



# MINUTES

## OCONEE COUNTY COUNCIL

### Regular Meeting

### October 04, 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  
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

#### **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. Cain led the Pledge of Allegiance to the Flag of the United States of America.

Council's meetings shall be conducted pursuant to the South Carolina Freedom of Information Act, Council's Rules and the Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition. This agenda may not be inclusive of all issues which Council may bring up for discussion at this meeting. Items are listed on Council's agenda to give public notice of the subjects and issues to be discussed, acted upon, received as information and/or disposed of during the meeting. Items listed on Council's agenda may be taken up, tabled, postponed, reconsidered, removed or otherwise disposed of as provided for under Council's Rules, and Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition, if not specified under Council's rules.

**A video recording of this meeting is available at [www.oconeesc.com](http://www.oconeesc.com). Meetings have been live-streamed beginning January 17, 2017.  
Brought to you by Your Oconee.**

## **Approval of Minutes**

Mr. Cain made a motion, seconded by Mr. Davis, approved 4 - 0, to approve the September 20, 2022 regular meeting minutes as presented.

## **Attorney's Comments**

Mr. Root informed Council that after speaking with the DOT [Department of Transportation] principal in our area, no changes will be required to the DOT standard's reference within **Ordinance 2022-23** and the ordinance will remain unchanged.

## **Administrator's Comments**

Ms. Brock offered a reminder to Council and citizens of the first annual Veteran's Festival being held at South Cove County Park this Saturday, noting that all Veteran's and their families are welcome, and that food will be provided along with plenty of vendors.

## **Presentation to Council**

Mr. Billy Van Pelt, Director of External Relations and Senior Advisor for American Farmland Trust, addressed Council utilizing a publication and a power point presentation [copies filed in backup] entitled, "Farms Under Threat 2040 Choosing an Abundant Future", and gave an overview to Council regarding the projected loss of farmland across the United States into the year 2040.

Mr. Davis offered his thanks to Mr. Van Pelt for his presentation and asked if he could offer some insight on the processing and sale of cattle and other meats.

Mr. Van Pelt stated they have an entire Federal Policy team that has a position on this topic, offering to email the related documents the Council Clerk for distribution to Council.

Mr. Cain extended his thanks to Mr. Van Pelt for his attendance and presentation to Council.

## **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. Franklyn Jones addressed Council with concerns about his recent arrest and legal order banning him from contacting and entering the Westminster Magistrate/Municipal Court at any time for any reason.

Mr. Donald Taylor addressed Council regarding the use of engine brakes or jake brakes by large trucks on Country Junction Road as you approach the four-way stop, also noting that speeding and traffic congestion is a problem in this area at certain times of the day.

Mr. Tom Markovich addressed Council with his concerns related to sidewalks in County and private right-of-way's.

Council's meetings shall be conducted pursuant to the South Carolina Freedom of Information Act, Council's Rules and the Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition. This agenda may not be inclusive of all issues which Council may bring up for discussion at this meeting. Items are listed on Council's agenda to give public notice of the subjects and issues to be discussed, acted upon, received as information and/or disposed of during the meeting. Items listed on Council's agenda may be taken up, tabled, postponed, reconsidered, removed or otherwise disposed of as provided for under Council's Rules, and Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition, if not specified under Council's rules.

**A video recording of this meeting is available at [www.oconeesc.com](http://www.oconeesc.com). Meetings have been live-streamed beginning January 17, 2017. Brought to you by Your Oconee.**

## **Council Members Comments**

Mr. Elliott stated after hearing a lot about the development within the County, road and traffic concerns, and the loss of farmland, he is wondering if the County needs to hire an Urban Planning consultant to form a plan for Oconee County.

Mr. Cain responded to Mr. Taylor's concerns over the noise from large truck's that use their engine or jake brakes, stating he thought that the noise ordinance that was passed in Oconee County would have covered this issue.

Mr. Root responded that he was unsure if this particular issue was encompassed within the noise ordinance but he would certainly review it to be sure.

