



MINUTES

OCONEE COUNTY COUNCIL

Regular Meeting

September 05, 2023

MEMBERS, OCONEE COUNTY COUNCIL

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

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]. In addition, it was made available [*upon request*] to the newspapers, radio stations, television stations and concerned citizens.

Members of the press present: Norm Cannada / The Journal, Dick Mangrum / 101.7 WGOG

Call to Order

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

Moment of Silence

Mr. Durham 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. Luther Lyle led the Pledge of Allegiance to the Flag of the United States of America.

Approval of Minutes

Mr. Hart made a motion, seconded by Mr. Elliott, approved 4 – 0 [Mr. Davis abstained; copy filed with minutes], to approve the August 15, 2023 regular meeting minutes as presented.

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Proclamations

PROCLAMATION 2023-05 A PROCLAMATION HONORING MR. ELBERT LAMAR BAILES, JR.

Mr. Davis made a motion, seconded by Mr. Hart, to approve **Proclamation 2023-05** on first and final reading.

Mr. Davis addressed the family of Mr. Bailes who were in attendance to accept the proclamation.

Motion approved 5 – 0.

PROCLAMATION 2023-06 A PROCLAMATION RECOGNIZING THE 50TH ANNIVERSARY OF OCONEE NUCLEAR STATION

Mr. Elliott made a motion, seconded by Mr. Davis, to approve **Proclamation 2023-06** on first and final reading.

Mr. Davis extended his thanks to Oconee Nuclear Station.

Mr. Durham noted he would be recusing himself from the vote due to avoid any conflict.

Motion approved 4 – 0 [Mr. Durham abstained; copy filed with minutes].

Attorney's Comments

Mr. Root noted that he would need a motion to remove **Ordinance 2023-17** from first reading due to a delay with receiving the final documents.

Mr. Elliott made a motion, seconded by Mr. Mize, approved 5 – 0, to remove **Ordinance 2023-17** from first reading.

Administrator's Comments

Ms. Brock introduced County Treasurer, Mr. Greg Nowell, noting that he was in attendance to provide information to Council regarding the numerous County bank accounts and balances as of June 30, 2023.

Mr. Nowell addressed Council utilizing three handouts [copies filed in backup] displaying detailed account information and provided a brief explanation of these accounts.

Lengthy discussion followed between Council, Ms. Brock and Mr. Nowell related to County bank accounts and the funds they contain.

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 or 864-718-1023, so that she may receive your comment and read it into the record.

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1. Mr. Roy Stone addressed Council with his concerns related to the deteriorating condition of Chauga Valley Road.
2. Mr. William Bahder addressed Council with his concerns related to the deteriorating condition of Chauga Valley Road.
3. Mr. Luke Moore addressed Council with his concerns regarding the State Gas Tax and FY2023-2024 budget.
4. Mr. Randy Moore addressed Council with his opinion that the Oconee County Building Codes department is understaffed and underpaid, therefore causing construction delays and increasing costs to home builders.

Mr. Davis made a motion, seconded by Mr. Elliott, approved 5 – 0, to allow two extra speaking minutes to Mr. Randy Moore.

5. Mr. Jim Mann addressed Council related to the Oconee County Republican Party Town Hall invitation to Council to discuss FY2023-2024 budget, questions related to the Oconee County Conservatives group and offered comments regarding the proposed FY2023-2024 budget and amendments.
6. Mr. Art Petit addressed Council in opposition to Sign Control **Ordinance 2020-09**.

Council Members Comments

Mr. Mize addressed Mr. Mann regarding his comments related to the Town Hall invitation to Council to discuss FY2023-2024 budget.

Mr. Davis made a motion, seconded by Mr. Elliott, approved 5 – 0, to allow Mr. Mann to respond to the questions posed by Mr. Mize.

Mr. Mann provided answers to Mr. Mize's questions.

Short discussion followed between Mr. Mann, Council and County Attorney, Mr. David Root.

Mr. Durham addressed the citizens who spoke regarding the deteriorating condition of Chauga Valley Road.

