

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, May 7, 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, Daily Journal, WYFF TV, WLOS TV.

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

Other Organizations Notified:

Also notified were the Oconee County Tax Payers Association and the Oconee County Democratic Party.

Call to Order:

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

Invocation:

Mr. Johns gave the invocation.

Minutes:

Mr. Hamilton made a motion, seconded by Mr. Lyles, approved 5 - 0 that the minutes of the April 16, 2002 meeting be adopted as presented.

Public Hearing Regarding Ordinance 2002-05:

The next item on the agenda was a public hearing to receive written and/or oral comments regarding Ordinance 2002-05, "SUBDIVISION & LAND DEVELOPMENT CHAPTER OF LAND USE PLAN".

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Dr. Walker Miller, President FOLKS expressed concerns regarding the quality of water in Lake Hartwell with the fifty foot septic tank set backs. Mr. Walker also stated the setbacks and density of septic systems is important to water quality.

Mr. Warren Carpenter, Home Builders Association spoke in support of the proposed ordinance, see attached comments.

Mr. Tom Markovich also spoke in support of the proposed ordinance.

Mr. John Gardner spoke in opposition of the ordinance stating that in his opinion it was an unfounded mandate.

Mr. Bill Nelson expressed concerns that the fifty-foot set back for septic tanks is inadequate.

Mr. Ables made a motion, seconded by Mr. Lyles, approved 5 – 0 that Ordinance 2002-05, (titled above) be adopted on third and final reading.

Mr. Moore read the attached letter from Friends of Lake Keowee Society requesting vegetation in the first twenty-five (25) feet of the fifty (50) foot set back and a general statement be added to require proper septic system location and maintenance.

Mr. Moore than made a motion that Ordinance 2002-05 be amended to mirror the Ordinance adopted by Pickens County for land use and development. This motion died for lack of a second.

Mr. Hamilton made a motion, seconded by Mr. Lyles, approved 5 – 0 that Mr. Moore's request be referred to the Planning Commission.

Violence Against Women Grant:

Upon recommendation of Sheriff Singleton, Mr. Hamilton made a motion, seconded by Mr. Ables, approved 5 – 0 that the attached "Violence Against Women" Grant application be adopted with the match coming from the victims fund in the Sheriff's Department.

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Humane Society:

Mrs. Lindsay Addis, Mrs. Jean Stappler & Mrs. Mimi Hunt addressed Council regarding the condition of the building at the animal shelter. Mr. Robert Banks, County Engineer informed Council it would take between \$17,000 and \$20,000 for repairs of the office; the roof will cost approximately \$5,000; the HVAC does not work properly and will cost approximately \$4,000 to replace; the metal doors have rusted through and the floor has rotted due to condensation. Mr. Banks suggested the kennel building be replaced rather than repaired. Security is also an issue and Mr. Banks suggested that barbed wire be placed on the security fencing. Mrs. Addis informed Council the Humane Society has an option on five acres of land and they plan to raise the funds to purchase the property for the construction of an animal shelter.

After discussion this matter was assigned to the Purchasing, Contracting, Real Estate, Building & Grounds Committee. The committee scheduled a meeting Thursday, May 9, 2002 at 2:00 PM to discuss this matter.

Newry Mill:

Mr. Herschel Harper & Ms. Susan Jones of the Newry Historical Society addressed Council regarding the preservation of the Newry Mill. Mr. Harper informed Council that construction on the mill began in 1893 with operation beginning June 14, 1894. He also informed Council that the Village of Newry is listed on the National Register of Historical Places as one of the few surviving turn of the century mill villages in the United States. Mr. Harper expressed an opinion that the cost to purchase the mill would be between \$370,000 and \$420,000.

Mr. Harper & Ms. Jones urged Council to adopt a resolution in support of exploring methods our local government can encourage and enhance historic preservation.

Rock Building:

Mr. Bud Lorsch addressed Council regarding the Rock Building, he informed Council that Mr. Buddy Herring, Mr. Clarence Towe, Mr. Burk Royster and Mr. Frank Lanford of the Oconee School District had inspected the Rock Building and determined it was structurally sound. However, the inspection is an ongoing project at this time and Mr. Lanford was of the opinion that the vocational school students would be able to restore the building if it is structurally sound.

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ATAX Grant:

Upon recommendation of Mr. Andy Davis, ATAX Committee, Mr. Ables made a motion, seconded by Mr. Lyles, approved 5 – 0 that the attached ATAX grant to Devils Fork State Park in the amount of \$6,000 be adopted.

Resolution 2002-18:

Mr. Johns made a motion, seconded by Mr. Moore, approved 5 – 0 that Resolution 2002-18, "A RESOLUTION OF THE COUNCIL OF OCONEE COUNTY, SOUTH CAROLINA AUTHORIZING THE SUPERVISOR/CHAIR OF COUNTY COUNCIL TO EXECUTE THE CONSENT OF THE SUBLESSOR AND OWNER TO MORTGAGE BY AND AMONG OCONEE COUNTY, OCONEE MEMORIAL HOSPITAL FOR THE BENEFIT OF AOR REAL ESTATE, INC. AND WACHOVIA BANK, NATIONAL ASSOCIATION; AND OTHER MATTERS RELATED THERETO" be adopted on first and final reading.

