: 090 County Debt Service Fund						
854 2020 Go Refunding Bond	856,833.00	0.00	53,416.50	0.00	803,416.50	94
858 2016B Go Bond	401,010.00	0.00	12,987.72	0.00	388,022.28	97
862 2014 SsrB Refunding Bond	319,907.00	0.00	1,955.66	0.00	317,951.34	99
893 2019 Go Bond Keowee Fire	58,378.00	0.00	0.00	0.00	58,378.00	100
896 2013 Go Bond -Echo Hills	221,140.00	0.00	20,290.00	0.00	200,850.00	91
090 County Debt Service Fund	1,857,268.00	0.00	88,649.88	0.00	1,768,618.12	95

BUDGET REPORT BY FUND - REVENUE

Fiscal Year Start Date: 07/01/2022

Current Period End Date: 10/31/2022

Oconee County

FY 2022-2023

Ideal Remaining Percent: 67 %

Account	Budgeted	Current	Year To Date	Encumbrance	Remaining Balance	PCT
Fund: 210 Sheriff'S Victims Assistance Srf						
080 Local Revenue	54,000.00	0.00	18,840.24	0.00	35,159.76	65
090 Other Financing Sources	40,000.00	0.00	0.00	0.00	40,000.00	100
210 Sheriff'S Victims Assistance Srf	94,000.00	0.00	18,840.24	0.00	75,159.76	80

BUDGET REPORT BY FUND - EXPENDITURE

Fiscal Year Start Date: 07/01/2022

Current Period End Date: 10/31/2022

Oconee County

FY 2022-2023

Ideal Remaining Percent: 67 %

Account	Budgeted	Current	Year To Date	Encumbrance	Remaining Balance	PCT
Fund: 210 Sheriff'S Victims Assistance Srf						
114 Sheriff'S Victims Assist.	123,336.00	7,672.90	37,369.71	0.00	85,966.29	70
210 Sheriff'S Victims Assistance Srf	123,336.00	7,672.90	37,369.71	0.00	85,966.29	70

BUDGET REPORT BY FUND - REVENUE

Fiscal Year Start Date: 07/01/2022

Current Period End Date: 10/31/2022

Oconee County

FY 2022-2023

Ideal Remaining Percent: 67 %

Account	Budgeted	Current	Year To Date	Encumbrance	Remaining Balance	PCT
Fund: 215 Solicitor'S Victims Assistance Srf						
080 Local Revenue	24,000.00	0.00	3,405.45	0.00	20,594.55	86
090 Other Financing Sources	45,000.00	0.00	0.00	0.00	45,000.00	100
215 Solicitor'S Victims Assistance Srf	69,000.00	0.00	3,405.45	0.00	65,594.55	95

BUDGET REPORT BY FUND - EXPENDITURE

Oconee County

Fiscal Year Start Date: 07/01/2022

FY 2022-2023

Current Period End Date: 10/31/2022

Ideal Remaining Percent: 67 %

Account	Budgeted	Current	Year To Date	Encumbrance	Remaining Balance	PCT
Fund: 215 Solicitor'S Victims Assistance Srf						
512 Solicitor'S Victims Asst	77,532.00	6,063.84	23,987.13	0.00	53,544.87	69
215 Solicitor'S Victims Assistance Srf	77,532.00	6,063.84	23,987.13	0.00	53,544.87	69

BUDGET REPORT BY FUND - REVENUE

Fiscal Year Start Date: 07/01/2022

Current Period End Date: 10/31/2022

Oconee County

FY 2022-2023

Ideal Remaining Percent: 67 %

Account	Budgeted	Current	Year To Date	Encumbrance	Remaining Balance	PCT
Fund: 225 911 Communications Spec. Rev. Fund						
080 Local Revenue	444,644.25	10,863.18	22,157.18	0.00	422,487.07	95
081 State Revenue	270,000.00	0.00	353,207.36	0.00	-83,207.36	-31
225 911 Communications Spec. Rev. Fund	714,644.25	10,863.18	375,364.54	0.00	339,279.71	47