Mr. Davis addressed Mr. Petit's concerns related to Sign Control **Ordinance 2020-09** and citizen concerns related to the deteriorating condition of Chauga Valley Road.

Mr. Davis went on to address Mr. Randy Moore's concerns related to the Oconee County Building Codes departments.

Mr. Davis made a motion, seconded by Mr. Elliott, approved 5 – 0, to allow Mr. Randy Moore to converse with Council related to his concerns about the Building Codes department.

Lengthy discussion followed between Council, Ms. Brock and Mr. Moore related to the Building Codes department.

Mr. Hart offered comments related to Mr. Luke Moore's statement that he emailed Mr. Durham three times with no response.

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Mr. Durham responded to Mr. Mann's comments related to the Town Hall invitation.

Mr. Durham and Ms. Brock responded to Mr. Luke Moore's questions regarding the State Gas Tax.

Mr. Durham offered further responses to Mr. Luke Moore's concerns regarding the FY2023-2024 budget and provided Mr. Moore with an explanation as to why he [Mr. Durham] has not responded to any his [Mr. Luke Moore] emails.

Mr. Mize and Ms. Brock discussed the option of contracting certified building inspectors from surrounding counties and municipalities to aid Oconee County with building inspections.

Short discussion by Council and Ms. Brock followed related to building codes and inspector salaries.

Mr. Davis added comments related to actions allowed by Council outside of Council meetings.

Mr. Root offered clarification to Council regarding what constitutes a quorum and what is and is not allowed when a quorum of Council is present outside Council meetings.

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

ORDINANCE 2023-13 AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS, IN ONE OR MORE SERIES, TAX-EXEMPT OR TAXABLE, IN AN AMOUNT NOT TO EXCEED \$25,000,000 FOR THE PURPOSE OF DESIGNING, ACQUIRING, CONSTRUCTING, INSTALLING, EQUIPPING, OR REHABILITATING VARIOUS CAPITAL PROJECTS, INCLUDING WASTEWATER IMPROVEMENTS AND RELATED EQUIPMENT; AUTHORIZING THE COUNTY ADMINISTRATOR TO PRESCRIBE THE FORM AND DETAILS OF THE BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS AND THE DISPOSITION OF THE PROCEEDS OF THE BONDS; PROVIDING FOR BORROWING IN ANTICIPATION OF THE ISSUANCE OF THE BONDS; AND OTHER RELATED MATTERS.

Mr. Durham opened the floor for Public Comment.

Mr. Luke Moore addressed Council with his questions and concerns regarding **Ordinance 2023-13**.

Mr. Durham closed the Public Hearing regarding **Ordinance 2023-13**.

ORDINANCE 2023-16 AN ORDINANCE TO AMEND AND SUPPLEMENT ORDINANCE 2023-01, 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,

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AND TOURISM CAPITAL PROJECTS FUND, FOR THE DEBT SERVICE FUND, FOR THE VICTIM SERVICES SPECIAL REVENUE FUNDS, FOR THE CAPITAL VEHICLE / EQUIPMENT FUND, AND FOR THE CREATION OF THE FIRE / EMERGENCY SERVICES CAPITAL VEHICLE AND EQUIPMENT FUND THE COMMUNITY HEALTH AND COMMUNITY SERVICES FUND, AND THE GENERAL ONE TIME CAPITAL FUND, ALL IN OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2023 AND ENDING JUNE 30, 2024, IN ORDER TO EFFECT SUPPLEMENTAL APPROPRIATIONS; AND OTHER MATTERS RELATED THERETO.

Mr. Durham opened the floor for Public Comment.

Noting that no citizens signed up to address Council; Mr. Durham 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. Durham closed the Public Hearing regarding **Ordinance 2023-16**.

Third Reading of the Following Ordinances

ORDINANCE 2023-13 *[see caption above]*

Mr. Hart made a motion, seconded by Mr. Mize, to approve **Ordinance 2023-13** on third and final reading.

Mr. Davis offered comments and presented several questions related to GO Bond **Ordinance 2023-13**.

Mr. Michael Kozlarek, Bond Council for Oconee County, offered clarification to Council related to the proposed GO Bond **Ordinance 2023-13**.

