



MINUTES
OCONEE COUNTY COUNCIL MEETING
Regular Meeting
April 21, 2009

MEMBERS, OCONEE COUNTY COUNCIL

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

Oconee County Council met on Tuesday, April 21, 2009 at 7:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members, Thomas L. Martin County Attorney and Elizabeth G. Hulse, 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.oconeese.com/council]. In addition it was made available to the newspapers, radio stations, television stations and concerned citizens.

Members of the press present: Ray Chandler – Anderson Independent, Carlos Galarza - Daily Journal and Peter Kent- WSNW Radio.

Call to Order:

Mr. Dexter called the meeting to order at 7:01 p.m.

Pledge of Allegiance:

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

Minutes: *[None at this meeting]*

Point of Order:

Mr. McCall made a motion, seconded by Mr. Thrift, approved 4 – 0 to introduce a Point of Order to the Agenda. Mr. Dexter read the following statement into the record:

"Members of Council: Last Tuesday evening, April 14, 2009, County Council voted, by a vote of 3-2, to terminate the employment and contract of Dale Surret as Oconee County Administrator, based on reasons stated in executive session and in open session of the County Council meeting that evening. Section 4-9-620 of the South Carolina Code of Laws requires that in such a situation, the Administrator be given a written statement of the reasons alleged for the proposed removal and the right to a hearing thereon at a public meeting of the County Council. I had the county attorney draft such a statement, in letter form, reviewed it, read it to the other two council members who voted to remove the Administrator, individually to see if they had any objection to the content, approved and signed the letter, and had the letter delivered to Mr. Surret on Thursday, April 16, 2009. At this time it would be appropriate to have a motion affirming and ratifying the content and delivery of the letter as being the desire and act of County Council, as opposed to my individual action. Is there such a motion?"

Mr. Dexter requested a motion be made to affirm and ratify the content and delivery of the letter delivered to Mr. Surrett as being the desire of County Council.

Mr. McCall made a motion, seconded by Mr. Thrift, approved 3 – 1 [Mr. Blanchard opposed] to affirm and ratify the content and delivery of the letter delivered to Mr. Surrett as being the desire of County Council.

Public Comment Session:

Mr. George Blanchard addressed Council expressing his concerns and disagreement with recent actions of the Council.

In conclusion, Mr. Blanchard informed Council that effective immediately he has resigned from the Oconee County Council as the District 1 Chairman. Mr. Blanchard thanked everyone who has supported him, it has been truly appreciated. Mr. Blanchard provided the Clerk to Council with a written resignation letter.

Mr. Dexter stated his concern about one of Mr. Blanchard's comments concerning illegal activity and secret meetings taking place. Mr. Dexter stated with assurance that there has been no illegal activities or meetings outside of the regular council and committee meetings.

Mr. Richard Hughes addressed Council in reference to Ordinance #2009-10. Mr. Hughes stated that he agrees with a suggestion made by Mr. Tom Markovich (President of the Home Builders Association of Oconee County) at the previous County Council Meeting that the Planning Commission have staggered terms. Mr. Hughes stated that he feels that it gives better continuity of the Planning Commission and it would take some pressure off of new Council members.

Mr. Barry Nichols addressed Council with his concerns about [1] paying a proposed \$25 vehicle fee which is in the proposed FY 09-10 budget and [2] ATAX money and suggested that Oconee County have a Cost Analyzer.

Extended Public Comment Session:

Mr. Don Rochester did not attend the meeting – no presentation was made.

Mr. George Cleveland addressed Council stating that he feels that he should be the voice for departments/individuals who aren't able to come forward with concerns, issues or complaints in fear of losing their job. Mr. Cleveland read statements from list of several documents compiled that "bashed" the Oconee County Fire Dept that he felt was politically degrading. Mr. Cleveland addressed Mr. McCall concerning some of the comments that were made by him regarding the Fire Dept. Mr. Cleveland urged Mr. McCall not to vote to do anything with Fire Station 21 until the Ethics Commission has had the chance to review the facts. Mr. Cleveland also stated the importance of having the Fire Dept as it pertains to our safety and welfare. Mr. Cleveland concluded by asking Council if they wanted to respond, he will be more than happy to hear them.

Mr. McCall addressed Mr. Cleveland informing him that he will be more than happy to meet with him to discuss Station 21.

Consideration of the following Ordinances:

Ordinance #2009-10:

Mr. Dexter suggested that the third reading of this ordinance be put on hold until after the Planning Commission has had their meeting and chance to review.

