

A G E N D A

OCONEE COUNTY COUNCIL MEETING

TUESDAY, APRIL 18, 1995

3:00 PM

1. Call to Order
2. Invocation
3. Approval of Minutes
4. Legal Briefing Concerning Oconee County versus EDON, Inc., Etal - Mr. Timothy M. Cain, County Attorney
5. Presentation of JTPA Title II-A (Adult Programs) Job Training Plan

Presentation of JTPA Title II-B (Summer Youth Employment & Training Program)

Presentation of JTPA Title II-C (Youth Programs) Job Training Plan

Presentation of JTPA Title III (Economic Dislocation Worker Adjustment Assistance Act) -Ms. Julia McLellan
6. Consideration of Request of Recognition for Retiring County Employees - Mrs. Martha Baily, Library Director
7. Consideration of Solid Waste Management Grant Application - Mr. Jack Hirst, Solid Waste Director
8. Consideration of Not Awarding Bid for Groundwater Sample & Analysis for Solid Waste - Ms. Marianne Dillard, Purchasing Director & Mr. Jack Hirst, Solid Waste Director
9. Consideration of Request of Humane Society for Oconee County to Purchase Vehicle Through State Purchasing and Lease Back to them - Mrs. Lindsay Fields, Director
10. Update of Eagle Ridge Airport - Dr. Ed. Byars
11. Discussion Regarding Airport Matters - Mr. Randy Abbott, Aeronautics Commission

AGENDA

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12. Consideration of Bids for Scrap Metal For Sale for Motor Pool & Rock Crusher - Ms. Marianne Dillard, Purchasing Director, Mr. Lee Davis, Motor Pool Foreman & Mr. Tommy Crumpton, Rock Crusher Director
13. Consideration of Bids for Rebuilding Engine on Mitsibushi Shovel - Ms. Marianne Dillard, Purchasing Director, Mr. Lee Davis, Motor Pool Foreman & Mr. Tommy Crumpton, Rock Crusher Director
14. Consideration of Bids for Filters for Motor Pool - Ms. Marianne Dillard, Purchasing Director & Mr. Lee Davis, Motor Pool Foreman
15. Consideration of Bids for Vehicle Batteries for Motor Pool - Ms. Marianne Dillard, Purchasing Director & Mr. Lee Davis Motor Pool Foreman
16. Second Reading of Ordinance 95-4, "1994-95 Supplemental Appropriation Ordinance"
17. Second Reading of Ordinance 95-5, "An Ordinance Amending Ordinance 75-5 So As To Change The Name Of The Oconee County Mental Retardation Board To The Oconee County Board Of Disabilities And Special Needs; To Provide For Its Membership Functions, Responsibilities, And Duties; To Provide The Method Of Appointment Of Its Membership; To Require Insurance Coverage For Employees And Board Members; To Establish The Separability And Severability Of This Ordinance; And To Establish The Effective Date Of This Ordinance"
18. Old Business
19. New Business
20. Adjourn

****2:00 pm**** Budget & Finance Committee Meeting to Discuss Proposed 1994-95 Supplemental Appropriation Ordinance

2:45 pm Administrative Briefing

MEMBERS, OCONEE COUNTY COUNCIL

Ms. M. Fran Burrell, District I Mr. Harrison E. Orr, District II
Mr. Harry R. Hamilton, District III Mr. Roy B. Strickland, District IV
Mr. Alton K. Williams, District V

MINUTES, OCONEE COUNTY COUNCIL MEETING

The regular meeting of the Oconee County Council was held Tuesday, April 18, 1995 at 3:00 pm in Council Chambers with all Council Members except Mr. Hamilton present. Mr. Cain, County Attorney was also present.

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

Press

Members of the press present: Ashton Hester - Keowee Courier, Jennifer Barnett - Anderson Independent, Karen Peterson - Greenville News, Alan Adams - Journal/Tribune & 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 Ms. Burrell.

Invocation

Mr. Orr made a motion, seconded by Ms. Burrell, approved 4 - 0 (Mr. Hamilton absent) that the minutes of the regular meeting held April 4, 1995 be adopted as printed.

Minutes

Mr. Cain, County Attorney, briefed Council on the case of Oconee County versus EDON, Inc. Etal., Case No. 95-48 which is pending. Mr. Cain reminded Council that the proposed consent order and attachments were presented to Judge Eppes in February by himself, Stanley Case and Counsel for Eagle Ridge. Mr. Saleeby, Chairman, Aeronautics Division, SC Department of Commerce and an Assistant Attorney General were also present at that hearing.

Eagle Ridge

After hearing from the Attorneys, Judge Eppes determined to refer the case to a hearing officer to review the documents and make appropriate findings of fact and report back to the Judge before issuing a final order. Judge Eppes had later advised Mr. Cain that he was going to refer the case to Theodore Snyder, member of the Local Bar. Judge Eppes spoke with Mr. Snyder to assure that he would hear the case. Judge Eppes then issued an order referring the matter to Mr. Snyder.