BUDGET REPORT BY FUND - EXPENDITURE

Fiscal Year Start Date: 07/01/2022

Current Period End Date: 10/31/2022

Oconee County

FY 2022-2023

Ideal Remaining Percent: 67 %

Account	Budgeted	Current	Year To Date	Encumbrance	Remaining Balance	PCT
Fund: 225 911 Communications Spec. Rev. Fund						
104 Communications	1,208,644.25	28,599.90	399,297.13	230,208.65	579,138.47	48
225 911 Communications Spec. Rev. Fund	1,208,644.25	28,599.90	399,297.13	230,208.65	579,138.47	48

BUDGET REPORT BY FUND - REVENUE

Fiscal Year Start Date: 07/01/2022

Current Period End Date: 10/31/2022

Oconee County

FY 2022-2023

Ideal Remaining Percent: 67 %

Account	Budgeted	Current	Year To Date	Encumbrance	Remaining Balance	PCT
Fund: 250 Tri-County Technical College Srf						
080 Local Revenue	1,825,000.00	90,914.75	158,911.10	0.00	1,666,088.90	91
250 Tri-County Technical College Srf	1,825,000.00	90,914.75	158,911.10	0.00	1,666,088.90	91

BUDGET REPORT BY FUND - EXPENDITURE

Fiscal Year Start Date: 07/01/2022

Current Period End Date: 10/31/2022

Oconee County

FY 2022-2023

Ideal Remaining Percent: 67 %

Account	Budgeted	Current	Year To Date	Encumbrance	Remaining Balance	PCT
Fund: 250 Tri-County Technical College Srf						
876 Tri-County Tech Operation	1,626,600.00	0.00	0.00	0.00	1,626,600.00	100
250 Tri-County Technical College Srf	1,626,600.00	0.00	0.00	0.00	1,626,600.00	100

BUDGET REPORT BY FUND - REVENUE

Fiscal Year Start Date: 07/01/2022

Current Period End Date: 10/31/2022

Oconee County

FY 2022-2023

Ideal Remaining Percent: 67 %

Account	Budgeted	Current	Year To Date	Encumbrance	Remaining Balance	PCT
Fund: 260 Road Maintenance Tax Srf						
080 Local Revenue	4,980,897.32	63,110.14	110,206.02	0.00	4,870,691.30	98
082 Federal Revenue	220,000.00	0.00	0.00	0.00	220,000.00	100
260 Road Maintenance Tax Srf	5,200,897.32	63,110.14	110,206.02	0.00	5,090,691.30	98

BUDGET REPORT BY FUND - EXPENDITURE

Oconee County

Fiscal Year Start Date: 07/01/2022

FY 2022-2023

Current Period End Date: 10/31/2022

Ideal Remaining Percent: 67 %

Account	Budgeted	Current	Year To Date	Encumbrance	Remaining Balance	PCT
Fund: 260 Road Maintenance Tax Srf						
601 Road Department	6,245,897.32	625,647.53	738,512.62	3,871,073.10	1,636,311.60	26
260 Road Maintenance Tax Srf	6,245,897.32	625,647.53	738,512.62	3,871,073.10	1,636,311.60	26

BUDGET REPORT BY FUND - REVENUE

Fiscal Year Start Date: 07/01/2022

Current Period End Date: 10/31/2022

Oconee County

FY 2022-2023

Ideal Remaining Percent: 67 %

Account	Budgeted	Current	Year To Date	Encumbrance	Remaining Balance	PCT
Fund: 315 Economic Development Cap. Proj. Fund						
080 Local Revenue	1,236,212.68	97,311.48	472,336.03	0.00	763,876.65	62
315 Economic Development Cap. Proj. Fund	1,236,212.68	97,311.48	472,336.03	0.00	763,876.65	62

