

MEMBERS, OCONEE COUNTY COUNCIL
Mr. Steven R. Moore, District I Mr. Thomas S. Crumpton, 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 19, 2005 at 3:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members, County Administrator Ron Rabun, Clerk to Council & Mr. Norton, 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 WSNW Radio & 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, Citizens for Recreation Center and the Oconee County Democratic Party.

Call to Order:

Chairman Ables called the meeting to order. The meeting was called to order and recessed for Council to go back into a Budget, Finance & Procurement Meeting for the purpose of discussing health insurance for fiscal year 2005-06.

Invocation:

Mr. Rinehart gave the invocation.

Pledge of Allegiance:

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

Minutes:

Mr. Lyles made a motion, seconded by Mr. Rinehart, approved 5 – 0 that the minutes of the regular meeting held April 5, 2005 be adopted as printed.

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Public Hearing Regarding Resolution 2005-11:

Council held a public hearing to receive written and/or oral comments regarding Resolution 2005-11, "A RESOLUTION IN SUPPORT OF THE ISSUANCE BY THE SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY OF ITS NOT EXCEEDING \$35,000,000 HOSPITAL REFUNDING REVENUE BONDS (OCONEE MEMORIAL HOSPITAL PROJECT), IN ONE OR MORE SERIES, PURSUANT TO THE PROVISIONS OF TITLE 41, CHAPTER 43, OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED"

There were no written comments presented to Council.

Ms. Susie Cornelius informed Council she was disappointed that the public did not receive enough information in advance to understand.

Mr. Marshall Parker informed Council he felt any action should be delayed at this time.

Resolution 2005-13:

Mr. Lyles made a motion, seconded by Mr. Crumpton, approved 3 – 0 (Mr. Moore & Mr. Rinehart out of room) that Resolution 2005-13, "A RESOLUTION APPROVING THE EXTENSION BY OCONEE COUNTY, SOUTH CAROLINA OF A LEASE AGREEMENT BY AND BETWEEN VALENITE, LLC AND OCONEE COUNTY, SOUTH CAROLINA (VALENITE LLC PROJECT), PURSUANT TO THE PROVISIONS OF SOUTH CAROLINA CODE ANNOTATED, SECTION 4-12-30 (1976), AS AMENDED" be adopted on first and final reading.

Interlocal Agreement Between Oconee County & Oconee Memorial Hospital:

Execution of Interlocal Agreement between Oconee County & Oconee Memorial Hospital related to Hospital Board Membership, ownership of land, indigent medical care, emergency medical care, emergency medical services & other considerations was removed from the agenda upon request of Mr. Rabun, County Administrator.

Computer Tax Center (Contingency):

Mr. Moore made a motion, seconded by Mr. Rinehart, approved 5 – 0 that \$8,636 be taken from contingency for forms for the Treasurer, Auditor, Delinquent Tax Collector & Assessor's Office through Smith Data Processing. (See attached agenda item summary)

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Delinquent Tax Collector:

Mr. Lyles made a motion, seconded by Mr. Crumpton, approved 5 – 0 that the bid for title searches for the delinquent tax sale be awarded to Capitol Title & Research Services, Inc. at a cost of \$76,300. (See attached agenda item summary)

Resolution 2005-11:

Approval of Resolution 2005-11, "A RESOLUTION IN SUPPORT OF THE ISSUANCE BY THE SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY OF ITS NOT EXCEEDING \$35,000,000 HOSPITAL REVENUE BONDS (OCONEE MEMORIAL HOSPITAL PROJECT), IN ONE OR MORE SERIES, PURSUANT TO THE PROVISIONS OF TITLE 41, CHAPTER 43, OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED" was removed from the agenda.

Resolution 2005-12:

Mr. Lyles made a motion, seconded by Mr. Moore, approved 5 – 0 that Resolution 2005-12, "A RESOLUTION APPROVING THE EXTENSION BY OCONEE COUNTY, SOUTH CAROLINA OF A LEASE AGREEMENT BY AND BETWEEN COMPACT AIR PRODUCTS LLC AND OCONEE COUNTY, SOUTH CAROLINA (COMPACT AIR PRODUCTS LLC PROJECT), PURSUANT TO THE PROVISIONS OF SOUTH CAROLINA CODE ANNOTATED, SECTION 4-12-30 (1976), AS AMENDED" be adopted on first and final reading.

