



MINUTES
OCONEE COUNTY COUNCIL MEETING
Regular Meeting
August 17, 2010

MEMBERS, OCONEE COUNTY COUNCIL

Mr. Reg Dexter, District V, Council Chairman
Mr. Joel Thrift, District IV, Vice Chairman
Mr. Wayne McCall, District II, Chairman Pro Tem
Mr. Paul Corbeil, District I
Mr. Mario Suarez, District III

Oconee County Council met on Tuesday, August 17, 2010 at 6:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members [except Mr. Suarez], Thomas L. Martin County Attorney, County Administrator Scott Moulder and Clerk to Council, Elizabeth G. Hulse 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.oconeese.com/council]. In addition it was made available [upon request] to the newspapers, radio stations, television stations and concerned citizens.

Member of the press present: Ray Chandler – Anderson Independent, Ashton Hester – Keowee Courier & Carlos Galarza - Daily Journal.

Call to Order: Mr. Dexter called the meeting to order at 6:00 p.m.

Prior to the opening of the Public Comment Session, Mr. Dexter noted that an amendment to Ordinance 2010-21 would likely be made to add an additional special exception to Section 38-10.13 Public and Recreation Lands District [PRLD].

Public Comment Session:

Mr. Frank Kieninger, Oconee Men's Outreach, addressed Council regarding the groups continued prayers for Council members. Mr. Kieninger also presented Council with a letter [copy filed with these minutes], desk card and wallet card.

Ms. Jean Jennings addressed Council regarding her concerns about Ordinance 2010-16 asking Council to zone based on the citizen request not the recommendation of planning staff.

Ms. Susie Cornelius addressed Council in follow-up to the special meeting held on August 14, 2010 regarding uses for the old courthouse, the use of county funds for a state road improvement project and sewer.

Mr. B. J. Littleton addressed Council regarding his support for tearing down the Brown Building to provide additional parking for the courthouse/museum complex.

Extended Public Comment Session: None at this meeting.

County Council Response to Public Comment:

Mr. Thrift stated that the state road improvement project referenced by Ms. Cornelius was a joint effort with the state to allow for widening of the roadway for a turn lane for better access to the Golden Corner Commerce Park.

Meeting Recess:

Mr. Dexter recessed the meeting to 6:26 p.m.

Meeting Reconvene:

Mr. Dexter reconvened the meeting to 7:00 p.m.

Pledge of Allegiance:

Mr. McCall led the pledge of allegiance to the United States Flag.

Minutes:

Mr. Thrift made a motion, seconded by Mr. McCall, approved 4 – 0 that the minutes from the August 3, 2010 regular meeting be adopted as printed.

Mr. Corbeil made a motion, seconded by Mr. Thrift, approved 4 – 0 that the minutes from the August 14, 2010 special meeting be adopted as printed.

Announcement / South Carolina Association of Counties [SCAC] Board of Directors Appointment:

Mr. Dexter announced that Vice Chairman, Joel Thrift, had been appointed to the SCAC Board of Directors with his term beginning January 1, 2011 and expiring December 31, 2014. He stated that he was pleased to have a man of Mr. Thrift's caliber representing not only the county but the entire upstate.

Mr. Thrift thanked Mr. Dexter and stated it was an honor to represent the citizens of Oconee County and he looked forward to working with other members of the SCAC Board.

Presentation by Outside Organizations:

ACOG Comprehensive Economic Development Strategy [CEDS] / Ms. Olivia Harris:

Ms. Harris briefly highlighted the CEDS report noting that it is a compilation of the economic development efforts of communities in the ACOG region of South Carolina to assess and improve upon regional economic development. The CEDS document is mandated by the Economic Development Administration [EDA] to serve as a mechanism to guide economic development decisions for districts throughout the nation. Council briefly reviewed and discussed the plan with Ms. Harris.

Mr. Thrift made a motion, seconded by Mr. Corbeil, approved 4 – 0 stating that Council concurs with the report and feel that it sufficiently reflects the plans and objectives of the County.

SCAC Service Package / Mr. Tim Winslow:

Mr. Tim Winslow, Assistant Director Legal/Legislative Affairs, addressed Council highlighting key areas of service that SCAC provides to include:

1. Insurance Trust & Property Liability Trust: Mr. Winslow noted that Oconee County participates in the Insurance Trust and that we have the second best multiplier in the state of South Carolina thereby saving the taxpayers money.
2. Education for County Government/County Council: Mr. Winslow outlined some of the educational opportunities afforded government officials to include: [a] conferences and teleconferences, [b] land use certification program, [c] Institute of Government for County Officials, and [d] networking workshops.
3. Legal Assistance to County Attorneys
4. Set Off Debt Collection

5. Public Information Department
6. Research & Technical Assistance
7. Legislative Information to include the Friday Reports and other bulletins.