Mr. Cain reported that approximately three (3) weeks ago he was contacted by Mr. T. Travis Medlock, an attorney with Rogers, Townsend & Thomas, the firm representing Eagle Ridge. At that time Mr. Medlock told Mr. Cain that he wanted to confer with his clients prior to any hearings being held before Mr. Snyder. Further, Mr. Medlock expressed a desire

that if the matter is to be referred to a hearing officer that it be referred to someone out of the county. An attorney in Greenville has been mentioned as a possible hearing officer. After further discussion, Mr. Cain determined that if the case is to be referred, it should be referred to someone cloaked with judicial authority. Judge Eppes expressed a desire that the case be referred to a hearing officer. After talking with Mr. Medlock and the other attorneys representing the other parties, Mr. Cain spoke with Judge Eppes who indicated that Judge Simmons, Master in Equity, Thirteenth Circuit, might be available to hear the case. Mr. Cain further stated this would be agreeable with him if Judge Eppes was not able to hear the case. The attorneys plan to speak with Judge Eppes to determine if he has some time to hear the case himself. Mr. Cain stated that Judge Eppes could perhaps have a pre trial conference with the attorneys and then review the record, take the testimony he wants and issue an appropriate order.

Mr. Jimmy King, Legal Counsel for Eagle Ridge property owners, was present for the meeting.

Ms. Julie McLellan addressed Council regarding the approval of JTPA Title II-A (Adult Programs), JTPA Title II-B (Summer Youth Employment & Training Program), JTPA Title II-C (Youth Programs) and JTPA Title III (Economic Dislocation Worker Adjustment Assistance Act) for fiscal year 1995-96.

JTPA

Mr. Strickland made a motion, seconded by Mr. Orr, approved 4 - 0 (Mr. Hamilton absent) that these contracts be adopted.

Upon request of Mr. Jack Hirst, Solid Waste Director, Mr. Orr made a motion, seconded by Mr. Strickland, approved 4 - 0 (Mr. Hamilton absent) that the attached Solid Waste Management Grant in the amount of \$13,335 and the Used Oil Grant in the amount of \$13,535 to be used toward engineering fees, radio announcements, etc be adopted. There are no matching funds required for these grants.

Solid Waste

Also upon request of Mr. Hirst and recommendation of Ms. Marianne Dillard, Purchasing Director, Mr. Orr made a motion, seconded by Mr. Williams, approved 4 - 0 that the bid process be waived and six (6) containers for used oil be purchased from Santee Cooper at a cost of \$8,700 as per Section B. Formal Bid Process, Subsection 1. When there exists no possibility of a competitive bid, as in the case of only one known source of supply. The service for these containers from Santee Cooper is free which was also a consideration in this recommendation.

Also upon recommendation of Mr. Hirst and Ms. Dillard, Mr. Orr made a motion, seconded by Ms. Burrell, approved 4 - 0 (Mr. Hamilton absent) that no bid for ground water sampling and analysis at the Seneca Landfill be awarded at this time and the requests for proposals be revised and re-bid.

Mrs. Martha Baily, Library Director, addressed Council regarding a monetary gift for retiring employees who have been with the county a number of years.

Retirement
(Personnel
& Inter-
govern-
mental)

Mr. Crain referred this request to the Personnel & Intergovernmental Committee who scheduled a meeting Tuesday, May 2, 1995 at 6:00 pm in Council Chambers to discuss the matter.

Upon request of Mrs. Lindsey Fields, Director, Humane Society, Mr. Strickland made a motion, seconded by Mr. Williams, approved 4 - 0 (Mr. Hamilton absent) that the county purchase a Ford F-150 one half ton pick up truck through state purchasing according the attached specifications provided the funds for such purchase be reimbursed to the county from any settlement/proceeds from the insurance company as well as budgeted funds within the Humane Society and leased back to the Humane Society in accordance with the existing lease that applied to the truck that is being replaced.

Humane
Society

Dr. Ed Byars of the Eagle Ridge (formerly known as Hidden Glen) Airport was recognized, but stated in light of Mr. Cain's statements, he would defer to Mr. Randy Abbott who had also requested to be on the agenda.

Eagle
Ridge

Mr. Abbott addressed Council regarding a resolution adopted by the Aeronautics Commission in March in reference to the Eagle Ridge Airport.

Mr. Crain assured Mr. Abbott he had been informed via phone that some action had been taken by the Aeronautics Commission, however, he had not seen a copy of the minutes, the resolution or the advertisement of the meeting.

Mr. Abbott further stated the airport was being held hostage by the South Carolina Aeronautics Commission since Mr. Saleeby had stated there would be no more state grants until the Eagle Ridge matter had been settled.

