

MEMBERS, OCONEE COUNTY COUNCIL

Mr. Steven R. Moore, District I Mr. Thomas S. Crumpton, Jr., District II
Rev. William S. "Bill" Rinehart, District III Mr. Marion E. Lyles, District IV
Mr. H. Frank Ables, Jr., District V

MINUTES, OCONEE COUNTY COUNCIL MEETING

The Oconee County Council met Tuesday, March 7, 2006 at 3:00 pm in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members except Mr. Ables present. County Administrator Ron Rabun, Clerk to Council & Mr. Norton, County Attorney were also present.

Press:

Members of the press notified (via mail): Keowee Courier, Westminster News, Daily Journal, Anderson Independent, WGOG Radio, WYFF TV, WLOS TV, WSNW Radio & WIRX Radio.

Members of the press present: Dick Mangrum – WGOG Radio, Aston Hester – Keowee Courier & Brett McLaughlin – Daily Journal.

Other Organizations Notified:

Also notified were the Oconee County Tax Payers Association, Citizens for Recreation Center and the Oconee County Democratic Party.

Call to Order:

Vice Chairman Lyles called the meeting to order.

Invocation:

Mr. Rinehart gave the invocation.

Pledge of Allegiance:

Mr. Norton led the pledge of allegiance to the US Flag.

Minutes:

Mr. Crumpton made a motion, seconded by Mr. Moore, approved 4 – 0 that the minutes of the February 21, 2006 meeting be adopted as printed.

Public Comment Session:

Rev. Ralph Stutzman addressed Council regarding public prayer at Council Meetings.

Ms. Cindy Sykes addressed Council regarding what she perceived as little or no action to stop the development of high-rise condo's in the County.

Ms. Linda Caswell addressed Council regarding Resolution 2006-08, "A RESOLUTION REQUESTING THAT THE OCONEE COUNTY PLANNING COMMISSION STUDY AND MAKE RECOMMENDATIONS TO COUNTY COUNCIL CONCERNING ORDINANCES AND REGULATIONS NECESSARY TO PROTECT LAKES JOCASSEE, KEOWEE AND HARTWELL".

Mr. Steve MacLeod addressed Council regarding the proposed Montelago Development.

Dr. Valerie Truesdale, Ms. Amy Santori, Ms. Jennifer Dodd & Ms. Cheryl LeCroy all addressed Council regarding the funds that will be going to the School District from the 2003, 2004 & 2005 taxes received from Duke Power Company.

Ms. Linda Lovely addressed Council regarding the proposed condominium project.

Ms. Susie Cornelius addressed Council regarding Ordinances 2006-03, 2006-04, 2006-05, etc.

Mr. George Cleveland addressed Council regarding the needs of DSS.

Mr. B. J. Littleton addressed Council regarding false religions and various County activities.

PRT:

Ms. Paula Reel, Region One Coordinator & Mr. Eddie Neill, South Carolina National Heritage Corridor, presented a grant check in the amount of \$30,000 to replace the back veranda/porch on the Alexander/Cannon/Hill House at High Falls Park.

Ms. Reel & Mr. Neill also expressed appreciation to Mr. Moore for having served on the Corridor Board and welcomed Mr. Crumpton as an incoming member on the board.

Ordinance 2006-03:

Mr. Crumpton made a motion, seconded by Mr. Moore, approved 4 – 0 that Ordinance 2006-03, “THE 2005-2006 AMENDED APPROPRIATIONS ORDINANCE 2006-03 FOR OCONEE COUNTY” be adopted on second reading.

Ordinance 2006-04:

Mr. Rinehart made a motion, seconded by Mr. Crumpton, approved 3 – 1 (Mr. Moore voting against) that Ordinance 2006-04, “AN AMENDMENT TO LOAN AGREEMENT RELATING TO \$35,000,000 OCONEE COUNTY, SOUTH CAROLINA POLLUTION CONTROL REVENUE REFUNDING BONDS (DUKE ENERGY CORPORATION, SERIES 1999A AND 1999B) (THE “BONDS”) TO PROVIDE FOR GUARANTEE THEREOF” be adopted on second reading. The adoption of this ordinance in no way obligates Oconee County to guarantee these bonds, nor does it go against the County’s bonding capacity.

