

MEMBERS, OCONEE COUNTY COUNCIL

Mr. Steven R. Moore, District I Mr. Kenneth E. Johns, Jr., District II
Mr. Harry R. Hamilton, District III Mr. Marion E. Lyles, District IV
Mr. H. Frank Ables, Jr., District V

MINUTES, OCONEE COUNTY COUNCIL MEETING

The Oconee County Council met Tuesday, February 5, 2002 at 7:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members and the County Attorney present.

Press:

Members of the press notified (by mail): Keowee Courier, Westminster News, Anderson Independent, WGOG Radio, WPEK Radio & Daily Journal, WYFF TV & WLOS TV.

Members of the press present: Dave Williams – Anderson Independent, Amanda Rylander – Daily Journal & Dick Mangrum – WGOG Radio.

Call to Order:

Supervisor-Chair Hughes, who welcomed those present, called the meeting to order present.

Invocation:

Mr. Hamilton gave the invocation.

Minutes:

Mr. Hamilton made a motion, seconded by Mr. Johns, approved 5 – 0 that the change in the minutes from Mr. Herbert Gibson to Mr. Harold Gibson being reappointed to represent District II on the Economic Development Commission be adopted.

Mr. Ables made a motion, seconded by Mr. Lyles, approved 5 – 0 that the minutes of the regular meeting held January 14, 2002 be adopted as corrected.

Hometown Hero Check:

Mr. Tim Tergeoglou of the Anderson Independent presented a check to Mrs. Hughes in the amount of \$2,000 in honor of Oconee County's Hometown Heroes.

Minutes, Oconee County Council Meeting February 5, 2002

Presentation of Resolutions:

Mrs. Hughes presented county employees "Resolutions of Appreciation" for service to the county for five, ten, fifteen, twenty, twenty-five, thirty and thirty-five years.

Ordinance 2002-02:

Upon recommendation of Mr. James Alexander, Economic Development Director & Mr. Mike Selby, Compact Air, Mr. Hamilton made a motion, seconded by Mr. Johns, approved 5 – 0 that Ordinance 2002-02, "AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT BY AND BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND COMPACT AIR PRODUCTS, LLC; AND OTHER MATTERS RELATING THERETO INCLUDING, WITHOUT LIMITATION, PAYMENT OF A FEE IN LIEU OF TAXES" be adopted on first reading.

Lakeshore Patrol Agreement:

Upon recommendation of Sheriff Singleton, Mr. Lyles made a motion, seconded by Mr. Hamilton, approved 5 – 0 that the attached agreement between Oconee County and the Corps of Engineers for lakeshore patrol be adopted.

Change Order for Industrial Park:

Mr. Ables made a motion, seconded by Mr. Johns, approved 5 – 0 that Council take action on the attached change order for the Industrial Park.

Upon recommendation of Mr. James Alexander, Economic Development Director, Mr. Ables made a motion, seconded by Mr. Johns, approved 5 – 0 that the attached change order in the amount of \$36,900 to Goldie & Associates be adopted.

ATAX Grants:

Upon recommendation of Mr. Gerald Foster, ATAX Committee, Mr. Johns made a motion, seconded by Mr. Ables, approved 5 – 0 that the attached ATAX Grants be adopted:

Agency:	Amount:
Oconee Parks & Recreation:	\$4,100
Lunney Museum	\$2,500
March of Dimes Big Bucks Fishing Tournament:	\$3,900
Oconee County Cultural Festival:	\$3,900

Minutes, Oconee County Council Meeting February 5, 2002

Discussion Regarding Form of Government in Oconee County:

Mr. Bob Manka, Chair, Governmental Task Force Committee addressed Council regarding the Council-Administrative form of government in Oconee County. Mr. Manka informed those present that the committee has two recommendations:

- (1) Proceed with initiating a form of government referendum for the 2002 general election
- (2) Provide significantly better publicity and public education than was provided for the 1998 form of government referendum

Mr. Ables & Mr. Lyles expressed their appreciation to Mr. Manka and the committee as well as their support for a referendum being placed on the November ballot.

In response to Mr. Hamilton's inquiry, Mr. Manka responded the committee had one page in their report of recommendations on educating the public regarding this matter.

Mr. Johns questioned the interest of the public in attending any type of forums regarding this or any other matter.

Mr. Moore stated he was committed to try to educate the public regarding the pro's and con's of both systems.

In response to Mr. Hamilton's inquiry regarding the timing of the referendum, Mr. Manka responded that if the referendum is placed on the November ballot there would be ample time for the transition and if the referendum is held in two years it would be in the middle of the campaign time for the supervisor.