He further asked Mr. Crain to pursue the matter. Mr. Crain agreed, but requested Mr. Abbott to ask Mr. Saleeby to reduce his statement to writing. Mr. Abbott agreed but stated that he doubted Mr. Saleeby would do so.

Upon request of Ms. Marianne Dillard, Purchasing Director, Mr. Lee Davis, Motor Pool Foreman, & Mr. Tommy Crumpton, Rock Crusher Director, Mr. Strickland made a motion, seconded by Mr. Orr, approved 4 - 0 (Mr. Hamilton absent) bids be placed for the removal of the scrap metal at the Rock Crusher and the Motor Pool.

Scrap
Metal

Upon recommendation of Ms. Dillard, Mr. Davis & Mr. Crumpton, Mr. Strickland made a motion, seconded by Mr. Orr, approved 4 - 0 (Mr. Hamilton absent) that the bid for the rebuilding of the Mitsubishi 580 Shovel be awarded to Pioneer Machinery at a base bid of \$23,297.16 not to exceed \$40,000. (See attached bid sheet)

Mitsubishi
Shovel

Upon recommendation of Ms. Dillard & Mr. Davis, Mr. Orr made a motion, seconded by Mr. Strickland, approved 4 - 0 (Mr. Hamilton absent) that the bid for filters for county vehicles be awarded to Anderson Auto Parts with an option to renew the bid for an additional two (2) years. (See attached bid sheet)

Filters

Upon recommendation of Ms. Dillard & Mr. Davis, Mr. Orr made a motion, seconded by Mr. Strickland, approved 4 - 0 (Mr. Hamilton absent) that the bid for batteries for county vehicles be awarded to Tri-County Battery Sales at a total cost of \$7,603.49. (See attached bid sheet)

Batteries

The bids for filters and batteries are based on amounts used last year.

Mr. Williams, Budget & Finance Committee Chairman, recommended adoption of Ordinance 95-4, "1994-95 Oconee County Supplemental Ordinance on second reading. This recommendation was adopted 4 - 0 (Mr. Hamilton absent).

Ord. 95-4

Mr. Hunnicutt, Finance Director, informed those present that the public hearing for the Supplemental Ordinance is scheduled for May 2, 1995 at 7:00 pm.

Second reading of Ordinance 95-5 was delayed upon recommendation of the County Attorney.

Ord. 95-5

Upon request of Mr. Steve Pruitt, Chief Deputy, Sheriff's Department & Ms. Dillard, Mr. Strickland made a motion, seconded by Mr. Orr, approved 4 - 0 (Mr. Hamilton absent) that an ESSX line be installed in the Sheriff's Department for a Datamaster to replace the breathalyzer presently used in the Sheriff's Office at a cost of \$150 for installation and \$14.50 per month. (See attached letter)

Sheriff

Upon request of Ms. Dillard, Purchasing Director, Ms. Burrell made a motion, seconded by Mr. Williams, approved 4 - 0 (Mr. Hamilton absent) that Ms. Dillard issue a purchase order to engage HDR Engineering to survey property between Oconee County's proposed Materials Recover Facility and the Oconee County Sewer line.

Survey for
Sewer

Also upon request of Ms. Dillard, Mr. Strickland made a motion, seconded by Ms. Burrell, approved 4 - 0 (Mr. Hamilton absent) that the administration be given a contingency of \$5,000 for construction contracts with HDR Engineering for the Materials Recovery Facility.

Further, upon request of Ms. Dillard, Ms. Burrell made a motion, seconded by Mr. Williams, approved 3 - 0 (Mr. Hamilton absent, Mr. Orr abstaining due to family member employed in Personnel Office) that \$3,000 be transferred from 010 007 00150 00726 into 010 007 00150 00767 and then into 010 028 00150 00062 to purchase Hepatitis B vaccine.

Personnel
(Cont'cy)

Mr. Cain, County Attorney, informed Council the court hearing on the regional landfill had been postponed until May 5, 1995.

Regional
Landfill

Mr. Cain also informed Council there were some problems with the pre-title examination on the approximate one and one half (1 1/2) acres of land adjacent to the Seneca Landfill which he is trying to work out.

Title
Exam

Mr. Cain also asked Council to think about who they were going to the Planning Commission.

Planning
Commission

Mr. Cain further informed Council that a letter had been delivered to the County on April 6, 1995 regarding problems with the elevator in the Health Department. When Mr. Crain was made aware of the problem, which had caused several accidents, he closed the elevator off and made arrangements for the staff upstairs to accommodate any handicapped clients who could not walk up the steps.

Elevator
(Health
Dept.)

Mr. Crain.

Mr. Crain informed Council that a representative of Otis Elevator would be at the Health Department between 1:00 - 2:00 pm on Wednesday to inspect the elevator and the cost to upgrade the elevator would be approximately \$18,000.

Adjourn: 4:30 pm

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Norman D. Crain
Norman D. Crain
Supervisor-Chairman
Oconee County Council