

MEMBERS, OCONEE COUNTY COUNCIL

Mr. Steven R. Moore, District I Mr. Kenneth E. Johns, Jr., District II
Rev. William "Bill" Rinehart, 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, April 13, 2004 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 (via mail): Keowee Courier, Westminster News, Daily Journal, Anderson Independent, WGOG Radio, WYFF TV & WLOS TV.

Members of the press present: Ray Chandler – Daily Journal, Dick Mangrum – WGOG Radio & Heidi Williams – Anderson Independent.

Other Organizations Notified:

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

Call to Order:

Interim Supervisor-Chair Hamilton called the meeting to order.

Invocation:

Mr. Rinehart gave the invocation.

Minutes:

By consensus, Council adopted the minutes of the regular meeting held March 16, 2004 as printed.

Oconee Community Theater:

Upon request of Mr. Bill Chiusano, Mr. Ables made a motion, seconded by Mr. Johns, approved 5 – 0 that the direct aid funds in the 2003-04 fiscal year budget be released to the Oconee Community Theater contingent upon a contract being in place between Oconee County and the theater.

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Parks & Recreation:

Upon request of Ms. Vickie Satterfield, Mr. Ables made a motion, seconded by Mr. Johns, approved 5 – 0 that Parks apply for an Upper South Carolina Piedmont Heritage Association Grant in the amount of \$10,000 and a South Carolina National Heritage Corridor Grant in the amount of \$20,000 for restoration of the Alexander/Cannon/Hill House located at High Falls Park. Matching funds of \$10,000 are in the 2003-04 Parks budget. (See attached)

Also, upon recommendation of Ms. Satterfield, Mr. Moore made a motion, seconded by Mr. Rinehart, approved 5 – 0 that recreational funds in the amount of \$350 for Tamassee-Salem and \$5,000 for Seneca be approved.

Sublease Agreement with Foxwood Hills:

Mr. Lyles made a motion, seconded by Mr. Johns, approved 5 – 0 that Council enter into the attached Sublease Agreement Between Oconee County and Foxwood Hills Property Association, Inc. for the Mountain Bay Recreational Area.

Economic Development:

Mr. James Alexander, Economic Development Director, addressed Council regarding development of the county's four miles of the I-85 corridor. Mr. Alexander informed Council of three major industrial projects that we could not compete for due to lack of water and sewer in that area: the first project is a Walgreen Distribution Center which went to Anderson County and will be an investment of \$175,000,000 creating 450 jobs, the second is still pending and will be an investment of \$65,000,000 creating 350 jobs and the third is an investment of between \$200,000,000 and \$300,000,000 creating 300 jobs. This is a total of \$440,000,000 in investments creating 1100 jobs that Oconee County could not compete for due to a lack of water and sewer. Mr. Alexander suggested Council consider putting infrastructure in place while searching for property for industrial development.

Solid Waste:

Upon recommendation of Ms. Melissa Grant, Solid Waste Director, Mr. Rinehart made a motion, seconded by Mr. Ables, approved 5 – 0 that the tipping fee for cross ties be \$40 per ton. (See attached)

Also, upon recommendation of Ms. Grant, Mr. Ables made a motion, seconded by Mr. Johns, approved 5 – 0 that Council adopt the concept of installing additional testing wells at the Seneca Landfill with the cost of \$48,904 coming from the closure/post closure funds and giving Engelhard the first right of refusal of methane extracted from the landfill.

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Communications:

Upon request of Mr. John Murray, Communications Director, Mr. Rinehart made a motion, seconded by Mr. Lyles, approved 5 – 0 that \$10,000 of the Data Port funding be moved to purchase order 41399 to complete the encryption capability and replacement of unites not compatible with the upgrade and the remaining \$10,000 of the Data Port Interfacing funding be rolled into the 010 104 50840 account for 911 equipment. (See attached memo)

Contingency Requests:

Mr. Rinehart made a motion, seconded by Mr. Lyles, approved 5 – 0 that the county match FEMA Grants from contingency or appropriate funds in the following amounts:

\$5,856	South Union Fire Department
\$11,251	Cross Roads Fire Department
\$22,960	Corinth/Shiloh Fire Department
\$7,705	Westminster Fire Department

Mr. Lyles made a motion, seconded by Mr. Ables, approved 5 – 0 that \$1,500 be taken from contingency for electricity at the Airport.