Ordinance 2006-05:

Mr. Rinehart made a motion, seconded by Mr. Crumpton, approved 3 – 1 (Mr. Moore voting against) that Ordinance 2006-05, “AN AMENDMENT TO LOAN AGREEMENT RELATING TO \$77,000,000 OCONEE COUNTY, SOUTH CAROLINA POLLUTION CONTROL FACILITIES REVENUE REFUNDING BONDS, SERIES 1993 (DUKE POWER COMPANY PROJECT) (THE “BONDS”) TO PROVIDE FOR GUARANTEE THEREOF” be adopted on second reading. The adoption of this ordinance in no way obligates Oconee County to guarantee these bonds, nor does it go against the County’s bonding capacity.

Briefing RE: Methods of Land Use Regulation & Management:

Mr. Tom Hendricks, Planning Director, informed Council of the following steps to impose zoning in Oconee County:

- (1) Form a broad base stakeholder committee
- (2) Conduct a community relations education and feedback process
- (3) Review comprehensive plan, especially the land use element
- (4) Develop a basic ordinance and develop a land use map
- (5) Develop an administrative process in the ordinance (citizen use forms, etc / establishment of boards)
- (6) Implement zoning incrementally

Briefing RE: methods of Land Use Regulation & Management Continued:

Mr. Hendricks informed Council that it was typical for Counties to enact zoning in urban areas adjacent to municipalities, along major transportation corridors or sensitive areas and extend those regulations over a period of time. It is also common for a County to have citizen requests for zoning in an area. Mr. Hendricks also informed Council it would take eighteen – thirty months to implement zoning. There would also have to be a zoning administrator and a typist employed to administrate zoning, beginning when Council determined to go forward with zoning.

Mr. Hendricks further informed Council of the following steps to amend the Performance Standards Ordinance:

- (1) Form a broad based stakeholder committee
- (2) Conduct community and feed back meetings
- (3) Draft amendments to the Performance Standards Ordinance which would require three readings and a public hearing.
- (4) Development of the administrative process
- (5) Implementation

Mr. Hendricks also informed Council amendment of the Performance Standards Ordinance would take between three and six months. Mr. Hendricks stated the adoption of a zoning ordinance and amending the Performance Standards Ordinance can be done concurrently.

To Mr. Crumpton's inquiry, Mr. Hendricks informed Council the Performance Standards Ordinance would not prohibit something from being built, but would set required construction standards.

Further, to Mr. Crumpton's inquiry, Mr. Hendricks informed Council that the issue of chicken houses would have to be in a separate chapter of the Performance Standards Ordinance.

To amend the Performance Standards Ordinance the Planning Office would need a typist immediately and in six months another planner would be needed.

Briefing RE: Methods of Land Use Regulation & Management Continued:

Mr. Hendricks informed Council of the following steps to be taken to impose a moratorium in the County:

- (1) Establishment of a finding of fact(s) (defensible)
- (2) Evaluation of Potential Solutions
- (3) Drafting of Ordinance for a moratorium while simultaneously developing an amendment to the Performance Standards Ordinance. This ordinance would also have three readings and a public hearing.

Mr. Hendricks informed Council it would take some thirty – forty-five days to impose a moratorium.

To Mr. Rinehart’s inquiry, Mr. Norton reiterated that a finding of fact(s) would have to be in place before a moratorium could be imposed.

Mr. Hendricks reiterated that any action taken by Council will have to comply with Chapter 6, SC Code of Laws. Further, when an enabling ordinance and map is adopted, Oconee County is basically in the position to adopt zoning and nothing in Oconee County is zoned. Overlay zone implies that it is overlaying zoned areas. If a County spot zones, that County has to have an overlay zone or no zoning to begin with. The enabling ordinance has to be in place before zoning can be adopted.

To Mr. Moore’s inquiry regarding Mr. Hendrick’s opinion of the proposed “takings” legislation, Mr. Hendricks replied that it was an attack on “home rule”.

Mr. Norton expressed an opinion that this legislation would effectively do away with zoning by local governments.

Mr. Hendricks explained to Council that zoning would require maps which the County does not have the capability to produce; therefore the cost for the maps would be at least \$125,000.

Mr. Hendricks further assured Council the Planning Commission would study all areas of their concerns regarding land use.