Mr. Brad Norton addressed Council regarding the Council-Supervisor form of government in Oconee County. Mr. Norton stated the cost was not prohibitive if the referendum is placed on the November ballot. However, Mr. Norton stated one of his concerns with an administrator is the fact we have a five-member council and three votes could terminate an administrator. He also stated one of his concerns is that an administrator could possibly use Oconee County as a stepping-stone to a larger county. An administrator would also require a contract, which would have to be bought out if council determined to terminate the contract.

He also stated the electorate should determine if the supervisor is doing a good job. The council has the ability to change the power structure, as was seen in the year 2000 and he also expressed feelings that the Supervisor is accountable to Council.

Minutes, Oconee County Council Meeting February 5, 2002

Form of Government Discussion Continued:

Mr. Norton also expressed feelings that an administrative form of government would be a step back from democracy and he informed those present the county voted in 1978 and 1998 to have a Council-Supervisor form of government in Oconee County.

Mr. Norton did however, state that if the Council did want to go forward with a referendum on the November ballot his office would do everything possible have the referendum worded correctly, approved and placed on the ballot.

Mr. Ables stated supported the administrative form of government in his campaign and he felt it would make council stronger and more accountable to the public by being in position to hire an administrator. Mr. Ables did not agree with a nine-member council as Mr. Norton had suggested.

Mr. Lyles agreed with Mr. Ables, it was also a part of his campaign based on past experiences.

Mr. Hamilton questioned if the timing is right for the referendum.

Mr. Johns stated he was probably the minority on Council, he did not think it would take the politics out of the position with an appointed administrator; it would only change the politics.

Mr. Moore stated the only thing Council was discussing was giving the people a choice. He did not support having nine council districts as Mr. Norton had suggested.

Mrs. Hughes stated she campaigned on the administrative form of government. Mrs. Hughes further stated she felt the administrative form of government is the form of government needed to allow Oconee County continue to progress, to allow Oconee County to be successful. However, the citizens will have to make that determination and Council can only support this form of government.

Communications (Contingency):

Upon request of Mr. John Murray, Emergency Communications Director, Mr. Lyles made a motion, seconded by Mr. Ables, approved 5 – 0 that \$10,000 be taken from contingency for overtime in the Communications Department until it can be replaced in the supplemental budget.

Minutes, Oconee County Council Meeting February 5, 2002

Solid Waste:

Ms. Melissa Grant, Solid Waste Director updated Council on activities in the Solid Waste Department, Ms. Grant informed Council Solid Waste is planning a household hazardous waste collection day to be held April 27, 2002 at Walhalla Middle School, the convenience centers have started accepting bicycles at the convenience centers which they are going to advertise to civic groups to help repair these bicycles for needy children in the county.

Ms. Grant further informed Council that Solid Waste will be recycling the out of date phone books when the new books come out at the end of February. Mulch will be sold Wednesday – Friday of each week from 9:00 AM – 12:00 PM and 1:00 PM – 3:00 PM, tires will also be accepted only on those days. In March Ms. Grant plans to make presentations to local civic groups encouraging citizens to become involved in the household hazardous waste collection day.

The South Carolina Department of Health & Environmental Control has named the recycling award the "Jack M. Hirst" award. The unveiling of the bench in honor of Mr. Hirst is scheduled for March 8th at 10:00 AM.

Ms. Grant is awaiting the engaging of an engineer of record before the construction of convenience center number 12 can commence. Also, she would like to expand number 10.

The methane system is going well and the blower flare should be delivered sometime at the end of March. Ms. Grant is also working on a safety-training program for the Solid Waste Department.

Mr. Ables made a motion, seconded by Mr. Lyles, approved 5 – 0 that \$300,000 for use in the methane remediation be ratified.

Parks & Recreation:

Upon recommendation of Ms. Vickie Satterfield, Parks & Recreation Deputy Director, Mr. Hamilton made a motion, seconded by Mr. Johns, approved 5 – 0 that the attached transfer in the amount of \$7,000 be adopted.

Mr. Ables made a motion, seconded by Mr. Moore, approved 5 – 0 that recreation funds in the amount of \$4,951 for Tamassee-Salem be adopted.

Mr. Ables made a motion, seconded by Mr. Lyles, approved 5 – 0 that recreation funds for the City of Westminster in the amount of \$5,000 be adopted.

Mr. Lyles made a motion, seconded by Mr. Johns, approved 5 – 0 that recreation funds for the City of Walhalla in the amount of \$5,000 be adopted.

Emergency Management Grant:

Mr. Hamilton made a motion, seconded by Mr. Johns, approved 5 – 0 that the attached Fiscal Year 2002 Emergency Management Performance Grant in the amount of \$22,616 be adopted.

Ordinance 91-10:

Mr. Hamilton made a motion, seconded by Mr. Johns, approved 5 – 0 that Southern Basements be granted credit at the Rock Crusher as per Ordinance 91-10.

Homeland Security:

Mr. Hamilton made a motion, seconded by Mr. Johns, approved 5 – 0 that the attached description change in the professional line item be adopted to allow key employees to attend a Homeland Security Briefing in Washington, DC.