Mr. Winslow also provided each Council member with a packet of information [not filed with these minutes] to include flyers for upcoming education, SCAC activities, etc.

Public Hearings regarding the Following Ordinances:

Ordinance 2010-14 AN ORDINANCE TO REQUEST DEFERRAL OF THE FORMULATION OF A REFERENDUM BALLOT QUESTION BY THE CAPITAL PROJECTS SALES TAX COMMISSION OF OCONEE COUNTY, SOUTH CAROLINA; TO AMEND CHAPTER 2, ARTICLE IV OF THE CODE OF ORDINANCES OF OCONEE COUNTY PERTAINING TO COMMITTEES IN ORDER TO ESTABLISH THE CAPITAL PROJECTS ADVISORY COMMITTEE; AND OTHER MATTERS RELATED THERETO

Ordinance 2010-21 AN ORDINANCE TO AMEND THE OCONEE COUNTY ZONING ENABLING ORDINANCE, ORDINANCE 2007-18, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, TO ESTABLISH THE AGRICULTURAL RESIDENTIAL DISTRICT AND THE PUBLIC AND RECREATIONAL LANDS DISTRICT, AND ALL RELATED USES, STANDARDS AND REQUIREMENTS; AND TO RATIFY AND AFFIRM ALL OTHER PROVISIONS OF ORDINANCE 2007-18 NOT AMENDED OR MODIFIED HEREBY; AND OTHER MATTERS RELATING THERETO

Mr. Dexter opened the Public Hearing.

Mr. C. W. Richards addressed Council regarding Ordinance 2010-14 voicing concerns that a referendum will be placed on a future ballot requesting a one cent sales tax for a wish list of capital projects identified by the new Advisory Committee.

Ms. Susie Cornelius addressed Council utilizing a PowerPoint presentation [filed with these minutes] regarding Ordinance 2010-14. Her presentation outlined currently available recreation in Oconee County for all ages.

Ms. Donna Linsin addressed Council regarding Ordinance 2010-21 reading from a handout [filed with these minutes] voicing concern about the proposed Public and Recreational Lands District [PRLD].

Mr. Tom Markovich stated he did not wish to address Council as his questions/concerns were discussed during the Council's recess.

Mr. Dexter opened the floor and asked if anyone else present wished to speak. No citizens came forward to address Council.

Mr. Dexter asked for any written comments for inclusion in the record. No written comments were submitted.

Mr. Dexter closed the Public Hearing.

Consideration of the Following Ordinances:

Ordinance 2010-14

Mr. McCall stated that he did not have issue with the Committee but wanted to state that he was not in favor of any referendum to add an additional sales tax in the county. Mr. Corbeil reiterated that the focus was to improve the process for identification and prioritization of capital project needs in Oconee County. Brief discussion followed.

Mr. Corbeil made a motion, seconded by Mr. Thrift, approved 3 – 1 [Mr. McCall opposed] to approve **Ordinance 2010-14** “AN ORDINANCE TO REQUEST DEFERRAL OF THE FORMULATION OF A REFERENDUM BALLOT QUESTION BY THE CAPITAL PROJECTS SALES TAX COMMISSION OF OCONEE COUNTY, SOUTH CAROLINA; TO AMEND CHAPTER 2, ARTICLE IV OF THE CODE OF ORDINANCES OF OCONEE COUNTY PERTAINING TO COMMITTEES IN ORDER TO ESTABLISH THE CAPITAL PROJECTS ADVISORY COMMITTEE; AND OTHER MATTERS RELATED THERETO” on third and final reading.

Ordinance 2010-21

Councilman McCall questioned the legality of the proposed zoning PRLD district as it relates to state and federal land. Mr. Martin stated he felt the description stated that the county was only designating already identified lands as parks and/or recreations lands. Lengthy discussion followed.