HAZMAT Building:

Upon recommendation of Mr. Bobby Williams, Chairman, Rural Fire Commission & Ms. Marianne Dillard, Procurement Director, Mr. Lyles made a motion, seconded by Mr. Ables, approved 5 – 0 that the design of the HAZMAT Building be awarded to Pelham Construction at a cost of \$1,000. (See attached bid sheet)

Noise Control Ordinance:

Mrs. Hughes addressed Council regarding noise problems a neighborhood is experiencing due to a business in the area. After a brief discussion, Mrs. Hughes asked that a meeting be scheduled between herself, the Chair of the Purchasing, Contracting, Real Estate, Building & Grounds Committee and a representative of the company to discuss the possibility of a noise barrier.

Line Item Transfers:

Mr. Lyles made a motion, seconded by Mr. Johns, approved 5 – 0 that the attached line item transfer in the amount of \$9,402 for the Clerk of Court be adopted.

Mr. Moore made a motion, seconded by Mr. Lyles, approved 5 – 0 that the attached line item transfers and description changes in the total amount of \$41,248 be adopted.

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Public Safety Facility Contract:

Mr. Moore made a motion, seconded by Mr. Hamilton, approved 5 – 0 that the attached contract with Freeman/White, Inc. be adopted for the construction of the public safety facility.

Ordinance 2002-09:

Mr. Lyles made a motion, seconded by Mr. Moore, approved 5 – 0 that Ordinance 2002-09, "THE 2002-03 APPROPRIATIONS ORDINANCE FOR OCONEE COUNTY" be adopted on first reading.

Ordinance 2002-07:

Mr. Lyles made a motion, seconded by Mr. Hamilton, approved 4 – 1 (Mr. Johns voting against) that Ordinance 2002-07, "AN ORDINANCE TO PROVIDE FOR A REFERENDUM TO ALLOW THE QUALIFIED ELECTORS OF OCONEE COUNTY, SOUTH CAROLINA TO VOTE TO RETAIN THE COUNTY-SUPERVISOR FORM OF GOVERNMENT OR CHANGE TO THE COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT" be adopted on third and final reading.

Ordinance 2002-08:

Upon recommendation of the Roads & Transportation Committee, Council unanimously voted to adopt Ordinance 2002-08, "AN ORDINANCE TO PROVIDE FOR THE SALE OF SURPLUS STONE, GRAVEL, AND LIKE PRODUCTS BY OCONEE COUNTY AND TO PRESCRIBE THE MANNER OF SUCH SALES AND THE PAYMENT AND ACCOUNTING THEREFOR, AND TO REPEAL ORDINANCE 91-10" on third and final reading.

Educational Task Force Report:

Mr. Hamilton asked that the Educational Task Force Report be postponed until the next meeting due to the length of the agenda.

Educational Committee:

Mr. Lyles made a motion, seconded by Mr. Johns, approved 5 – 0 that Ms. Berlethia Pitts be appointed to the educational committee regarding the pro's and con's of the Council-Supervisor and Council-Administrator forms of government.

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Health Plan Document:

Upon recommendation of the Personnel & Intergovernmental Committee, Council unanimously adopted the Health Plan Document.

Tax Refund Request:

The Council Clerk presented a request for a refund on property not classified as residential property, however, Council deemed it appropriate not to take action to refund past the two years refunded the owner by the Tax Office, as this has been county policy for several years.

Purchasing, Contracting, Real Estate, Building & Grounds Recommendation (Contingency):

Upon recommendation of the Purchasing, Contracting, Real Estate, Building & Grounds Committee, Council voted unanimously to waive the bid procedure and engage Goldie & Associates to develop an Oconee County Comprehensive Infrastructure Plan due to the following facts: they are already familiar with the county and if another company came in to do the plan that company would have to gather the data that Goldie has, they are currently working on a number of Sewer Commission issues, they are currently working on a number of Solid Waste issues and the fact that time is of the essence. Also, that \$40,000 be taken from contingency for the 2001-02 cost of the project.

Public Comment Session:

Ms. Susie Cornelius expressed feelings that Mr. Blake Norton will make a good Magistrate, she also expressed disappointment that the contract for the public safety facility was on the agenda.

Mr. B. J. Littleton expressed concern that the Humane Society received more time than the persons speaking in the public hearing portion of the meeting. He also expressed concern regarding the medication the Humane Society is using to put the animals to sleep.

Executive Session:

Mr. Johns made a motion, seconded by Mr. Lyles, approved 5 – 0 that Council go into executive session for the receipt of legal advice and a personnel matter.

Open Session:

There was no action taken when open session resumed.

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Adjourn:

Adjourn 10:00 PM

Respectfully Submitted:

Opal O. Green
Council Clerk