Bids for Emergency Management, Road Department & Rural Fire:

Upon recommendation of Ms. Marianne Dillard, Procurement Director, Mr. Lyles made a motion, seconded by Mr. Ables, approved 5 – 0 that the following bids be adopted:

Custom Built Pontoon for Emergency Management – Clark Boat Company in the amount of \$43,050 (See attached bid sheet)

Asphalt Paver for Road Department – Pioneer Machinery, Inc. in the amount of \$79,380 (See attached bid sheet)

Tack Distributor for Road Department – Mitchell Distributing Co. in the amount of \$8,892.45 – (See attached bid sheet)

Tractor for Road Department – Powell Brothers Tractor & Equipment Co., Inc. in the amount of \$29,897.70 (See attached bid sheet)

Fire Equipment for Rural Fire – low bid per item as delineated on the attached bid sheet: Slagle Fire Equipment: \$23,710.45
Anderson Fire & Safety: \$13,087.20
Asheville Fire & Safety Co., Inc.: \$ 1,260.00

Minutes, Oconee County Council Meeting February 5, 2002

Ordinance 2002-01:

Mr. Ables made a motion, seconded by Mr. Johns, approved 5 – 0 that Ordinance 2002-01, "AN ORDINANCE CREATING THE OCONEE COUNTY WATER COMMISSION" be adopted on second reading.

Resolution 2002-08:

Mr. Hamilton made a motion, seconded by Mr. Johns, approved 5 – 0 that Resolution 2002-08, "A RESOLUTION IN OBSERVANCE OF BLACK HISTORY MONTH DURING FEBRUARY 2002, THE MEMBERS OF THE OCONEE COUNTY COUNCIL RECOGNIZE THE OUTSTANDING CONTRIBUTIONS OF AFRICAN-AMERICANS THROUGHOUT THE HISTORY OF OUR COUNTY, STATE AND NATION" be adopted on first and final reading.

Work Session of Council:

Mrs. Hughes informed Council there would be a work session of Council Friday, February 8, 2002 in which Mr. Joe Newton of the SC Appalachian Council of Governments would be discussing the possibility Local Option Sales Tax in the county.

Commission Resignation:

Mr. Ables made a motion, seconded by Mr. Lyles, approved 3 – 0 (Mr. Johns had to leave at this time, Mr. Moore abstained) that Mr. Stephen Moore's resignation as representative of District I on the Educational Task Force be adopted.

Personnel & Intergovernmental Recommendation (Contingency):

Council unanimously adopted the recommendation of the Personnel & Intergovernmental Committee that a temporary employee be hired in the Delinquent Tax Collector's office upon a successful conference between the Supervisor and the Tax Collector and the funds be taken from contingency until the supplemental budget.

Commission Appointments:

Mr. Lyles made a motion, seconded by Mr. Hamilton, approved 4 – 0 that Mr. Bobby Williams be reappointed to represent District IV on the Rural Fire Commission.

Mr. Ables made a motion, seconded by Mr. Hamilton, approved 4 – 0 that Mr. Ronnie Williams be appointed to represent District V on the Rural Fire Commission.

Minutes, Oconee County Council Meeting February 5, 2002

Road Committee Meeting:

The Roads & Transportation Committee scheduled a meeting Tuesday, February 19, 2002 at 1:00 PM in Council Chambers for the purpose of discussing several roadway issues.

Public Comment Session:

Mr. Steven Ancona asked that Council think of a solution for citizens to meet with Council.

Ms. Susie Cornelius expressed support for the Administrative-Council form of government and asked that Council be fair in their education of the public regarding this matter. She also expressed feelings that an executive session regarding the water commission was illegal.

Mr. B. J. Littleton informed Council that a piece of tin on the new museum needs to be replaced as it was bent by the wind. He also expressed feelings that the Walhalla precinct should have not been divided.

Executive Session:

Mr. Ables made a motion, seconded by Mr. Moore, approved 4 – 0 that Council go into executive session for the purpose of discussing legal and contractual matters.

Open Session (Contingency):

When open session resumed, Mr. Moore, on behalf of the Law Enforcement, Safety, Health, Welfare & Services Committee recommended to Council that up to \$4,000 be taken from contingency for a vehicle tracking system. This recommendation was adopted 3 – 2 with Mr. Moore, Mr. Hamilton & Mrs. Hughes voting in the affirmative, Mr. Ables & Mr. Lyles voting against.

(Solid Waste):

Mr. Ables made a motion, seconded by Mr. Lyles, approved 4 – 0 that the bid procedure be waived and Goldie & Associates be engaged to design a trench around the Five Forks Landfill.

Minutes, Oconee County Council Meeting February 5, 2002

Adjourn:

Adjourn 10:30 PM

Respectfully Submitted:

Opal O. Green
Council Clerk