Mr. Corbeil made a motion, seconded by Mr. Thrift to approve **Ordinance 2010-21** “AN ORDINANCE TO AMEND THE OCONEE COUNTY ZONING ENABLING ORDINANCE, ORDINANCE 2007-18, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, TO ESTABLISH THE AGRICULTURAL RESIDENTIAL DISTRICT AND THE PUBLIC AND RECREATIONAL LANDS DISTRICT, AND ALL RELATED USES, STANDARDS AND REQUIREMENTS; AND TO RATIFY AND AFFIRM ALL OTHER PROVISIONS OF ORDINANCE 2007-18 NOT AMENDED OR MODIFIED HEREBY; AND OTHER MATTERS RELATING THERETO” on third reading.

Mr. Corbeil made a motion, seconded by Mr. Thrift, approved 3 – 0 – 1 [Mr. McCall abstained – form filed with the minutes] to amend Ordinance 2010-21 to include an additional special exception in under the PRLD Section 38-10.13 as follows: “Commercial recreational, camping or social facilities”. Mr. Corbeil explained that this is to allow future flexibility to increase the public benefit, subject to required public hearings, and with the prior approval as necessary of the managing agency, recommendation of the Planning Commission and approval of County Council. He stated that he felt that this takes on more significance as we enter a period of shrinking federal, state and local budgets, and the need for more public/private partnerships to maintain and enhance our quality of life.

Mr. Corbeil made a motion, seconded by Mr. Thrift, approved 3 – 0 – 1 [Mr. McCall abstained – form filed with these minutes] to approve **Ordinance 2010-21** “AN ORDINANCE TO AMEND THE OCONEE COUNTY ZONING ENABLING ORDINANCE, ORDINANCE 2007-18, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, TO ESTABLISH THE AGRICULTURAL RESIDENTIAL DISTRICT AND THE PUBLIC AND RECREATIONAL LANDS DISTRICT, AND ALL RELATED USES, STANDARDS AND REQUIREMENTS; AND TO RATIFY AND AFFIRM ALL OTHER PROVISIONS OF ORDINANCE 2007-18 NOT AMENDED OR MODIFIED HEREBY; AND OTHER MATTERS RELATING THERETO” as amended on third and final reading.

Ordinance 2010-15 & Ordinance 2010-16

Mr. Dexter noted that the Chairman of the Planning Commission, Mr. Tommy Abbott, had requested the previous day that Council forward for further review and discussion to the Planning Commission the following Ordinances:

Ordinance 2010-15 AN ORDINANCE TO AMEND THE OCONEE COUNTY ZONING ENABLING ORDINANCE, ORDINANCE 2007-18, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, AS TO REZONE A SERIES OF PARCELS SPECIFIED HEREIN, AND TO RATIFY AND AFFIRM ALL OTHER PROVISIONS OF ORDINANCE 2007-18 NOT AMENDED OR MODIFIED HEREBY; AND OTHER MATTERS RELATING THERETO [*North Cane Creek*]; and

Ordinance 2010-16 “AN ORDINANCE TO AMEND THE OCONEE COUNTY ZONING ENABLING ORDINANCE, ORDINANCE 2007-18, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, AS TO REZONE A SERIES OF PARCELS SPECIFIED HEREIN, AND TO RATIFY AND AFFIRM ALL OTHER PROVISIONS OF ORDINANCE 2007-18 NOT AMENDED OR MODIFIED HEREBY; AND OTHER MATTERS RELATING THERETO” [*North Fairview*]

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 4 – 0 to send **Ordinance 2010-15** and **Ordinance 2010-16** to the Planning Commission for further review and discussion.

Discussion & Possible Action Items:

Change Order # 2 for PO #46712 / \$981,451.50 / Plateau Excavation

Mr. Moulder briefly outlined the need for this change order. Mr. McCall voiced concerns regarding the use of tax dollars for this change order. Lengthy discussion followed.

Mr. Thrift made a motion, seconded by Mr. Corbeil, approved 3 – 1 [Mr. McCall opposed] to approve Change Order # 2 in the amount of \$981,451.50 for PO #46712 to Plateau Excavation of Austell, GA, Award of Bid 08-32, Runway 25 and Parallel Taxiway Extension at the Oconee County Airport.

Solid Waste / estimate of \$1,500,000 / Approve the 1st of 5 year contract renewal / Waste Management / Hauling and disposal of waste from the Oconee County / per ITB 97-35

Mr. Thrift made a motion, seconded by Mr. Corbeil, approved 4 – 0 to [1] approve the first five year renewal (2008–2013) for the contract with Waste Management for the hauling and disposal of waste for an estimated amount of \$1,500,000, and [2] authorize the County Administrator to sign the annual purchase orders for this contract until the next five year renewal which will be due in 2013.

