



# MINUTES

## OCONEE COUNTY COUNCIL

### Regular Meeting

### March 15, 2022

#### MEMBERS, OCONEE COUNTY COUNCIL

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

Oconee County Council met at 6:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members, County Administrator Amanda F. Brock, County Attorney David Root, & Jennifer C. Adams, Clerk to Council present.

**Press:** Pursuant to the Freedom of Information Act, notice of the meeting, date, time, place of meeting and agenda were posted on the bulletin board at the County Administrative Offices, 415 South Pine Street, Walhalla, SC, and the County Council website [[www.oconeesc.com/council](http://www.oconeesc.com/council)]. In addition, it was made available [*upon request*] to the newspapers, radio stations, television stations and concerned citizens.

Members of the press present: Riley Morningstar / The Journal, Dick Mangrum / WGOG

#### **Call to Order**

Mr. Elliott called the meeting to order at 6:00 p.m.

Mr. Elliott opened the meeting reminding the public they have two opportunities to speak during Council meetings, which is during the public comment session and also during the public hearing session, if scheduled. Other than those two instances, the public should remain silent during the Council meeting. Anyone making a disturbance during the meeting will be asked to leave Council Chambers for the remainder of the meeting.

#### **Moment of Silence**

Mr. Elliott asked for a moment of silence prior to the Invocation by County Council Chaplain.

#### **Invocation by County Council Chaplain**

Mr. Root, County Council Chaplain, gave the invocation.

#### **Pledge of Allegiance**

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

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## **Approval of Minutes**

Mr. Cain made a motion, seconded by Mr. Hart, approved 5 – 0, to approve the March 01, 2022 regular minutes as presented.

## **Attorney's Comments**

None at this meeting.

## **Administrator's Comments**

None at this meeting.

## **Proclamations**

**PROCLAMATION 2022-02 A PROCLAMATION HONORING THE WEST-OAK WARRIORS HIGH SCHOOL WRESTLING TEAM**

Mr. Elliott asked Mr. Davis to read **Proclamation 2022-02**.

Mr. Davis read **Proclamation 2022-02**.

Mr. Davis made a motion, seconded by Mr. Hart, approved 5 – 0, to approve **Proclamation 2022-02** on first and final reading.

## **Public Comment Session**

*If you are not able to attend in person and you have a comment, you may submit it by contacting our Clerk to Council, Jennifer C. Adams at [jennifercadams@oconeesc.com](mailto:jennifercadams@oconeesc.com) or 864-718-1023, so that she may receive your comment and read it into the record.*

Mr. Elliott opened the floor for Public Comment.

Mr. Tom Markovich addressed Council concerning the language within **Ordinance 2022-09** related to group homes.

Ms. Kay Keehn Knapp addressed Council in support of increasing Law Enforcement salaries in Oconee County.

Mr. Jose Cabrera addressed Council in support of increasing Law Enforcement salaries in Oconee County.

Mr. Mickey Haney addressed Council in support of increasing Law Enforcement salaries in Oconee County and in regards to Mr. Elliott's comments in a previous Council meeting that there would be no increase in property taxes in the coming year.

Ms. Alesia Smith addressed Council with information related to the Anderson Alumnae Chapter of Delta Sigma Theta Sorority and the non-profit services they provide for Anderson, Oconee, and Pickens Counties.

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## **Council Members Comments**

Mr. Elliott responded to Mr. Haney's comments related to property taxes and again stated that the property tax bills that citizens will receive in November 2022 will not increase a penny.

Mr. Elliott went on to state that he will again support no property tax increase in the 2023-2024 budget year should he still be on Council.

Mr. Davis responded to public comments in support of increasing Law Enforcement salaries.

Mr. Durham responded to all citizen's comments that spoke during the Public Comment session.

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

**ORDINANCE 2022-08** AN ORDINANCE AUTHORIZING, PURSUANT TO TITLE 12, CHAPTER 44 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF AD VALOREM TAXES AND SPECIAL SOURCE REVENUE CREDIT AGREEMENT BY AND BETWEEN OCONEE COUNTY, SOUTH CAROLINA, AND A COMPANY IDENTIFIED FOR THE TIME BEING AS PROJECT QUESO, ACTING FOR ITSELF, ONE OR MORE CURRENT OR FUTURE AFFILIATES AND OTHER PROJECT COMPANIES (COLLECTIVELY, "COMPANY"); PROVIDING FOR A FEE-IN-LIEU OF AD VALOREM TAXES INCENTIVE; PROVIDING FOR A SPECIAL SOURCE REVENUE CREDIT; CREATING A JOINT COUNTY INDUSTRIAL AND BUSINESS PARK BETWEEN OCONEE COUNTY AND PICKENS COUNTY SO AS TO DESIGNATE THE PROPERTY OF THE PROJECT AS PART OF THE PARK; AUTHORIZING THE EXECUTION AND DELIVERY OF ONE OR MORE GRANT AGREEMENTS; AUTHORIZING THE CONVEYANCE OF CERTAIN REAL ESTATE FOR PROJECT QUESO; AND OTHER RELATED MATTERS.

