

**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, October 5, 2004 at 7:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with Council Members Ables, Johns & Moore present. Mr. Norton, County Attorney was also present.

**Press:**

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

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

**Other Organizations Notified:**

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

**Call to Order:**

- Chairman Ables called the meeting to order.

**Invocation:**

- Mr. Moore gave the invocation.

**Pledge of Allegiance:**

- Mr. Norton led the pledge of allegiance to the US Flag.

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**Minutes:**

- Mr. Moore made a motion, seconded by Mr. Johns, approved 3 – 0 that the minutes of the regular meeting held September 6, 2004 be adopted as printed. The Council Clerk corrected the September 21, 2004 minutes to include first reading in title only of Ordinance 2004-27, "OCONEE COUNTY LOCAL OPTION SALES TAX ORDINANCE" was adopted on first reading in title only 3 – 2 (Mr. Moore & Mr. Johns voting against. Mr. Moore then made a motion, seconded by Mr. Johns, approved 3 – 0 that the minutes of September 21, 2004 be adopted with an amendment that only one Council Member expressed a desire to see the Council Districts non partisan.

**ATAX Grant:**

- Upon recommendation of Mr. Gerald Foster, ATAX Committee, Mr. Johns made a motion, seconded by Mr. Moore, approved 3 – 0 that the attached ATAX Grant in the amount of \$4,900 to Walhalla Partners for Progress be adopted.

**911 Bank Bids:**

Mr. Johns made a motion, seconded by Mr. Moore, approved 3 – 0 that the bank bid for funds for the 911 equipment be awarded to Wachovia Bank, N.A. at an interest rate of 2.675% with an annual payment of \$368,167.56. (See attached bid sheet)

**Hubbard Paving Contract:**

Mr. Moore made a motion, seconded by Mr. Johns, approved 3 – 0 that the contract with Hubbard Paving be amended to include paving of Chau Ram Park at a cost of \$38,945.22 and High Falls Park at a cost of \$35,020.20 with a 10% contingency being added for a total cost not to exceed \$81,361.96 contingent upon the work being completed this year.

**Library Board Appointment:**

Mr. Johns made a motion, seconded by Mr. Moore, approved 3 – 0 that Ms. Carol Baumgarner be appointed to the Library Board. Ms. Baumgarner will be filling the unexpired term of Robert Owns, who resigned from the Board. This term will expire June 2005.

**Ordinance 2004-25:**

Mr. Moore made a motion, seconded by Mr. Johns, approved 3 – 0 that Ordinance 2004-25, "OCONEE COUNTY COMPREHENSIVE PLAN" be adopted on first reading. Council scheduled a public hearing Tuesday, November 9, 2004 at 7:00 PM to receive written and/or oral comments regarding this ordinance.

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**Ordinance 2004-22:**

- Mr. Moore made a motion, seconded by Mr. Johns, approved 3 – 0 that Ordinance 2004-22, "THE OCONEE COUNTY ANIMAL CONTROL ORDINANCE" be adopted on second reading.

**Ordinance 2004-21:**

- Mr. Johns made a motion, seconded by Mr. Moore, approved 3 – 0 that Ordinance 2004-21, "AN ORDINANCE CREATING A BOARD OF TRUSTEES OF THE FIREMEN'S INSURANCE AND INSPECTION FUND" be adopted on third and final reading.

Mr. Moore made a motion, seconded by Mr. Johns, approved 3 – 0 that Mr. Bobby Williams be appointed to the Board of Trustees of the Firemen's Insurance and Inspection Fund.

Mr. Ables urged all Council Members to have their appointments by the next Council Meeting.

**Ordinance 2004-23:**

- Mr. Moore made a motion, seconded by Mr. Johns, approved 3 – 0 that Ordinance 2004-23, "AN ORDINANCE TO AMEND ORDINANCE 2004-06, THE OCONEE PERSONNEL POLICIES & PROCEDURES MANUAL, SPECIFICALLY POLICY 1-11, USE OF COUNTY VEHICLES" be adopted on third and final reading.

**Recommendations of the Budget & Finance Committee:**

- Upon recommendation of the Budget & Finance Committee, Council voted unanimously to send a letter to the owner of the Best Western Motel informing him that the penalties for the local option sales tax will be waived, however the taxes themselves cannot be waived.

Also, upon recommendation of the Budget & Finance Committee, Council voted to pay the City of Seneca, \$11,109.46 from Aid to Subdivision funds for the loss Seneca has experienced from the Newry Sewer.

Further, upon recommendation of the Budget & Finance Committee, Council voted unanimously to fund \$7,085 in recreation funds as follows to the Fair Oak Youth Center.

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**Recommendations of Budget & Finance Committee Continued:**

- Council adopted Ordinance 2004-26, "AN ORDINANCE AMENDING ORDINANCE 2002-14, AN ORDINANCE AMENDING ORDINANCE 2001-05, AN ORDINANCE FOR THE PURPOSE OF ESTABLISHING A LOCAL ACCOMMODATIONS TAX TO APPLY TO ALL ACCOMMODATIONS LOCATED IN OCONEE COUNTY" on first reading.

Council adopted Ordinance 2004-28, "OCONEE COUNTY FINANCIAL PRACTICES ORDINANCES" on first reading in title only.

**Engelhard Contract:**

- In discussing the Engelhard Contract presented to Council at the last meeting Mr. Brad Norton, County Attorney and Mr. Paul Lewis, Goldie & Associates informed Council that a section concerning depreciation had been added to the contract and forwarded to Engelhard but they have not responded at this time. They further informed Council there are basically four options:

- (1) Go ahead with the study to determine the need for more wells, if the results are positive let Engelhard take the gas which will save Oconee County some \$20,000 per year in operational and maintenance expenses. If the results are not positive then DHEC will require upgrades on the methane extraction system.
- (2) Go into the methane mining business and the power generation business, however there is not that much gas generated at the landfill and the cost would be between \$2,000,000 and \$3,000,000 to install a cogeneration system that would not be very productive.
- (3) Find someone else that could broker the methane, however there aren't others that are interested.
- (4) Do nothing, which is not an option because DHEC is requiring a plan for remediation.

**Courthouse:**

- Mr. Moore asked that discussion regarding wireless network for the courthouse be placed on the next Council agenda.

**Animal Shelter:**

- Mr. Moore also asked that Council be made aware of the savings Oconee County has experienced by taking over the operation of the Animal Shelter.

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**Judicial System:**

- Mr. Moore requested the County Attorney submit a report to Council regarding financial obligations to the judicial system under Section 44-53-530 SC Code of Laws.

**Information:**

- Chair Ables informed those present that South Carolina Associations of Counties President Mr. Barrett Lawrimore had passed away.

**Public Comment Session:**

Mr. Chris Kempton addressed Council regarding the comprehensive plan.

Ms. Susie Cornelius addressed Council regarding the comprehensive plan.

Mr. B. J. Littleton addressed Council regarding land use.

**Executive Session:**

- Mr. Moore made a motion, seconded by Mr. Ables, approved 3 – 0 that Council go into executive session for the purpose of discussing a personnel matter.

**Open Session:**

- There was no action when open session resumed.

**Adjourn:**

- Adjourn: 8:10 PM

Respectfully Submitted:

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Opal O. Green

Clerk to Council