Mr. Brent Robertson, Financial Advisor for Oconee County, offered further financial details related to GO Bond **Ordinance 2023-13**.

Motion approved 5 – 0.

Second Reading of the Following Ordinances

ORDINANCE 2023-14 AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF ADDENDA TO THE LEASE AGREEMENTS BETWEEN OCONEE COUNTY AND (1) THE FOOTHILLS FARMSTEAD (“FARMSTEAD”) AND (2) THE FAIR-OAK YOUTH CENTER, INC. (“FOYC”), IN ORDER TO EFFECT THE TRANSFER OF CERTAIN PROPERTY FROM THE FOYC LEASE PREMISES TO THE FARMSTEAD LEASE PREMISES; AND OTHER MATTERS RELATED THERETO.

Mr. Davis made a motion, seconded by Mr. Hart, approved 5 – 0, to approve **Ordinance 2023-14** on second reading.

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ORDINANCE 2023-15 AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDMENT TO PURCHASE AND SALE AGREEMENT BY AND BETWEEN OCONEE COUNTY, SOUTH CAROLINA, AND MEYN AMERICA, LLC; AND OTHER RELATED MATTERS.

Mr. Elliott made a motion, seconded by Mr. Davis, approved 5 – 0, to approve **Ordinance 2023-15** on second reading.

ORDINANCE 2023-16 AN ORDINANCE TO AMEND AND SUPPLEMENT ORDINANCE 2023-01, 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, AND FOR THE CREATION OF THE FIRE / EMERGENCY SERVICES CAPITAL VEHICLE AND EQUIPMENT FUND THE COMMUNITY HEALTH AND COMMUNITY SERVICES FUND, AND THE GENERAL ONE TIME CAPITAL FUND, ALL IN OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2023 AND ENDING JUNE 30, 2024, IN ORDER TO EFFECT SUPPLEMENTAL APPROPRIATIONS; AND OTHER MATTERS RELATED THERETO.

Mr. Davis made a motion, seconded by Mr. Hart, to approve **Ordinance 2023-16** on second reading.

Mr. Davis offered comments related to FY2023-2024 Budget **Ordinance 2023-16**.

Mr. Durham offered comments related to FY2023-2024 Budget **Ordinance 2023-16**.

Motion approved 5 – 0.

First Reading of the Following Ordinances

~~**ORDINANCE 2023-17** 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 SPECIAL SOURCE REVENUE CREDIT AGREEMENT BY AND BETWEEN OCONEE COUNTY, SOUTH CAROLINA, AND A COMPANY IDENTIFIED FOR THE TIME BEING AS PROJECT GALT, 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, OR MODIFYING AN EXISTING, 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; AND OTHER RELATED MATTERS.~~

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First and Final Reading for the Following Resolutions

RESOLUTION 2023-14 A RESOLUTION ESTABLISHING THE OCONEE COUNTY OPIOID RESPONSE TASK FORCE.

Mr. Davis made a motion, seconded by Mr. Elliott, to approve **Resolution 2023-14** on first and final reading.

Mr. Hart inquired as to why the resolution states that Ms. Brock is to organize the forming of the Opioid Response Task Force and not the Sheriff's Department.

Ms. Brock noted that the language included in **Resolution 2023-14** came directly from the State.

Motion approved 5 – 0.

Discussion Regarding Action Items

At the request of Mr. Elliott, Mr. Davis made a motion, seconded by Mr. Durham, approved 5 – 0, to take a 5-minute recess.

Council convened at 8:32 p.m.

Council reconvened at 8:40 p.m. on a motion made by Mr. Davis, seconded by Mr. Elliott, approved 5 – 0.

Council discussion and approval of the issuance of an Request for Proposals for the renovation of the former Oconee County Courthouse.

Mr. Luther Lyle, member of St. John's Lutheran Church in Walhalla, addressed Council utilizing a handout [copy filed in backup] about the severe deterioration of the former Oconee County Courthouse.

Mr. Durham made a motion, seconded by Mr. Davis, to direct County staff to issue an RFP or RFI for renovation of the former Oconee County Courthouse.