Mr. Elliott opened the floor for Public Comment.

Noting that no citizens signed up to address Council; Mr. Elliott opened the floor for any citizen wishing to address Council regarding this ordinance. No citizen addressed Council and no citizen submitted or presented any written comments for the record.

Mr. Elliott closed the Public Hearing regarding **Ordinance 2022-08**.

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### **Third Reading of the Following Ordinances**

**ORDINANCE 2022-08** AN ORDINANCE AUTHORIZING, PURSUANT TO TITLE 12, CHAPTER 44 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF AD VALOREM TAXES AND SPECIAL SOURCE REVENUE CREDIT AGREEMENT BY AND BETWEEN OCONEE COUNTY, SOUTH CAROLINA, AND A COMPANY IDENTIFIED FOR THE TIME BEING AS PROJECT QUESO, ACTING FOR ITSELF, ONE OR MORE CURRENT OR FUTURE AFFILIATES AND OTHER PROJECT COMPANIES (COLLECTIVELY, "COMPANY"); PROVIDING FOR A FEE-IN-LIEU OF AD VALOREM TAXES INCENTIVE; PROVIDING FOR A SPECIAL SOURCE REVENUE CREDIT; CREATING A JOINT COUNTY INDUSTRIAL AND BUSINESS PARK BETWEEN OCONEE COUNTY AND PICKENS COUNTY SO AS TO DESIGNATE THE PROPERTY OF THE PROJECT AS PART OF THE PARK; AUTHORIZING THE EXECUTION AND DELIVERY OF ONE OR MORE GRANT AGREEMENTS; AUTHORIZING THE CONVEYANCE OF CERTAIN REAL ESTATE FOR PROJECT QUESO; AND OTHER RELATED MATTERS.

Mr. Cain made a motion, seconded by Mr. Davis, to approve **Ordinance 2022-08** on third and final reading.

Mr. Cain extended his thanks to Project Queso for their investment Oconee County and to the Oconee Economic Alliance staff, Ms. Brock, and Mr. Root for their hard work on this project.

Mr. Davis thanked previous Council for their approval of the land grading in the area where Project Queso will be located and extended his thanks to the Oconee Economic Alliance for their work on this project.

Mr. Elliott welcomed Project Queso and notes that the current unemployment rate in Oconee County is 2.7% and this low rate is related to the diversified manufacturing base that has been brought into Oconee County that offers employment to its citizens.

Motion approved 5 – 0.

### **Second Reading of the Following Ordinances**

None scheduled for this meeting.

### **First Reading of the Following Ordinances**

**ORDINANCE 2022-09** AN ORDINANCE AMENDING CHAPTER 32, ARTICLE V OF THE OCONEE COUNTY CODE OF ORDINANCES GOVERNING GROUP RESIDENTIAL DEVELOPMENTS.

Mr. Davis made a motion, seconded by Mr. Cain, to approve **Ordinance 2022-09** on first reading.

Mr. Root provided a brief explanation regarding the amendment made within **Ordinance 2022-09** and explained that these changes came with help from outside council.

Mr. Hart addressed Mr. Root with his opinion that the wording in section 32-179, sentence two, within the first paragraph of **Ordinance 2022-09**, needs to be modified.

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Mr. Root stated that he would review and revise, if needed, the language in section 32-179, sentence two, of the first paragraph of **Ordinance 2022-09**, and bring it back to Council on second reading.

Motion approved 5 – 0.

**ORDINANCE 2022-10** AN ORDINANCE AMENDING CHAPTER 40, ARTICLE V, OF THE OCONEE COUNTY CODE OF ORDINANCES, ENTITLED “PROTECTION OF HISTORICAL MEMORIALS.”

Mr. Durham made a motion, seconded by Mr. Hart, approved 5 – 0, to approve **Ordinance 2022-10** on first reading.

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

None scheduled for this meeting.

