

A G E N D A

SPECIAL MEETING, OCONEE COUNTY COUNCIL

MONDAY, DECEMBER 12, 1994

7:00 PM

1. Call to Order
2. Invocation
3. Discussion Regarding Extension of Hospital Lease - Mr. Marshall Parker
4. Second Reading of Ordinance 94-12, "An Ordinance Authorizing an Amendment to the Indenture of Lease Dated June 29, 1959, Between Oconee County, South Carolina, and Oconee Memorial Hospital Association, Whereby (i) the Lease Term is Extended to June 1, 2025; (ii) the County Approves the Transfer by the Association of all Rights and Interests of the Association to Oconee Memorial Hospital; and (iii) Certain Other Matters in Connection Therewith"
5. Old Business
6. New Business
7. Adjourn

MEMBERS, OCONEE COUNTY COUNCIL

Mrs. M. Fran Burrell, District I Mr. Harrison E. Orr, District II
Mr. Michael E. Harper, District III Mr. Roy B. Strickland, District IV
Mr. Alton K. Williams, District V

MINUTES, SPECIAL MEETING, OCONEE COUNTY COUNCIL

The Oconee County Council held a special meeting Monday, December 12, 1994 at 7:00 pm with all Council Members and the County Attorney present.

Members of the press notified (by mail):
Journal/Tribune, Keowee Courier, Westminster News, Anderson Independent, Greenville News, WGOG Radio, WBFM Radio, WZLI/WLET Radio, WCCP Radio, WYFF TV & WLOS TV.

Press

Members of the press present: Dick Mangrum -
WGOG Radio.

The meeting was called to order by Supervisor/Chairman Crain who welcomed the guests and media.

Call to Order

The invocation was given by Mr. Harper.

Invocation

Mr. Marshall Parker addressed Council regarding the hospital and recommended that the following statement be included in the lease agreement:

Hospital

Notwithstanding any of the above provisions, the lessor reserves the right to terminate this lease when it deems that such action is in the best interest of the citizens of Oconee County. Such termination shall become effective only after a one year notice and the county's assumption of any hospital indebtedness that the County Council has previously approved.

Mr. James Williams, Hospital Attorney, also addressed Council regarding the confusion in the hospital name.

Mr. Williams stated the hospital was chartered on July 6, 1937 as the Oconee County Hospital Association, on February 13, 1948 the name was changed to Oconee Memorial Hospital, the 1959 lease states Oconee Memorial Hospital Association and on September 6, 1984 the name was changed to Oconee Memorial Hospital, Inc. Attorney Williams stated that Oconee Memorial Hospital, Inc. is the same organization chartered in 1937.

Ms. Kathy McKinney, Bond Counsel, also stated the there is only one IRS employee ID number.

After discussion, Ms. McKinney read aloud Ordinance 94-12, "An Ordinance Authorizing an Amendment to the Indenture of Lease Dated June 29, 1959, Between Oconee County, South Carolina, and Oconee Memorial Hospital Association Whereby (i) The Lease Term is Extended to June 1, 2025; (ii) the County Approves the Transfer by the Association of all Rights and Interests of the Association to Oconee Memorial Hospital; and (iii) Certain Other Matters in Connection Therewith" and the amendments that were made at the December 6, 1994 Council Meeting.

Ord. 94-12

Mr. Cain, County Attorney, supplied Council with copies of the draft lease agreement and identified the changes made. He again addressed the question raised by the Hospital about the change to Item 5 of the original lease and again, supplied two (2) alternative paragraphs to address this issue. Mr. Cain also advised that he and Attorney Williams had spoken with Senator Alexander and advised him of the proposed change to Item 5, but at this time they did not know what the Delegation's position would be.

At this time Council recessed long enough for the original ordinance and the amendments to be incorporated into one document as required by law.

When the Council Meeting resumed, Mr. Williams made a motion, seconded by Mrs. Burrell, approved 5 - 0 that Ordinance 94-12, "An Ordinance Authorizing an Amendment to the Indenture of Lease Dated June 29, 1959, Between Oconee County, South Carolina, and Oconee Memorial Hospital Association, Whereby (i) The Lease Term is Extended to June 1, 2025; (ii) The County Approves the Transfer by the Association of all Rights and Interests of the Association to Oconee Memorial Hospital; and (iii) Certain Other Matters in Connection Therewith" be adopted on second reading as amended.

Ord.94-12

The following amendments were then made to the ordinance upon second reading.

Mr. Harper made a motion, seconded by Mr. Orr, approved 4 - 1 (Mr. Strickland voting against) that (p) "Before second reading of the ordinance Council shall have a Certificate of Need for Lila Doyle" be deleted from the ordinance.

Mr. Williams made a motion, seconded by Mr. Strickland, approved 3 - 2 (Mr. Orr & Mrs. Burrell voting against) that the ordinance be amended to include the statement "Notwithstanding any of the above provisions, the lessor reserves the right to terminate this lease when it deems that such action is in the best interest of the citizens of Oconee

County. Such termination shall become effective only after a one year notice, and the county's assumption of any hospital indebtedness that the County Council has previously approved."

Mr. Orr made a motion, seconded by Mr. Williams, approved 3 - 2 (Mr. Orr & Mrs. Burrell voting against) that the amendment be amended to read: Notwithstanding any of the above provisions, the lessor reserves the right to terminate this lease when it deems that such action is in the best interest of the citizens of Oconee County. Such termination shall become effective only after a one year notice.

Ordinance 94-12 as amended on first reading and presented for consideration for second reading and as amended on second reading as delineated above was adopted 4 - 1 (Mr. Strickland voting against).

Upon recommendation of Mr. Cain, County Attorney, Mr. Harper made a motion, seconded by Mr. Orr, approved 5 - 0 that the administration be authorized to execute the grant documents regarding Custom Shirts of America upon concurrence of the County Attorney.

Custom
Shirts of
America

Mr. Crain reminded Council Members that the option on the three hundred, twelve (312) acres of land for a possible landfill site would expire January 31, 1995 and Council would have to make a decision whether to renew this option.

Option
on Land

Adjourn: 9:35 pm

Norman D. Crain
Supervisor-Chairman
Oconee County Council