Mr. Thrift made a motion, seconded by Mr. Suarez, approved 4 – 0 to approve on the second reading of **Ordinance #2009-10 – AN ORDINANCE TO AMEND SECTION 32-4 OF THE OCONEE COUNTY CODE OF ORDINANCES PERTAINING TO THE OCONEE COUNTY PLANNING COMMISSION, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, AS TO MEMBERSHIP REQUIREMENTS AND STANDARDS, TERMS OF MEMBERS, PROCEDURES FOR REMOVAL OF MEMBERS, AND SALARIES AND FUNDING STANDARDS; AND TO RATIFY AND AFFIRM ALL OTHER PROVISIONS OF SUCH SECTION 32-4 NOT AMENDED OR MODIFIED HEREBY; AND OTHER MATTERS RELATED THERETO.**

Ordinance #2009-11:

Mr. Martin addressed Council asking for their consideration that in reviewing Ordinance #2009-11 to use the revised version that has been placed before them. Mr. Martin stated that the first reading was by caption only because he didn't know exactly what he was going to recommend to Council. Mr. Martin explained the conditions of the Lunney Museum deeds. A question and answer discussion with Mr. Martin and Council followed. Mr. Martin also noted that subscript will be changed by the third reading.

Mr. Suarez made a motion, seconded by Mr. Thrift, approved 4 – 0 to approve on the second reading of **Ordinance #2009-11 “AN ORDINANCE AUTHORIZING THE TRANSFER OF CERTAIN OCONEE COUNTY REAL PROPERTY; AUTHORIZING THE EXECUTION AND DELIVERY OF A REAL PROPERTY DEED RELATED TO THE SAME; AND OTHER MATTERS RELATED THERETO”** in Title only.

Discussion & Possible Action Items:

Mr. Dexter stated that prior to Mr. Nichols comments about ATAX funding; he was going to suggest that a motion be made to vote on all of the ATAX Funding Requests listed on the Agenda. Mr. Dexter stated instead he would like to go through them one by one. Mr. Suarez stated that he feels Mr. Nichols bought up a good point and would like to know how much money is in the ATAX account.

Mr. Phil Shirley, Oconee County Parks and Recreation Director addressed Council to explain the how the ATAX fund account operates. Mr. Suarez asks Mr. Shirley about combining Parks and Recreation brochures. Discussion followed.

Local ATAX Funding Requests:

1. **Blue Ridge Arts Council** / \$2,500 / Advertisement for Three Events
2. **Greater Oconee County Chamber of Commerce** / \$2,500 / Produce, Promote & Distribute a 6-8 minute Video about Stumphouse
3. **Oconee Heritage Center** / \$2,500 / Construction of Stairs & Railings for Basement
4. **Oconee Heritage Trails** / \$2,500 / Design & Produce Brochure to emphasize Cherokee Tradition in Oconee County
5. **Patriot's Hall Association** / \$2,000 / Advertisement in Oconee Magazine

6. **Seneca Woman's Club** / \$2,500 / Printing of Ballenger House Brochures, advertising and promotion of 2009 Historic Seneca Home Tour & Art Hanging exhibits
7. **Walhalla Civic Auditorium** / \$2,500 / Purchase ad on Northland Cable

Mr. Suarez made a motion, seconded by Mr. Thrift, approved 4 – 0 to approve all ATAX Funding Requests listed above on the condition that the Parks and Recreation department look into combining some of the current brochures.

Library:

OCPL Performance Report/ S. Baldwin

Ms. Sue Baldwin, Director of Oconee County Public Libraries along with Mr. John Adams, Chairperson- Library Board of Trustees addressed Council with Ms. Baldwin beginning by giving Council an overview of the Library operations along with services that they provide and are utilized.

Rollover Balance for Training / S. Baldwin

Ms. Baldwin also addressed Council requesting approval to rollover a portion of the Library Branch Manager's salary for training purposes.

Mr. Suarez made a motion, seconded by Mr. Thrift, approved 4 – 0 to approve the then rollover request.

OCPL Information Technology Update / J. Adams

Mr. Adams addressed Council giving them an overview of the current Information Technology updates that are taking place at the Library.

Internet Wireless Policy Approval / J. Adams

Mr. Adams addressed Council reviewing the draft policy and seeking approval of the Oconee County Public Library Internet Wireless Policy.

Mr. Suarez made a motion, seconded by Mr. McCall, approved 4 – 0 to approve the Oconee County Public Library Internet Wireless Policy.

Bid 08-27 / Library / \$62,650 / Network & Wireless Hardware

Mr. Adams began by giving a brief background of the funding that will be used for the following bid approval request. Mr. Adam requested approval to award Bid #08-27 to Systems Development and Integration of Greenville, SC for the amount of \$52,976.71.

Mr. Dexter addressed Mr. Adams questioning a difference in the amounts shown on the Agenda Item Summary and the Agenda. Ms. Baldwin and Ms. Robyn Courtwright, Director of Procurement provided an explanation of the differences. Mr. Dexter addressed Mr. Adams questioning a note written on the Agenda Item Summary that stated additional Internet telephone service charges are required for equipment if purchased. Mr. Adams explained.

Mr. Suarez made a motion, seconded by Mr. Thrift, approved 4 – 0 to approve award Bid #08-27 to Systems Development and Integration of Greenville, SC for the amount of \$52,976.71, plus three years of maintenance for a total approval of \$62.650.

SDOC Land Donation, OCPL Site & Overall Site Plan / J. Adams

Mr. Adams addressed Council giving them an overview of the plans for the new Oconee County Public Library site. Discussion followed.