BUDGET REPORT BY FUND - EXPENDITURE

Fiscal Year Start Date: 07/01/2022

Current Period End Date: 10/31/2022

Oconee County

FY 2022-2023

Ideal Remaining Percent: 67 %

Account	Budgeted	Current	Year To Date	Encumbrance	Remaining Balance	PCT
Fund: 315 Economic Development Cap. Proj. Fund						
202 Parks, Recreation, & Tour	3,412.55	2,096.25	13,733.84	0.00	-10,321.29	-302
707 Economic Development	1,232,800.13	22,385.62	48,071.29	3,079.00	1,181,649.84	96
315 Economic Development Cap. Proj. Fund	1,236,212.68	24,481.87	61,805.13	3,079.00	1,171,328.55	95

BUDGET REPORT BY FUND - REVENUE

Fiscal Year Start Date: 07/01/2022

Current Period End Date: 10/31/2022

Oconee County

FY 2022-2023

Ideal Remaining Percent: 67 %

Account	Budgeted	Current	Year To Date	Encumbrance	Remaining Balance	PCT
Fund: 320 Bridges And Culverts Cap. Proj. Fund						
080 Local Revenue	621,655.91	30,046.86	52,448.88	0.00	569,207.03	92
320 Bridges And Culverts Cap. Proj. Fund	621,655.91	30,046.86	52,448.88	0.00	569,207.03	92

BUDGET REPORT BY FUND - EXPENDITURE

Fiscal Year Start Date: 07/01/2022

Current Period End Date: 10/31/2022

Oconee County

FY 2022-2023

Ideal Remaining Percent: 67 %

Account	Budgeted	Current	Year To Date	Encumbrance	Remaining Balance	PCT
Fund: 320 Bridges And Culverts Cap. Proj. Fund						
601 Road Department	621,655.91	9,330.16	34,723.67	30,227.91	556,704.33	90
320 Bridges And Culverts Cap. Proj. Fund	621,655.91	9,330.16	34,723.67	30,227.91	556,704.33	90

BUDGET REPORT BY FUND - REVENUE

Fiscal Year Start Date: 07/01/2022

Current Period End Date: 10/31/2022

Oconee County

FY 2022-2023

Ideal Remaining Percent: 67 %

Account	Budgeted	Current	Year To Date	Encumbrance	Remaining Balance	PCT
Fund: 325 Capital Equipment & Vehicle Cpf						
080 Local Revenue	413,138.28	59,821.95	103,874.39	0.00	309,263.89	75
090 Other Financing Sources	125,000.00	0.00	0.00	0.00	125,000.00	100
325 Capital Equipment & Vehicle Cpf	538,138.28	59,821.95	103,874.39	0.00	434,263.89	81

BUDGET REPORT BY FUND - EXPENDITURE

Oconee County

Fiscal Year Start Date: 07/01/2022

FY 2022-2023

Current Period End Date: 10/31/2022

Ideal Remaining Percent: 67 %

Account	Budgeted	Current	Year To Date	Encumbrance	Remaining Balance	PCT
Fund: 325 Capital Equipment & Vehicle Cpf						
101 Sheriff	438,387.40	0.00	179,489.68	556,015.20	-297,117.48	-68
103 Coroner	39,703.00	0.00	0.00	39,703.00	0.00	0
202 Parks, Recreation, & Tour	47,618.00	0.00	47,618.00	0.00	0.00	0
206 Library	0.00	0.00	0.00	48,506.16	-48,506.16	0
301 Assessor	26,036.00	0.00	26,036.00	0.00	0.00	0
601 Road Department	52,165.32	0.00	0.00	52,165.32	0.00	0
714 Facilities Maintenance	69,552.00	0.00	30,277.00	0.00	39,275.00	56
717 Administrator'S Office	1,300,000.00	0.00	0.00	0.00	1,300,000.00	100
718 Solid Waste Department	0.00	313,700.23	313,700.23	0.00	-313,700.23	0
721 Vehicle Maintenance	88,400.00	0.00	88,400.00	0.00	0.00	0
325 Capital Equipment & Vehicle Cpf	2,061,861.72	313,700.23	685,520.91	696,389.68	679,951.13	33