Mr. Ables made a motion, seconded by Mr. Lyles, approved 5 – 0 that contingency funds in the amount of \$124 be approved to purchase sand for Fair Oak Youth Center.

Mr. Ables made a motion, seconded by Mr. Johns, approved 5 – 0 that \$12,000 be transferred from contingency into Public Buildings for fuel.

Mr. Lyles made a motion, seconded by Mr. Ables, approved 5 – 0 that \$450 be taken from contingency to purchase seventy-five tons of crusher run gravel for the driveway at the Animal Shelter.

Resolution 2004-03:

Mr. Johns made a motion, seconded by Mr. Rinehart, approved 5 – 0 that Resolution 2004-03, "A RESOLUTION CALLING FOR A REFERENDUM ON THE QUESTION OF WHETHER OCONEE COUNTY, SOUTH CAROLINA SHALL BE AUTHORIZED TO ACQUIRE BY INITIAL CONSTRUCTION OR PURCHASE, ESTABLISH, IMPLEMENT, OPERATE AND MAINTAIN THROUGH THE SEWER COMMISSION A WATER AND SEWER SYSTEM OR SYSTEMS AND APPLY TO THE COSTS THEREOF TAXES, REVENUES OF SUCH SYSTEM OR SYSTEMS AND OTHER FUNDS AS DETERMINED BY OCONEE COUNTY" be adopted on first and final reading.

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SWAG Agreement:

Mr. Ables made a motion, seconded by Mr. Rinehart, approved 4 – 1 (Mr. Moore voting against) that the attached SWAG Agreement as revised March 31, 2004 be adopted.

Memorandum of Understanding:

Mr. Norton, County Attorney, briefed Council on the attached Memorandum of Understanding Between the Oconee County, Oconee County Sewer Commission, the Municipalities and Pioneer Water, however, he did not ask Council to vote on this at this time.

SC Appalachian Council of Governments Minority Representative:

Mr. Ables made a motion, seconded by Mr. Lyles, approved 5 – 0 that Mr. Benny Cunningham, Sr. be appointed as the minority representative on the SC Appalachian Council of Governments Board.

Law Enforcement Center:

Mr. Rinehart made a motion, seconded by Mr. Lyles, approved 4 – 1 (Mr. Moore voting against) that the attached change order for the Law Enforcement Facility in the amount of \$131,273. This change order includes:

Magistrate/EMA:	\$30,000
Ballistic Glazing:	\$30,776
911 Grounding & Equipment Enunciators:	\$20,029
Paving:	\$50,468

Council was assured this building can be completed with the remaining balance of \$62,782.

Cutting of Firewood on County Property:

Mr. Johns made a motion, seconded by Mr. Ables, approved 5 – 0 that individuals be allowed on a first come, first served basis to cut firewood on county property with the individual signing a release holding the county harmless.

Rock Quarry:

Upon request of Mr. Tommy Crumpton, Rock Quarry Director, Mr. Lyles made a motion, seconded by Mr. Johns, approved 5 – 0 that the bid process be waived up to \$30,000 for the transportation of the crushing plant purchased in Ohio.

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Ordinance 2004-05:

Mr. Johns made a motion, seconded by Mr. Lyles, approved 5 – 0 that Ordinance 2004-05, "AN ORDINANCE TO REGULATE FALSE FIRE ALARMS TO WHICH OCONEE COUNTY RURAL FIRE DEPARTMENT RESPOND" be adopted on third and final reading.