Mr. Davis made a motion, seconded by Mr. Elliott, to amend the previously stated motion to include a RFP for demolition of the former Oconee County Courthouse.

Mrs. Tronda Popham, Procurement Director, suggested to Council that a bid be obtained from one vendor for a demolition price and asked Council if they would like bids for renovation costs as well.

Mr. Davis provided background information on previous plans for renovation to the former courthouse, noting that none of the plans came to fruition.

Mr. Davis withdrew his amendment to the motion.

Mr. Durham withdrew his original motion.

Mr. Davis made a motion, seconded by Mr. Durham, approved 5 – 0, to approve issuing a request for bids for demolition of the former Oconee County Courthouse and to seek grants that may aid in the cost of demolition.

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Council consideration and discussion regarding updating and amending Sign Control Ordinance 2020-09.

Mr. Davis noted that he has had several inquiries from citizens related to digital on-premise signs and stated that he would like County Attorney, Mr. David Root, to remove the restrictions of these signs while he is in the process of editing Sign Control **Ordinance 2020-09** that will come before Council for consideration.

**RFP 23-02 Financial Auditing Services
\$60,000.00**

Department: Finance Amount:

**Procurement was approved by Council in Fiscal Year 2023-2024 budget process.
Budget: \$68,000.00 Project Cost: \$60,000.00 Balance: \$8,000.00**

This Request for Proposal was issued to select a firm of Independent Certified Public Accountants to provide auditing and consulting services to Oconee County beginning with the audit of the 2022-2023 fiscal year. Under South Carolina law, Oconee County must provide an independent annual audit of all financial records and transactions of the County to be made by a Certified Public Accountant (or firm of such accountants) which has no personal interest, direct or indirect, in the fiscal affairs of the County or its officers.

One August 1, 2023 formal sealed proposals were opened. Thirty-six (36) firms were notified of this opportunity and one firm submitted a proposal. An evaluation committee consisting of County Staff reviewed / scored the response and unanimously voted to recommend Mauldin & Jenkins CPAs & Advisors, of Columbia, SC, for award. Mauldin and Jenkins CPAs & Advisors has been the County’s auditor for the last ten (10) years.

It is the staff’s recommendation that Council:

- 1. Approve the award of RFP 23-02, Financial Auditing Services, to Mauldin & Jenkins CPAs and Advisors of Columbia, SC, in the amount of \$60,000.00**
- 2. Authorize the County Administrator to renew this contract for up to four (4) one-year terms, as long as the amount does not exceed the amount budgeted for this service, and the services provided are satisfactory.**

Mr. Davis made a motion, seconded by Mr. Elliott, to approve the award of RFP 23-02, Financial Auditing Services, to Mauldin & Jenkins CPAs and Advisors of Columbia, SC, in the amount of \$60,000.00 and authorize the County Administrator to renew this contract for up to four (4) one-year terms, as long as the amount does not exceed the amount budgeted for this service, and the services provided are satisfactory.

Mr. Hart presented several questions related to the above request.

Short discussion related to the approval of the above request followed.

Motion approved 5 – 0.

**PO 55251, LS3P Associates Phase 2
Alexander-Cannon-Hill House
Renovation, Change Order # 1**

Department(s): Oconee PRT – High Falls

**Amount: Original Purchase Order: \$28,800.00
Phase 2 (Change Order # 1): \$67,500.00**

Total: \$96,300.00

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Procurement was approved by Council in Fiscal Year 2022-2023 & 2023-2024 budget process.
Budget \$96,300.00 Project Cost: \$96,300.00 Balance: \$0.00

(Funding from Local ATAX Fund \$28,800.00 FY 2022-2023 & Parks, Recreation & Tourism Capital Project Fund \$67,500.00 FY 2023-2024)

Pleasant Alexander built the Alexander-Cannon-Hill (ACH) House in 1831. In 1971, Duke Power gave the house to High Falls County Park. On July 24, 1972, the ACH House was added to the National Register of Historic Places and retains much of the original construction. Currently, the first floor is being used as office space / gift shop and the second floor has only been used for storage. Park Staff wants to utilize the second floor of the house to include office space, conference room, bathroom, etc. Procurement and Park Staff began creating specifications for an electrical upgrade. During a visit to the site, structural issues were found that require correcting before any renovations could be started. With this being a structure from 1831 and being listed on the National Register of Historic Places, staff decided it was in the best interest of the County and the Structure to have a firm that is well versed in this type of project to assist with the renovation.