BUDGET REPORT BY FUND - REVENUE

Fiscal Year Start Date: 07/01/2022

Current Period End Date: 10/31/2022

Oconee County

FY 2022-2023

Ideal Remaining Percent: 67 %

Account	Budgeted	Current	Year To Date	Encumbrance	Remaining Balance	PCT
Fund: 330 Parks, Recreation & Tourism Cpf						
080 Local Revenue	1,881,154.86	30,666.56	30,666.56	0.00	1,850,488.30	98
330 Parks, Recreation & Tourism Cpf	1,881,154.86	30,666.56	30,666.56	0.00	1,850,488.30	98

BUDGET REPORT BY FUND - EXPENDITURE

Oconee County

Fiscal Year Start Date: 07/01/2022

FY 2022-2023

Current Period End Date: 10/31/2022

Ideal Remaining Percent: 67 %

Account	Budgeted	Current	Year To Date	Encumbrance	Remaining Balance	PCT
Fund: 330 Parks, Recreation & Tourism Cpf						
202 Parks, Recreation, & Tour	770,000.00	0.00	0.00	13,500.00	756,500.00	98
204 South Cove Park	3,617.50	0.00	0.00	3,617.50	0.00	0
214 Seneca Creek	1,107,537.36	338,696.14	425,329.26	2,502,750.93	-1,820,542.83	-164
330 Parks, Recreation & Tourism Cpf	1,881,154.86	338,696.14	425,329.26	2,519,868.43	-1,064,042.83	-57

South Carolina Opioid Recovery Fund Request – November 15, 2022

Darragh Geist, CCMO Advisory Board Member

Ashley Williams, Executive Director - unable to attend

As you are aware Christ Central Ministries Oconee (CCMO) currently operates the only Oconee Addiction Recovery & Solutions Program (OARS) in Oconee County in the prior detention center with the support of Sheriff Crenshaw and this council.

Since January 24:

- **64 clients have been admitted to the OARS' 30-day residential program**
- **50 graduated successfully representing 78% versus a national average of 30%**
- **These graduates left with identification cards, medical enrollment, employment, housing, or continuation of residential recovery.**
- **48 of them are Oconee County Citizens**
- **and 45 are still active in their recovery process**

We can only do this with an award of nearly \$600,000 from a 3-year Bureau of Justice Grant that supports specific areas of our budget.

However, we are concerned about our ability to carry on this work when this grant expires.

Our understanding is that the county has been awarded over \$6,000,000 to help address issues caused by opioid and related substance use disorders. I have reviewed the application for SCORF discretionary funds but have not been able to find information on how the Guaranteed fund portion works.

We are presenting two proposals for consideration:

I. Guaranteed Political Subdivision SubFund Proposal

Propose that the Oconee County Council establish an endowment account of up to \$1,000,000 that would become available for ongoing OARS operation when BJA funds are no longer available in two years.

II. Discretionary SubFund Proposal – Approved Uses

We also plan to apply for discretionary funds under the following approved abatement strategy and use categories:

Selected Approved Abatement Strategy

Medication-Assisted Treatment (“MAT”) Distribution and Other Opioid-Related Treatment.

- **Provide treatment and recovery support services through evidence-based or evidence-informed programs including residential and inpatient treatment, intensive outpatient treatment, outpatient therapy and counseling, and recovery housing that allows or integrates medication with other support services.**

Selected Approved Use Treatment Category - Support People in Treatment and Recovery – Option #2.

- **Provide the full continuum of care of treatment and recovery services for opioid use disorder and any co-occurring substance use disorder/mental health conditions, including supportive housing, peer support services and counseling, case management, and connections to community-based services with access to MAT for those who need it.**

Requested funds will be used to support:

Expansion of OARS Intensive Inpatient Treatment Program:

- **Expand bed space from 8 – 20 by remodeling additional space**
- **Hire an additional counselor, weekend staff, and potentially an RN**
- **Expand intensive inpatient and transitional days from 30 to 60 days**
- **Expand Moving from a Life of Addiction to a Life of Recovery program from the Core Program curriculum (12 Sessions) to add The Recovery Management Sessions curriculum (25 Sessions)**

Questions????