Ordinance 2005-07:

Mr. Moore made a motion, seconded by Mr. Lyles, approved 5 – 0 that Ordinance 2005-07, "AN ORDINANCE AUTHORIZING: (1) THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AND INCENTIVE AGREEMENT (THE "FEE AGREEMENT") BETWEEN OCONEE COUNTY, SOUTH CAROLINA ("OCONEE COUNTY") AND CG ROXANE LLC (THE "COMPANY"), PURSUANT TO WHICH FEE AGREEMENT OCONEE COUNTY SHALL COVENANT TO ACCEPT CERTAIN FEES IN LIEU OF *AD VALOREM* TAXES; (2) SPECIAL SOURCE CREDITS TO REIMBURSE THE COMPANY FOR A PORTION OF THE COSTS OF CERTAIN INFRASTRUCTURE OR REAL PROPERTY COSTS INCURRED IN CONNECTION WITH A MANUFACTURING OR COMMERCIAL ENTERPRISE SERVING THE ECONOMIC DEVELOPMENT OF OCONEE COUNTY; (3) THE BENEFITS OF A MULTI-COUNTY PARK TO BE MADE AVAILABLE TO COMPANY; AND (4) OTHER MATTERS RELATING THERETO" be adopted on second reading.

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Ordinance 2005-08:

Mr. Rinehart made a motion, seconded by Mr. Lyles, approved 5 – 0 that Ordinance 2005-08, "AN ORDINANCE TO AMEND THE JOINTLY OWNED AND OPERATED INDUSTRIAL/BUSINESS PARK IN CONJUNCTION WITH PICKENS COUNTY, DATED MAY 4, 1998 AND AMENDED ON DECEMBER 21, 1998, ON DECEMBER 21, 1999, APRIL 4, 2000 _____, 2003; SUCH INDUSTRIAL/BUSINESS PARK BEING GEOGRAPHICALLY LOCATED IN PICKENS COUNTY AND OCONEE COUNTY AND ESTABLISHED PURSUANT TO SOUTH CAROLINA CODE OF LAWS OF 1976 §4-1-170, ET SEQUITUR, AS AMENDED; TO PROVIDE FOR A WRITTEN AGREEMENT WITH PICKENS COUNTY PROVIDING FOR THE EXPENSES OF THE PARK, THE PERCENTAGE OF REVENUE APPLICATION, AND THE DISTRIBUTION OF FEES IN LIEU OF *AD VALOREM* TAX TO THE COUNTIES AND RELEVANT TAXING ENTITIES; AND, TO PROVIDE THAT JOBS TAX CREDITS ALLOWED BY LAW BE PROVIDED FOR INDUSTRIES LOCATING IN SAID PARK, AND TO PERMIT A USER FEE IN LIEU OF *AD VALOREM* TAXATION" be adopted on first reading.

Letter from Jasper County:

Mr. Ables informed Council he had received the attached letter from Jasper County asking Oconee County to adopt a resolution of support of the efforts of Jasper County to build a public container port.

Solid Waste Appointee:

Upon recommendation of the City of Walhalla, Mr. Crumpton made a motion, seconded by Mr. Ables, approved 5 – 0 that Mr. William Addis represent the City on the Solid Waste Commission.

Ordinance 2005-05:

Upon recommendation of the Budget, Finance & Procurement Committee Council voted 3 – 2 (Mr. Moore & Mr. Crumpton voting against) that Ordinance 2005-05, "THE 2004-05 SUPPLEMENTAL APPROPRIATIONS ORDINANCE FOR OCONEE COUNTY" be adopted on third and final reading.

Public Comment Session:

Ms. Susie Cornelius addressed Council regarding the appeal on her lawsuit against the County lawsuit and advised them she would be seeking donations to defend the appeal.

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Public Comments Continued:

Mr. B. J. Littleton addressed Council regarding time for inmates to serve, asked Council to drop the appeal in the Susie Cornelius lawsuit and also addressed funding expenditures.

Executive Session:

Mr. Lyles made a motion, seconded by Mr. Moore, approved 5 – 0 that Council go into executive session for the purpose of discussing contractual and personnel matters.

Open Session:

There was no action when open session resumed.

Adjourn:

Adjourn: 6:33 PM

Respectfully Submitted:

Opal O. Green
Clerk to Council