On January 18, 2023, staff contracted with LS3P Associates, LTD., On-Call Architectural Consultant Firm (RFP 20-02), to assist with the Renovation Project.

Procurement issued Purchase Order Number 55251 to LS3P Associates, LTD., in the amount of \$28,800.00 for Phase 1 – Preliminary Design and Schematic Design Phase for the Alexander-Cannon-Hill House at High Falls County Park.

This Change Order request is for Phase 2 of the Alexander-Cannon-Hill House Renovation. This Phase includes Design Development, Construction Documents, Negotiations and Construction Observation.

Staff requests approval for Change Order #1 to PO 55251 for Architectural Services, in the amount of \$67,500.00; which is an addition to the original scope of work. If approved, the new total for the purchase order is \$96,300.00.

It is the staff's recommendation that Council:

- 1. Approve Change Order # 1 to PO 55251, for project Phase 2, in the amount of \$67,500.00 for a total purchase order amount of \$96,300.00.***
- 2. Authorize the County Administrator to execute documents for change order #1, PO 55251 (Phase 2).***

Mr. Elliott made a motion, seconded by Mr. Davis, to approve Change Order # 1 to PO 55251, for project Phase 2, in the amount of \$67,500.00 for a total purchase order amount of \$96,300.00 and authorize the County Administrator to execute documents for change order #1, PO 55251 (Phase 2).

Mr. Hart suggested the County have a draftsman on staff to complete requests of this manner.

Short discussion followed by Council related to the above request.

Mr. Mize noted that he would be abstaining from the vote because he has been unable to attend a site visit.

Mr. Durham made a motion, seconded by Mr. Elliott, to postpone the request until the September 19, 2023 Council meeting.

Amended motion to postpone the above request failed 2 – 3 [Mr. Davis and Mr. Elliott opposed; Mr. Mize abstained; copy filed with minutes].

Motion to approve original request failed 2 - 3 [Mr. Durham and Mr. Hart opposed; Mr. Mize abstained; copy filed with minutes].

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Council Committee Reports

Budget, Finance and Administration Committee / Mr. Elliott August 15, 2023

Mr. Elliott provided information outlining discussions held at the August 15, 2023 Budget, Finance and Administration Committee meeting.

Board & Commission Appointments

Agricultural Advisory Board

District IV: No questionnaires on file for this seat

Mr. Davis offered comments related to the vacant District IV seat on the Agricultural Advisory Board.

Executive Session:

Mr. Elliott made a motion, seconded by Mr. Hart, approved 5 – 0, to enter into Executive Sessions for the following purposes, as allowed for § 30-4-70(a) of the South Carolina Code of Laws:

1. *Council discussion regarding a contractual matter related to the Town of Salem, City of Seneca, City of Walhalla and the City of Westminster.*
2. *Discussion regarding an Economic Development matter, Utica Mill Project.*
3. *Council consideration and discussion regarding a contractual matter related to public wastewater infrastructure.*

Council entered into Executive Session at 9:13 p.m.

Council returned from Executive Session at 9:42 p.m. on a motion made by Mr. Elliott, seconded by Mr. Hart, approved 5 – 0.

At the request of County Attorney, Mr. David Root, Mr. Elliott made a motion, seconded by Mr. Hart, approved 5 – 0, to direct County Attorney to draft a resolution for approval of fire contracts as negotiated and discussed relating to the Town of Salem, City of Seneca, City of Walhalla and the City of Westminster.

Adjourn:

Mr. Hart made a motion, approved unanimously, to adjourn at 9:42 p.m.

Respectfully Submitted:

Jennifer C. Adams
Clerk to Council

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