**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 by may be coordinated.*

**ORDINANCE 2022-21** AN ORDINANCE TO SUPPLEMENT ORDINANCE 2021-14, WHICH APPROPRIATED AND AUTHORIZED THE EXPENDITURE OF TWO MILLION AND 00/100 (\$2,000,000.00) DOLLARS OF LOCAL CORONAVIRUS FISCAL RECOVERY FUNDING RECEIVED BY OCONEE COUNTY ("COUNTY") UNDER THE AMERICAN RESCUE PLAN ACT OF 2021 ("ARPA") FOR PURPOSES OF THE SALEM WATER INFRASTRUCTURE PROJECT ("PROJECT"), BY APPROPRIATING AND AUTHORIZING THE EXPENDITURE OF AN ADDITIONAL FIVE HUNDRED, FIFTY THOUSAND, AND 00/100 (\$550,000.00) DOLLARS FOR THE PROJECT, SO THAT THE TOTAL APPROPRIATION AND EXPENDITURE AUTHORIZATION FOR THE PROJECT WILL NOW TOTAL TWO MILLION, FIVE HUNDRED, FIFTY THOUSAND, AND 00/100 (\$2,550,000.00) DOLLARS; AND OTHER MATTERS RELATED THERETO.

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 2022-21**.

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

**ORDINANCE 2022-21** AN ORDINANCE TO SUPPLEMENT ORDINANCE 2021-14, WHICH APPROPRIATED AND AUTHORIZED THE EXPENDITURE OF TWO MILLION AND 00/100 (\$2,000,000.00) DOLLARS OF LOCAL CORONAVIRUS FISCAL RECOVERY FUNDING RECEIVED BY OCONEE COUNTY ("COUNTY") UNDER THE AMERICAN RESCUE PLAN ACT OF 2021 ("ARPA") FOR PURPOSES OF THE SALEM WATER INFRASTRUCTURE PROJECT ("PROJECT"), BY APPROPRIATING AND AUTHORIZING THE EXPENDITURE OF AN ADDITIONAL FIVE HUNDRED, FIFTY THOUSAND, AND 00/100 (\$550,000.00) DOLLARS FOR THE PROJECT, SO THAT THE TOTAL APPROPRIATION AND EXPENDITURE AUTHORIZATION FOR THE PROJECT WILL NOW TOTAL TWO MILLION, FIVE HUNDRED, FIFTY THOUSAND, AND 00/100 (\$2,550,000.00) DOLLARS; AND OTHER MATTERS RELATED THERETO.

Council's meetings shall be conducted pursuant to the South Carolina Freedom of Information Act, Council's Rules and the Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition. This agenda may not be inclusive of all issues which Council may bring up for discussion at this meeting. Items are listed on Council's agenda to give public notice of the subjects and issues to be discussed, acted upon, received as information and/or disposed of during the meeting. Items listed on Council's agenda may be taken up, tabled, postponed, reconsidered, removed or otherwise disposed of as provided for under Council's Rules, and Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition, if not specified under Council's rules.

**A video recording of this meeting is available at [www.oconeesc.com](http://www.oconeesc.com). Meetings have been live-streamed beginning January 17, 2017. Brought to you by Your Oconee.**

Mr. Cain made a motion, seconded by Mr. Hart, approved 4 – 0, to approve **Ordinance 2022-21** on third and final reading.

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

**ORDINANCE 2022-23** AN ORDINANCE AMENDING CHAPTER 26 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, TO ALLOW FOR THE CONSTRUCTION OF SIDEWALKS IN COUNTY RIGHT-OF-WAYS; AND OTHER MATTERS RELATED THERETO.

Mr. Cain made a motion, seconded by Mr. Davis, to approve **Ordinance 2022-23** on second reading.

Mr. Hart inquired as to who will be inspecting the above mentioned sidewalks in the County right-of-way.

Ms. Brock noted the inspection of these sidewalks would likely fall under the responsibility of the Road Department.

Motion approved 4 – 0.

**ORDINANCE 2022-25** AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A LEASE AGREEMENT BETWEEN OCONEE COUNTY AS LESSOR AND JULIE IBRAHIM AS LESSEE FOR CERTAIN OFFICE SPACE LOCATED AT THE OCONEE COUNTY REGIONAL AIRPORT, 365 AIRPORT ROAD, SENECA, SOUTH CAROLINA; AND OTHER MATTERS RELATED THERETO.

Mr. Cain made a motion, seconded by Mr. Hart, approved 4 – 0, to approve **Ordinance 2022-25** on second reading.

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

**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.

Mr. Davis made a motion, seconded by Mr. Hart, approved 4 – 0, to postpone the first reading of **Ordinance 2022-26** to the October 18, 2022 Council meeting to allow for further review by Council.

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

None scheduled for this meeting.

Council's meetings shall be conducted pursuant to the South Carolina Freedom of Information Act, Council's Rules and the Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition. This agenda may not be inclusive of all issues which Council may bring up for discussion at this meeting. Items are listed on Council's agenda to give public notice of the subjects and issues to be discussed, acted upon, received as information and/or disposed of during the meeting. Items listed on Council's agenda may be taken up, tabled, postponed, reconsidered, removed or otherwise disposed of as provided for under Council's Rules, and Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition, if not specified under Council's rules.

