



A G E N D A
OCONEE COUNTY COUNCIL MEETING
Tuesday, July 21, 2009, 7:00 PM
Council Chambers,
Oconee County Administrative Offices
415 South Pine Street, Walhalla, SC

1. Call to Order
2. Moment of Silence
3. Pledge of Allegiance to the Flag of the United States of America
4. Approval of Minutes:
 - o June 30, 2009: Workshop Meeting with Aeronautics Commission @ Airport
 - o July 07, 2009: Regular Council Meeting
 - o July 11, 2009: Special Council Meeting re: Administrator Position
5. Public Comment Session *(Limited to forty (40) minutes, four (4) minutes per person.)*
Comments MUST be related to a specific agenda item slated for action at this meeting
6. Extended Public Comment Session *(Limited to 2 citizens per meeting, prior scheduling required with Clerk to Council, five [5] minutes per person. Comments not limited to specific agenda item)*
7. Special Public Comment Session re: Priorities for Selection of County Administrator
[Limit four [4] minutes per person, Comments must be related to specific criteria / characteristics desired in potential Candidate]
8. Public Hearing regarding the Following Ordinances
[1] **Ordinance 2009-13** “AN ORDINANCE TO RATIFY, AFFIRM AND AUTHORIZE THE USE OF CERTAIN PROCUREMENT METHODS FOR A CERTAIN OCONEE COUNTY PROJECT AND TO REVIEW, CONSIDER AND APPROVE THE AWARD OF CONTRACT FOR A CERTAIN OCONEE COUNTY PROJECT; AND OTHER MATTERS RELATING THERETO”
9. Consideration of the Following Ordinances
[1] Third & Final regarding of **Ordinance 2009-12** AN ORDINANCE TO DELEGATE RESPONSIBILITIES TO AND TO DESIGNATE THE OCONEE JOINT REGIONAL SEWER AUTHORITY AS THE AGENT OF OCONEE COUNTY FOR PURPOSES OF ACTING AS THE SECTION 208 WATER QUALITY MANAGEMENT AGENCY IN OCONEE COUNTY, AND TO RECOMMEND TO THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL THAT IT SO RECOGNIZE THE OCONEE JOINT REGIONAL SEWER AUTHORITY; TO PROHIBIT THE DISCHARGE OF POLLUTING SUBSTANCES; TO SET PENALTIES FOR THE VIOLATION THEREOF; AND OTHER MATTERS RELATED THERETO.
[2] Third & Final Reading of **Ordinance 2009-13** “AN ORDINANCE TO RATIFY, AFFIRM AND AUTHORIZE THE USE OF CERTAIN PROCUREMENT METHODS FOR A CERTAIN OCONEE COUNTY PROJECT AND TO REVIEW, CONSIDER AND APPROVE THE AWARD OF CONTRACT FOR A CERTAIN OCONEE COUNTY PROJECT; AND OTHER MATTERS RELATING THERETO”
[3] **First Readings** [in title only] of **Ordinance 2009-14** “AMENDMENT AND RESTATEMENT OF TRUST INDENTURE AND AMENDEMENT AND RESTATEMENT OF 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 CHANGE IN INTEREST RATE FROM VARIABEL RATE TO FIXED RATE, TO PROVIDE FOR APPOINTMENT OF WACHOVIA BANK, NATIONAL ASSOCIATION, AS REMARKETING AGEND, REMARKETING OF THE BONDS AND EXECUTION OF DOCUMENTS RELATING THERETO, AND TO PROVIDE FOR CHANGE IN COLLATERAL SUPPORT FOR THE BONDS BY DELIVERY OF FIRST AND REFUNDING MORTGAGE BONDS ISSUES BY DUKE ENERGY CAROLINAS, LLC.”
10. Consideration of the Following Resolutions
[1] **First and Final** Reading of **Resolution 2009-12** “A RESOLUTION APPROVING A REASONABLE ACCOMODATIONS POLICY TO MEET SECTION 504 REGULATIONS”.