Mr. Suarez made a motion, seconded by Mr. Thrift, approved 4 – 0 to accept the land donation from the School Board as the potential new site for the Oconee County Public Library.

Following the motion, Mr. Dexter addressed Mr. Martin asking if he saw any legal problems with the deed. Mr. Martin stated that he didn't see any initially but will be more than happy to fully review the deed.

Foundation Repairs

**\$19,124 / Stabilize Existing Perimeter Foundation at Lower Corner of Structure
\$11,799 / Install 6" Aluminum Gutters / Downspouts & Drainage**

Mr. Lake Julian addressed Council giving an explanation of the repairs that are needed for the Library foundation. Mr. Julian stated that the funds for this project are already budgeted but, because of the amount, approval is needed from Council to proceed. Mr. Julian also informed Council that he has already been in communication with Trehel Corporation about the project and can proceed with them doing the work.

Mr. Thrift made a motion, seconded by Mr. McCall, approved 4 – 0 to approve Trehel Corporation to perform repairs needed for the Library foundation, for a fee not to exceed \$31,000.

Council Committee Reports:

Budget, Finance & Administration

Mr. Dexter reported the initial budget presentation meeting that was held on Wednesday, April 15, 2009. Mr. Dexter announced that next Budget meeting that will be held on Thursday, April 23, 2009 at 6pm in the Council Chambers. Mr. Dexter informed Council that he would be willing to take the position as chair of the Budget, Finance & Administration Committee, per the resigning of Mr. Blanchard with the approval of Council.

Mr. Thrift made a motion, seconded by Mr. McCall, approved 3 – 0 to approve Mr. Dexter as the chair of the Budget, Finance & Administration Committee, Mr. Dexter abstained.

Commission / Board Reports to Council: *[none scheduled for this meeting]*

Board and Commission Appointments:

Library Board

Discussion began confirming the number of members who are up for reappointment. Mr. Dexter opened the floor for any comments, etc. concerning these individuals. Discussion followed.

Mr. Suarez made a motion, seconded by Mr. McCall, approved 4 – 0, to reappoint John Adams, Carol Baumgarner, Jody Gaulin, Paul Johanson and Vicki Miller to the Library Board.

Planning Commission

Mr. Dexter requested, with the approval of Council, that appointments and/or reappointments be put on hold while Council and the Planning Commission finalize the review of Ordinance 2009-10.

Arts and Historical Commission/ATAX Commission/ Emergency Services Commission

Mr. Dexter requested that appointments for these commissions also be put on hold.

Old Business:

Mr. Suarez stated that he had spoke with Mr. Blanchard the previous night about his resignation from the Council. Mr. Suarez stated that he was sad but at the same time, proud of Mr. Blanchard's accomplishments while in office. Mr. Suarez also stated that he feels it would be proper for the County government to write Mr. Blanchard a letter thanking him for his services and contributions to Oconee County. Mr. Dexter stated that he would be happy to do so.

Mr. McCall responded to comments that were made by Mr. Blanchard during the Public Comment Session. Mr. McCall stated that Mr. Blanchard's comments were borderline slander and he didn't appreciate them.

New Business:

Mr. Thrift made a motion to refer the ridgeline study mentioned at the Public Hearing held earlier, to the Planning Commission for further study and make recommendations to the Council. Mr. Thrift turned the floor over to Mr. Martin who suggested to Mr. Thrift that as he made the recommendation that he make it as a request to the Planning Commission for complete study and report back to Council with a recommendation. Mr. Martin explained the conditions of the proposal including state and county rights. Mr. Martin stated figuring out the best action for Oconee County will require some study. Discussion with questions and answers to Mr. Martin followed.

Mr. Thrift made a motion, seconded by Mr. Suarez, approved 4 – 0 to refer the ridgeline study to the Planning Commission for further study and make recommendations to the Council.

Discussion of Commission & Board Report to Council Schedule

Ms. Hulse requested Council action regarding the proposed schedule of reports to Council. Council approved implementation of the schedule and instructed the Clerk to proceed.

Executive Session:

Mr. McCall made a motion, seconded by Mr. Thrift, approved 4 – 0 to enter Executive Session for the purpose of discussing personnel and contractual matters.

Council entered Executive Session at 8:30 p.m.

Council returned from Executive Session at 9:02 p.m. on a motion by Mr. Thrift, seconded by Mr. McCall, approved unanimously. Mr. Dexter stated that no actions were taken.

MEETING ANNOUNCED: Mr. Dexter announced that Oconee County Council will hold a **Special Called Meeting** on Tuesday, May 12, 2009 at 7:00 p.m. in the Council Chambers for the purpose of conducting a Public Hearing regarding the proposed removal of the Oconee County Administrator.

Adjourn:

Mr. Dexter made a motion at 9:03 p.m., seconded by Mr. Thrift that the meeting be adjourned. The motion was approved unanimously.

Respectfully Submitted:

Stacy Crosby
Sen. Administrative Asst.