**A video recording of this meeting is available at [www.oconeesc.com](http://www.oconeesc.com). Meetings have been live-streamed beginning January 17, 2017. Brought to you by Your Oconee.**

## **Discussion Regarding Action Items**

**Title: Server and Storage Upgrade**

**Department: IT**

**Amount: \$232,105.74**

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

**Budget: \$232,105.74**

**Project Cost: \$ 232,105.74**

**Balance: \$0.00**

This purchase is for the upgrade of the server / storage at Pine Street and remote locations to include five-year hardware and software support. The current server/storage platform, which is 10+ years old, has reached its end of life and will no longer have support for warranty, security, and firmware updates. The purchase of the HPe dHCI server / storage will provide the simplicity of hyper converged system without limitations. HPe dHCI streamlines the infrastructure via data-first modernization for mixed workloads at scale and unlocks IT agility while ensuring apps are always-on and always-fast. The server / storage upgrade will allow Oconee County IT the capability to look at the architecture holistically. This solution takes multiple architectures and pulls them in to one management platform. This greatly streamlines our processes for monitoring updates, security, hardware usage, etc.

The SC Materials Management Office has awarded state contract #4400020670 for PCs, Servers, Storage, Peripherals (Hewlett Packard Enterprise) to Encore Technology Group of Easley, SC.

Extreme Networks, Inc./Extreme Capital Solutions has offered a payment plan agreement for the equipment which will be made in two payments. The payments will be as follows:

**Payment 1: \$150,000.00 due on October 31, 2022**

**Payment 2: \$82,105.74 due on February 15, 2023**

The purchase for the Server / Storage upgrade is a total of \$232,105.74; which includes equipment, five-year hardware and software support and sales tax.

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

- 1. Approve the purchase of the server / storage upgrade equipment and subsequent payment plan in the amount of \$232,105.74.***
- 2. Authorize the County Administrator to execute the Payment Plan Agreement in substantially the same form as attached hereto (or with such material changes as benefit the County, upon advice of the County Attorney), along with such other documents necessary to make this purchase.***
- 3. Authorize the County Administrator to transfer sufficient funds for the above project to the departments Capital Equipment line item.***

Mr. Cain made a motion, seconded by Mr. Davis, to (1) approve the purchase of the server / storage upgrade equipment and subsequent payment plan in the amount of \$232,105.74, (2) authorize the County Administrator to execute the Payment Plan Agreement in substantially the same form as attached hereto (or with such material changes as benefit the County, upon advice of the County Attorney), along with such other documents necessary to make this purchase, and (3) authorize the County Administrator to transfer sufficient funds for the above project to the departments Capital Equipment line item.

Mr. Hart inquired as to how many sites would be needed for the above mentioned machine.

Ms. Brock explained that the above request is for firmware and software, like a cloud service, that provides the County security for its firmware, noting there are two physical sites that the above request will apply to.

Motion approved 4 – 0.

Council's meetings shall be conducted pursuant to the South Carolina Freedom of Information Act, Council's Rules and the Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition. This agenda may not be inclusive of all issues which Council may bring up for discussion at this meeting. Items are listed on Council's agenda to give public notice of the subjects and issues to be discussed, acted upon, received as information and/or disposed of during the meeting. Items listed on Council's agenda may be taken up, tabled, postponed, reconsidered, removed or otherwise disposed of as provided for under Council's Rules, and Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition, if not specified under Council's rules.

**A video recording of this meeting is available at [www.oconeesc.com](http://www.oconeesc.com). Meetings have been live-streamed beginning January 17, 2017. Brought to you by Your Oconee.**

**Procurement #: Change Order 1 to PO 54819**

**Title: Road Paving 2021-2022**

**Department: Roads and Bridges**

**Amount: Hubbard Paving \$113,868.00**

**Rock Quarry: \$16,875.00**

**Project Contingency: \$9,257.00**

**Total Project: \$140,000.00**

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

Budget: **\$140,000.00** Project Cost: **\$140,000.00** Balance: **\$0.00(Funds from C-Funds)**

On April 19, 2022, Council approved the award of ITB 21-16 for Road Paving to Hubbard Paving and Grading of Walhalla in the amount of \$4,026,557.43. The award amount included a 10% contingency (\$366,050.68) to be used to account for fluctuating asphalt prices, variations in estimated unit quantities and any other unforeseen items that may arise.