11. Discussion & Possible Action Items:

[1] Local ATAX / \$4,800 / [Advertising in IPTAY Communications](#)

This advertising will include a full page ad in 8 editions of the *Orange: The Experience* magazine as well as a presence on over 37 e-newsletters to all 16,000 members of IPTAY. This will be a joint venture with the CVB to highlight the lodging opportunities and resources available in Oconee County. The cost is \$4,800 with funds coming from the 75% local ATAX fund.

[2] Finance Department request to change [Grant Policy](#)

Current policy requires that all requests to apply for grants [regardless of match] be submitted to Council for approval. Additionally, some Administrator's have required that awarded grants be brought back to Council for their approval of the award. Some grants have short application periods which can make it difficult to submit by the required dates. A new policy has been drafted for Council's consideration and approval that should streamline the grants application process. It should reduce the number of grant applications and awards that Council would review and would place the responsibility for review in the hand of the Administrator. Grants requesting new or additional personnel will be submitted for Council prior to application. Grants requiring a match in excess of \$5,000 will be submitted to Council prior to application and approval as well.

[3] Airport / [Request to Apply for & Accept FAA Airport Improvement Program Grant #19/](#) up to \$2.2 million / 5% Match Required

The Federal Aviation Administration (FAA) split this Fiscal Year's AIP grant program into a two-phase process. Airport sponsors who were allocated funding in phase 1 are now applying for grant funding in phase II. The anticipated phase II grant of \$2.2 million will be compiled with \$1.312 million which has been set aside from AIP #17, and the \$98,129 phase I grant 9 (AIP 18) to cover the FAA's 95% share of the runway extension construction.

The deadline for acceptance of this grant is August 30th 2009. The construction bids for the project expire on Oct 7th 2009. Delay in applying for and accepting this grant will likely eliminate the County from consideration for funding the construction of the 600 foot runway extension and severely restrict the economic viability of the facility for the foreseeable future.

The County's match is 5% of the project. This will be funded as follows: Oconee County's share (2.5%) \$94,916 and the SC Division of Aeronautics will match 2.5% of costs (\$94,915).

[4] [Response to FEMA](#) Findings Related to Flood Management Program

Oconee County's flood management program has been inspected three times in its history during Community Assistance Visits (CAV's). These inspections occurred in 1995, 2004, and the latest on August 18, 2008. The findings issued by FEMA following the last inspection deem Oconee County's efforts to enforce all requirements to be insufficient, and we have been instructed to undertake a series of measures to mediate the deficiencies, some of which date back to the beginning of the program. Among efforts to date aimed at resolving the problems include the transfer of oversight of the floodplain management program to the Planning Department in March of 2009; Council's resolution to fully implement all NFIP requirements in April of 2009; and the development of a draft action plan to remediate remaining deficiencies. In May of this year, staff submitted the draft plan to FEMA for comments; staff has followed up on several occasions, but no official response has yet been received.

Staff Requests that this matter be referred to the Planning and Economic Development Committee for study and review of draft plan; if approved, Council adopt resolution to implement plan

12. Council Committee Reports

[no reports scheduled for this meeting]

13. Commission / Board Reports to Council

- Board of Zoning Appeals

[Planning Commission will report on August 18, 2009]

[Scenic Highway Committee will report on September 1, 2009]

[Library Board will report on September 15, 2009]

14. Board & Commission Appointments

[1] Planning Commission / Open Seat / [Candidate Recommended by Planning Commission](#)

15. Administrator Report

16. Old Business

17. New Business

[1] Discussion regarding [Capital Projects Commission](#) Goals/Project Listing

18. Executive Session

[for the purpose of discussing a personnel matter]

19. Adjourn

[This agenda is not inclusive of all issues which Council may bring up for discussion at this meeting.]

Oconee County Council & Committee meeting schedules and agendas are posted at the Oconee County Administration Building and are available on the County Council Website

www.oconeesc.com/council.html

[All upcoming meetings will be held in Council Chambers unless otherwise noted]