Thank you for your support in this matter

November 14, 2022

Mr. Coley and members of Oconee County Council,

I am opposed to proposed ordinance 2022-24 (Lake Overlay). Another Oconee County Resident sent her concerns to members of the Planning Commission which was read in the meeting on 11/7/2022 and her concerns were ignored by the commission. Other members of the public also provided written concerns that were not addressed or read by the commission.

I am asking that this letter be read into the public record and my concerns be addressed by the County Council.

1. 2022-24 removes the net density requirement for development contained in 38-11.1.1.(d).(1).a. Density and minimum lot size are not the same requirement. I am not opposed to the lot size requirement within 200 feet of the lake as proposed. I am opposed to removing the density requirement for lake developments that have area outside the 750 foot mark. This was brought up by Dave Nix (Commission Representative District 2) in the 11/7/2022 planning commission and confirmed by Mr. Jim Codner (BZA Chair District 1). This change would allow developers to have no density requirements outside 750 feet from the lake for lake development property.

Sec. 38-11.1. - Lake overlay district.



- (a) *Title:* Lake overlay district.
- (b) *Definition:* The lake overlay is not intended to be a separate zoning district, but shall be assigned to the shoreline areas of Oconee County lakes that are considered by county council to be vital to the economic prosperity and general well-being of all county citizens.
- (c) *Intent:* This overlay is intended to protect water quality, maintain natural beauty, and limit secondary impacts of new development that may negatively affect the lifestyles of those living near the lakeshore and the general enjoyment of the lakes by all citizens.
- (d) *Boundary:* The boundaries of the lake overlay district are shown on the Official Oconee County Zoning Map, and are divided into the following sub-districts:
 - (1) Keowee/Jocassee Overlay (Lakes Keowee and Jocassee). The following standards shall apply within 750 feet of the full pond contour of Lake Keowee and Lake Jocassee, to be measured along a perpendicular line from the full-pond contour:
 - a. *Standards.*
 1. No single-family or multi-family development shall have a net density greater than two dwelling units per acre within the boundary of the overlay.

2. How will the county address the increased density in these areas?
 - a. How will septic be handled?
 - b. What about storm runoff?
 - c. How will the additional traffic be handled in an already overburdened system?
 - d. What will be done to address the local school system capacity?
 - e. The Planning Commission Chairman has addressed County Council (as a private citizen) on more than one occasion regarding the need for more police officers resulting from increasing population. What is being done to address this?
3. During the 11/7/2022 planning commission meeting it was discussed that John Elliott (County Official District 1) brought this proposal to the planning commission. Mr. Jim Codner (BOZA Chair District 1) represented support for the change on 11/7/2022 as a member of the public. Mr. Codner also has an apparent conflict of interest with his position as Chairman of the BZA. Mr. Codner also has an apparent interest in this change as a board member of Advocates for Quality Development. Mr. Codner also dismissed concerns by members of the public in the 11/7/2022 Planning Commission meeting by stating "...I have seen that, she is totally confused...".
 - a. What members of the public are supporting this change?

4. Mr. Tom Markovich addressed the Planning Commission and stated “I really don’t know why it is here. Well, I do know why it is here, but I pretend I don’t know why it is here...”.
- a. Why is the County removing the density requirement from the Lake Keowee Overlay?

I along with many other members of the public, oppose any change allowing an increase in density. This opposition is due to inadequate infrastructure in Oconee County. Removing ordinance requirements that increase density in our County is a trend direction that will have long lasting impacts.

Thank you for considering my concerns and I look forward to you addressing them during the upcoming County Council meeting on 11/15/2022.

Sincerely,

Lucretia Morgan

Lucretia Morgan
Oconee County Resident
District 1