On July 19, 2022, the Oconee County Transportation Committee (CTC) approved, \$140,000.00 allocated for state reimbursement project C PCN P041875. This project is described as South Carolina Heritage Fairgrounds Access Road paving project. Oconee County Roads and Bridges is requesting that the Access Roads be added to the current paving contract (PO 54819). Hubbard Paving & Grading, Inc., located in Walhalla, SC, has the current paving contract.

The bid form uses unit prices for estimated quantities; therefore, the cost to add additional paving projects can be easily calculated. The roads to be paved are Access Roads in the Oconee Heritage Fairgrounds.

The total project amount is \$140,000.00 and is broken down as follows:

- Change Order # 1 is for an additional \$113,868.00 to be used for paving the Access Roads in the Oconee County Heritage Fairgrounds.
- Rock for this project is estimated at \$16,875.00 and will be purchased from Oconee County Rock Quarry with the C-Fund Money.
- Contingency amount of \$9,257.00 will be used for any additional rock required, fluctuating asphalt prices, variations in estimated unit quantities and any other unforeseen items that may arise.

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

***1. Approve CO-1 to PO 54819 in the amount of \$113,868.00, pending receipt of the C-Funds from SCDOT.***

***2. Approve purchase of rock for above project from Oconee County Rock Quarry in the estimated amount of \$16,875.00.***

***3. Approve project contingency in the amount of \$9,257.00.***

***4. Authorize the County Administrator to approve any change orders within the contingency amount and to add additional roads as long as the budget for Road Paving is not exceeded.***

Mr. Davis made a motion, seconded by Mr. Cain, to (1) approve CO-1 to PO 54819 in the amount of \$113,868.00, pending receipt of the C-Funds from SCDOT, (2) approve purchase of rock for above project from Oconee County Rock Quarry in the estimated amount of \$16,875.00, (3) approve project contingency in the amount of \$9,257.00, and (4) authorize the County Administrator to approve any change orders within the contingency amount and to add additional roads as long as the budget for Road Paving is not exceeded.

Council's meetings shall be conducted pursuant to the South Carolina Freedom of Information Act, Council's Rules and the Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition. This agenda may not be inclusive of all issues which Council may bring up for discussion at this meeting. Items are listed on Council's agenda to give public notice of the subjects and issues to be discussed, acted upon, received as information and/or disposed of during the meeting. Items listed on Council's agenda may be taken up, tabled, postponed, reconsidered, removed or otherwise disposed of as provided for under Council's Rules, and Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition, if not specified under Council's rules.

**A video recording of this meeting is available at [www.oconeesc.com](http://www.oconeesc.com). Meetings have been live-streamed beginning January 17, 2017. Brought to you by Your Oconee.**

Mr. Hart inquired if any of the above mentioned requests are on the highway right-of-way.

Ms. Brock informed Mr. Hart that both entrance roads off of HWY 123 were under construction and have gone beyond the State right-of-way.

Mr. Hart stated he reviewed the documents himself and questioned some of the language.

Ms. Brock noted she believes that is the standard language that comes forth in a CTC contract.

Motion approved 4 – 0.

### **Council Committee Reports**

None scheduled for this meeting

### **Board & Commission Appointments**

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

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

#### **Conservation Bank Board**

District IV Seat: No questionnaire on file for this seat

1 At-Large Seat: One questionnaire on file for this seat

Mr. Davis made a motion, seconded by Mr. Cain, approved 4 – 0, to approve the appointment of Mr. E. Scott McCurry to the At-Large seat on the Conservation Bank Board.

### **Executive Session:**

None scheduled for this meeting.

### **Adjourn:**

Mr. Hart made a motion, approved unanimously, to adjourn at 7:47 p.m.

Respectfully Submitted:

---

Jennifer C. Adams  
Clerk to Council

Council's meetings shall be conducted pursuant to the South Carolina Freedom of Information Act, Council's Rules and the Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition. This agenda may not be inclusive of all issues which Council may bring up for discussion at this meeting. Items are listed on Council's agenda to give public notice of the subjects and issues to be discussed, acted upon, received as information and/or disposed of during the meeting. Items listed on Council's agenda may be taken up, tabled, postponed, reconsidered, removed or otherwise disposed of as provided for under Council's Rules, and Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition, if not specified under Council's rules.

**A video recording of this meeting is available at [www.oconeesc.com](http://www.oconeesc.com). Meetings have been live-streamed beginning January 17, 2017.  
Brought to you by Your Oconee.**