Capital Projects Sales Tax Listing:

Council discussed possible projects that could be funded through the seven year one-cent sales tax, if approved by the voters of Oconee County:

- I. Projects Approved At Special Meeting 2/20/06:
 - (1) Seneca Library Expansion – (Awaiting cost estimate from Trehel)
 - (2) Phase I of I-85 Project - \$8,859,440 (net cost)
 - (3) Phase II of I-85 Project - \$10,151,107
 - (4) Airport Sewer Expansion - \$2,500,000
 - (5) Civic Cent/Recreational Complex - \$4,000,000 - \$8,000,000

- II. Projects for Discussion:
 - (1) Jail Expansion - \$6,500,000
 - (2) Convenience Center #12 Tamassee/Salem - \$330,000
 - (3) Lunney Museum - \$100,000
 - (4) DSS Building – Awaiting cost estimate from Trehel)

Mr. Rabun also brought the attached letter to Council’s attention in which the Sewer Commission voted to request that Council include the Martins Creek Drainage Basin/WestPoint Stevens Wastewater Treatment Facility on the potential projects for funding with the one-cent sale tax.

Alternative “A” of the ARCADIS Engineering study included the following cost estimates:

- (1) Present worth or value of the WestPoint Stevens Wastewater Facility including twenty-five acres of land: \$3,741,000
- (2) Estimated costs to update the thirty year old wastewater treatment facility to meet current standards and modifications for domestic waste: \$8,460,000
- (3) Estimated costs for installation of new Martins Creek Pump Station, gravity sewer and force main to transport waste from Martins Creek to WestPoint Stevens facility: \$3,878,000

However, if the Oconee County/Oconee Sewer Commission can purchase the WestPoint Stevens facility, it will not be necessary to install the new Martin’s Creek pump station, gravity sewer and force main which would be a savings of some \$3,878,000.

Mr. Lyles expressed feelings that the airport sewer expansion should be changed to Shiloh Road area sewer expansion due to confusion regarding the need for that much sewer at the airport.

Capital Projects Sales Tax Listing Continued:

Mr. Moore expressed concerns regarding the jail expansion being on the projects listing explaining he felt that was something the County should take care of.

Council Members also expressed a desire to know the bonding capacity of the County before this listing is discussed further and completed.

Council Reports:

There were no Council Committee reports.

Mr. Moore brought to the attention of Council that the Hospital Board Minutes and information had been placed in their boxes.

Administrator Report:

Mr. Rabun informed Council he had attended the Friends of Lake Hartwell meeting that the Corps of Engineers which is a subcommittee of the Savannah River Task Force. Within thirty days, the Corps of Engineers expects to have Phase I of the revamped master plan completed regarding Lake Hartwell, the Strom Thurmond and Russell Dams. There was also discussion regarding the lake levels and the number of docks on Lake Hartwell.

Mrs. Rabun also informed Council he would be attending an Economic development Retreat Friday, March 10, 2006 at the Blue Ridge Electric Offices.

Law Enforcement Citations:

Mr. Rinehart reported he still had not received the requested copies of the citations regarding overcrowding at the Law Enforcement Center.

Ordinance 2006-06:

Mr. Crumpton introduced Ordinance 2006-06, "AN ORDINANCE AMENDING ORDINANCE 2003-07, AN ORDINANCE ESTABLISHING THE COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT". Mr. Lyles referred this proposed ordinance to the Budget, Finance & Procurement Committee for a recommendation.

Minutes, Oconee County Council Meeting

March 7, 2006

Committee Meetings:

The Road & Transportation Committee scheduled a meeting Tuesday, March 21, 2006 at 5:00 pm for the purpose of discussing the proposed road ordinance.

Mr. Moore further asked that Mr. Rabun obtain a transcript of the 911 call for the fire in Seneca on the previous Thursday.

Mr. Crumpton scheduled a Law Enforcement, Public Safety, Health & Welfare Committee meeting Tuesday, March 21, 2006.

Mr. Rabun asked that a Real Estate, Facilities & Land Management Committee Meeting be scheduled when estimated costs are submitted by Trehel for the Animal Control facility, Department of Social Services Building, etc.

Adjourn:

Adjourn: 5:35 pm.

Respectfully Submitted:

Opal O. Green, Clerk to Council