State ATAX / \$6,160 to the Oconee Tourism Commission

Mr. McCall made a motion, seconded by Mr. Thrift, approved 4 – 0 to approve \$6,160 with funds coming from the 30% fund of the State ATAX balance for the Oconee Tourism Commission for advertising as described in the agenda item summary.

Board & Commission Appointments:

None scheduled for this meeting.

Commission & Board Reports to Council:

Planning Commission: The Planning Commission submitted a written report [copy filed with these minutes] in lieu of appearance highlighting the Commissions activities during the past year.

Council Committee Reports:

Law Enforcement, Public Safety, Health & Welfare Committee:

Mr. McCall read from a prepared statement [filed with these minutes] highlighting discussion at the July 27, 2010 meeting. No action is recommended by the Committee at this time.

Administrator's Report:

Government Finance Officers Association [GFOA] Award for Oconee County

Mr. Moulder read from a GFOA press release [copy filed with these minutes], dated July 27, 2010, announcing that the Certificate of Achievement for Excellence in Financial Reporting has been awarded to Oconee County for its comprehensive annual financial report [CAFR]. The Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting. Mr. Moulder commended the staff for a job well done. Council concurred and noted that this is an honor for Oconee County and all citizens should be proud of the work being done.

Request to Transfer \$150,000 in Airport Entitlement Funds to the SC Division of Aeronautics

Mr. Moulder requested that Council consider transferring these funds to the SC Aeronautics Division so that the County could participate in a bulk bid process [cost savings] for fencing that will be installed in 12-15 regional airports throughout South Carolina. Mr. Corbeil questioned if funds were not used would they be either returned or credited to another project. Mr. Kevin Short, Airport Director, assured Council that the funds would remain designated for an Oconee County project if funds were not fully used for this fencing project.

Mr. Thrift made a motion, seconded by Mr. McCall, approved 4 – 0 to approve the transfer of \$150,000 to the SC Aeronautics Division as outlined above so that the County could participate in a bulk bid process [cost savings] for fencing to be installed at the Oconee County Regional Airport.

Old Business:

Ordinance 2010-29

Mr. Corbeil made a motion, seconded by Mr. Dexter, approved 4 – 0 to announce Council's intention to separate Project North from Ordinance 2010-29. Council directed staff to [1] begin drafting a revised Ordinance 2010-29 to remove Project North, [2] to draft a new Ordinance 2010-31 for Project North, and [3] to advertise the public hearing and third and final reading of Ordinance 2010-29 at the earliest possible time [noting that a minimum of 15 days prior notice for the public hearing is required by state law].

Institute of Government for County Officials Graduation

Mr. Dexter noted that at the last meeting he neglected to also announce that the Oconee County Treasurer, Greg Nowell, had graduated from Level 1, Institute of Government for County Officials at the SCAC Annual Conference. Council congratulated Mr. Nowell on his achievement.

New Business:

Resolution R2010-12

Mr. Thrift noted that at the special meeting held on August 14, 2010, there was discussion regarding support for the City of Seneca obtaining a college within the city limits. Mr. Thrift read into the record the approved City of Seneca Resolution [filed with these minutes].

Mr. Thrift read into the record the full text of **Resolution R201-12** “A RESOLUTION EXPRESSING SUPPORT OF AND FOR THE CITY OF SENECA, SOUTH CAROLINA, IN ITS QUEST TO LOCATE A COLLEGE, UNIVERSITY, OR OTHER SCHOOL OF HIGHER EDUCATION WITHIN THE CITY OF SENECA”.

Mr Thrift made a motion, seconded by Mr. Corbeil, approved 4 – 0 to approve **Resolution R201-12** “A RESOLUTION EXPRESSING SUPPORT OF AND FOR THE CITY OF SENECA, SOUTH CAROLINA, IN ITS QUEST TO LOCATE A COLLEGE, UNIVERSITY, OR OTHER SCHOOL OF HIGHER EDUCATION WITHIN THE CITY OF SENECA” on first and final reading.

2nd Annual Employee Appreciation Luncheon

Mr. Thrift made a motion, seconded by Mr. Dexter, approved 4 – 0 to direct the Clerk to Council to begin planning for the 2nd Annual Employee Appreciation Luncheon to be funding solely by private funds donated from Council members; noting no county tax dollars will be used for the function. The date and time will be announced in the future.

Adjourn:

Mr. Dexter made a motion at 8:55 p.m. to adjourn the meeting. The motion was approved unanimously.

Respectfully Submitted:

Elizabeth G. Hulse
Clerk to Council