Ordinance 2004-07:

Mr. Ables made a motion, seconded by Mr. Moore, approved 5 – 0 that Ordinance 2004-07, "AN ORDINANCE TO AMEND ORDINANCE 97-14, THE OCONEE COUNTY PERSONNEL POLICIES AND PROCEDURES MANUAL, SPECIFICALLY POLICY 4-6, INCLEMENT WEATHER" be adopted on third and final reading.

Ordinance 2004-08:

Mr. Johns made a motion, seconded by Mr. Rinehart, approved 5 – 0 that Ordinance 2004-08, AN ORDINANCE SETTING FORTH THE COUNTY COMPUTER/INTERNET/E-MAIL POLICY" be adopted on third and final reading.

Ordinance 2004-09:

Second reading of Ordinance 2004-09, "AN ORDINANCE TO AMEND ORDINANCE 2000-06, "THE OCONEE COUNTY ORGANIZATIONAL ORDINANCE" was postponed.

Ordinance 2004-10:

Mr. Rinehart made a motion, seconded by Mr. Ables, approved 5 – 0 that Ordinance 2004-10, "AN ORDINANCE TO AMEND ORDINANCE 97-14, AS AMENDED, THE OCONEE COUNTY PERSONNEL POLICIES AND PROCEDURES MANUAL" be adopted on second reading.

Ordinance 2004-11:

Mr. Lyles made a motion, seconded by Mr. Johns, approved 5 – 0 that Ordinance 2004-11, "AN ORDINANCE AMENDING THE PARKS POLICIES & PROCEDURES" be adopted on first reading in title only.

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SC Appalachian Council of Governments:

Mr. Lyles made a motion, seconded by Mr. Ables, approved 5 – 0 that Section 3 of the Building Agreement between the Appalachian Council of Governments and Oconee County be amended to allow the Council of Governments to defer its annual reimbursement in the amount of \$2,924 due June 30, 2004 until June 30, 2018 and Section 6 be amended to extend the term of the Building Agreement until June 30, 2018.

ATAX Committee Appointee:

Mr. Moore made a motion, seconded by Mr. Lyles, approved 5 – 0 that Mr. Jeff Atkins be appointed to the ATAX Committee

Expenditure Ordinance:

Mr. Moore requested the County Attorney to draft an ordinance regarding the expenditure of county funds.

Hospital Resolution:

Upon request of Mr. Moore, Mr. Norton, County Attorney read the attached Hospital Resolution into the Record. Mr. Moore then asked Council to adopt a similar resolution requesting the City of Seneca supply water and sewer to The Blood Connection. After a brief discussion, Mr. Johns made a motion, seconded by Mr. Lyles, defeated 2 – 3 (Mr. Moore abstaining, Mr. Hamilton voting in the negative) that such a resolution be adopted by the County Council.

The Blood Connection:

Mr. Rinehart made a motion that the County petition the City of Seneca to annex just the ground The Blood Connection is situated on into the city limits, however, this motion died for lack of a second.

Grants for Roads:

Upon recommendation of Mr. Henry Gordon, Emergency Management Director, Mr. Ables made a motion, seconded by Mr. Lyles, approved 4 – 1 (Mr. Moore voting against) that Council apply for a grant in the amount of \$24,000 to correct problems on the Odell Cain Road and a grant in the amount of \$2,000 for a roadway in the Utica area, contingent upon the county securing all the rights-of-ways on the roadways and the Road Department having the time to furnish the in kind labor required by the grants.

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Public Comment Session:

Ms. Susie Cornelius addressed Council regarding the reducing of assessments on planes and boats, the SWAG Agreement, the Water & Sewer Referendum, etc.

Mr. B. J. Littleton addressed Council regarding the City of Seneca's policies, filling the empty commercial buildings in the county rather than constructing new ones, the inclement weather policy and golf carts in the parks, etc.

Adjourn:

Adjourn 9:30 PM

Respectfully Submitted:

Opal O. Green, Clerk to Council