### **Discussion Regarding Action Items**

#### **Discussion regarding MSW Tipping Fees**

*[Referred to County Council from Law Enforcement, Public Safety, Health & Welfare Committee]*

Mr. Davis provided background information related to MSW tipping fees, noting that the County currently does not charge Municipalities tipping fees, which enables them to seek and charge customers, outside of city limits, at a much cheaper rate than privately owned companies who offer the same service, but are charged tipping fees by the County.

Brief discussion followed between Council and Ms. Brock related to MSW tipping fees.

Mr. Cole Lanphear, owner of L & M Waste, addressed Council in regards to MSW Tipping Fees and the impact they have on his private hauling business.

Mr. David Gully, owner of Evolve Recycle and Waste, addressed Council in regards to MSW Tipping Fees and the impact they have on his private hauling business.

The topic of MSW Tipping Fees will be further discussed at the Budget Workshop scheduled for Friday, March 18, 2022 at 9:00 a.m. in Council Chambers.

### **PRT Commission-Local ATAX Recommendations / Spring 2022 Cycle / \$162,500**

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

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These reports are placed in the grant folder, which is kept active by the PRT staff until the grant is considered complete. Internal projects through Oconee PRT are also funneled through local ATAX for eligible projects.

**Beginning Local ATAX balance** **\$560,280**  
**If all grants/projects approved/new balance will be:** **\$397,780**

*It is staff's recommendation that Council approve local ATAX recommendations per the attached spreadsheet.*

Mr. Cain made a motion, seconded by Mr. Davis, to approve local ATAX recommendations per the attached spreadsheet [copy filed in backup].

Mr. Davis offered his appreciation to the ATAX committee for their hard work on the ATAX grants.

Mr. Durham asked that, in the future, the ATAX grant spreadsheet offer more details related to the grants that are awarded and what they will be funding for each applicant.

Motion approved 5 – 0.

**Title: Komatsu Engine Replacement (Remanufactured)**

**Department: Rock Quarry**

**Amount: \$142,962.59**

**Contingency: \$7,037.41**

**Total: \$150,000.00**

**Procurement was approved by Council in Fiscal Year 2021-2022 budget process.**

**Budget: \$ 150,000.00**                      **Project Cost: \$ 150,000.00**                      **Balance: \$ 0**

**Ordinance 2022-04 (Amendment to Ordinance 2021-01) included \$150,000.00 to the Rock Quarry Enterprise Fund for this repair.**

The 2014 Komatsu 325-7 haul truck (805.14) is used by Rock Quarry Staff for daily Quarry operations and to haul rock products.

On January 10, 2022, the haul truck failed while driving into the pit. After evaluation by Quarry mechanics and mechanics from Linder Industrial Machinery, it was determined that the engine had a broken crankshaft and would need to be replaced. The current engine will be replaced with a Komatsu OEM remanufactured engine and will have a 1 year, unlimited hour, warranty. The County is currently renting an articulated dump truck from May Heavy Equipment to keep up with the current demand for Quarry products; therefore, it is necessary to get the Komatsu haul truck repaired as soon as possible.

Linder Industrial Machinery, of Greer, SC is the Authorized Dealer for Komatsu for South Carolina. Staff is requesting Council Approval for the purchase and install of the engine from Linder Industrial Machinery. This includes a 1 year, unlimited hour, warranty on the engine.

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*It is the staff's recommendation that Council approve the purchase and installation of a remanufactured engine for the Komatsu 325-7 haul truck from Linder Industrial Machinery of Greer, SC., in the amount of \$142,962.59 and a contingency amount of \$7,037.41; for a total award of \$150,000.00.*

Mr. Cain made a motion, seconded by Mr. Davis, to approve the purchase and installation of a remanufactured engine for the Komatsu 325-7 haul truck from Linder Industrial Machinery of Greer, SC., in the amount of \$142,962.59 and a contingency amount of \$7,037.41; for a total award of \$150,000.00.

Ms. Brock clarified that this purchase was included in the budget provision at a previous Council meeting.

Ms. Brock informed Council that the replacement engine is needed ASAP and hopefully will only take about 3 weeks to install once the engine is received.

Motion approved 5 – 0.

### **Council Committee Reports**

Mr. Elliott provided information outlining discussions held at the March 01, 2022 Budget, Finance, & Administration Committee meeting.

### **Board & Commission Appointments**

#### **Building Codes Appeal Board**

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

#### **Arts and Historical Commission**

District 3 Seat: No questionnaire on file for this seat

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

#### **Conservation Bank Board**

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

### **Executive Session:**

None scheduled for this meeting.

### **Adjourn:**

Mr. Hart made a motion, approved unanimously, to adjourn at 7:11 p.m.

Respectfully Submitted:

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Jennifer C. Adams  
Clerk to Council

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