

MINUTES
OCONEE COUNTY COUNCIL MEETING
Regular Meeting
October 2, 2007



MEMBERS, OCONEE COUNTY COUNCIL

Mr. George Blanchard District I
Mr. Thomas S. Crumpton, Jr., District II
Mr. Mario Suarez, District III
Mr. Marion E. Lyles, District IV, Chairman
Mr. H. Frank Ables, Jr., District V

Oconee County Council met on Tuesday, October 2, 2007 at 7:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members, County Administrator Dale K. Surrett, Elizabeth G. Hulse, Clerk to Council & Mr. Bradley A. 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 WSPA TV & WSNW Radio.

Member of the press present: Brett McLaughlin – Daily Journal and Ray Chandler – Anderson Independent.

Call to Order:

Chairman Lyles called the meeting to order at 3:00 p.m.

Pledge of Allegiance:

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

Minutes:

Mr. Ables made a motion, seconded by Mr. Suarez, approved 5 – 0 that the minutes of the regular meeting held September 18, 2007 be adopted as printed.

Mr. Crumpton made a motion, seconded by Mr. Blanchard, approved 5 – 0 that the minutes from the Joint Meeting with the Sewer Commission held on September 18, 2007 be adopted as printed.

Public Comment Session:

Mr. Berry Nichols addressed Council regarding the proposed Zoning Enabling Ordinance and Agenda Items #6-2 and #7-1.

Ms. Wanda Whitfield addressed Council regarding her opposition to zoning.

Ms. Linda Lovely, Advocates for Quality Development, addressed Council regarding her support for zoning.

Mr. George Cleveland addressed Council regarding the proposed joint fire department with the City of Westminster and the need for a new Seneca Library and County Jail.

Mr. B. J. Littleton addressed Council regarding his opposition to zoning and his desire to get rid of the Economic Development department.

Ordinance 2007-14:

Public Hearing regarding Ordinance 2007-14:

Mr. B. J. Littleton addressed Council regarding his support for Borg Warner; stating their excellent reputation and quality products.

Mr. George Cleveland addressed Council regarding specific language in the ordinance.

Mr. Todd Bennington, VP Operations, Borg Warner, addressed Council thanking Council for their support. He noted that Borg Warner runs a clean operation and is pleased to invest additional money and resources in Oconee County.

Ordinance 2007-14:

Mr. Crumpton made a motion, seconded by Mr. Suarez, approved 5 – 0 that **Ordinance 2007-14**, “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND BORGWARNER TORQTRANSFER SYSTEMS, INC.; AND OTHER MATTERS RELATING THERETO INCLUDING, WITHOUT LIMITATION, PAYMENT OF A FEE IN LIEU OF TAXES RELATED TO THE PROJECT” be adopted on third and final reading.

Ordinance 2007-16:

Mr. Norton, County Attorney, noted that Section #4 had been added since first reading to specifically address Ordinances not included in the Code such as fee in lieu of agreements, issuance of bonds, multi-park agreements, etc.

Mr. Ables made a motion, seconded by Mr. Blanchard, approved 5 – 0 that **Ordinance 2007-16**, “AN ORDINANCE ADOPTING AND ENACTING A NEW CODE FOR THE COUNTY OF OCONEE, SOUTH CAROLINA; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE” be adopted on second reading.

Resolution 2007-10:

Mr. Brad Norton, County Attorney, explained that Resolution 2007-10 is being brought to County Council on recommendation from the Infrastructure Advisory Commission. The Commission is requesting that Council form a Commission to explore capital projects that would be funded by a one cent sales tax. Mr. Norton noted that South Carolina state law requires that a Commission be formed to prepare a list of projects. Mr. Suarez stated that creation of a Commission does not guarantee approval of any projects presented or that a referendum will be approved for the November 2008 ballot.

Mr. Suarez made a motion, seconded by Mr. Ables, approved 5 – 0 that **Resolution 2007-10** “A RESOLUTION TO ESTABLISH A COMMISSION TO CONSIDER PROPOSALS FOR FUNDING CAPITAL PROJECTS IN OCONEE COUNTY, SOUTH CAROLINA, PURSUANT TO SECTION 4-10-300 ET. SEQ. OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED, TO PROVIDE FOR THE APPOINTMENT, COMPOSITION, DUTIES AND RESPONSIBILITIES OF SUCH COMMISSION; AND OTHER MATTERS RELATED THERETO” be adopted on first and final reading.

Items for Consideration by Council:

Bid #2007-04: Walk Behind Trench Compactor for the Road Department

Mr. Surrent addressed Council asking Ms. Maryann Dillard, Procurement Director, to discuss Bid #2007-04. Bid #2007-04 was a straight bid. Thirteen proposals were sent with seven responses. Low bid was made by Sunbelt Rentals of Anderson in the amount of \$28,217.89.

Mr. Crumpton made a motion, seconded by Mr. Blanchard, approved 5 – 0 to approve awarding the contract to Sunbelt Rentals of Anderson in the amount of \$28,217.89.

Bid #2007-06: Wheel Loader for the Rock Quarry

Ms. Dillard addressed Council regarding Bid #2007-06. Bid #2007-06 was evaluated on not only price but value with price comprising 70% of the total and other factors equaling 30% of the total. Eleven proposals were sent and seven responses received. After careful evaluation by Procurement and Rock Quarry staff it is recommended that Council award Bid #2007-06 to Interstate Equipment Company in the amount of \$313,451.00 which will include a 5 year/5,000 hour extended power train warranty.

Mr. Blanchard questioned with similar proposals why Interstate was selected. Mr. Rick Martin, Rock Quarry, noted that the County has done business with Interstate in the past and they have met and exceeded expectations regarding service. Interstate has gone the extra mile to repair equipment when it has exceeded the warranty period.

Mr. Crumpton made a motion, seconded by Mr. Suarez, approved 5 – 0 to approve awarding the contract to Interstate Equipment Company in the amount of \$313,451.00 which will include a 5 year/5,000 hour extended power train warranty.

Council Committee Reports:

Real Estate, Facilities & Land Management:

Mr. Lyles had no report at this meeting

Road & Transportation:

Mr. Crumpton had no report at this meeting

Law Enforcement, Public Safety, Health & Welfare Committee Report:

Mr. Blanchard noted that he attended the City of Westminster meeting the previous evening in which a joint / intergovernmental fire station was discussed. Mr. Blanchard noted that Chief Smith made a presentation [filed with the agenda for the 10/1/2007 meeting] with public comment following. He stated that it appeared that there was unanimous support for this joint venture. Mr. Blanchard noted that the City will be providing the utility infrastructure and costs, providing equipment, and will be donating 14.95 acres for the station facility thereby freeing 12 acres owned by the county for other development. He noted that the City of Westminster has time constraints and that an agreement needs to be in place by December 10, 2007.

Mr. Blanchard requested the County Attorney to work with the City of Westminster attorney, Mr. R. Scott Sprouse, to work out the details and bring this back to Council as soon as possible.

Budget, Finance & Administration:

Mr. Ables had no report at this meeting.

Planning & Economic Development:

Mr. Suarez noted that this Committee met on Wednesday, September 19, 2007 at 5:00 p.m. in Council Chambers for the purpose of discussing PRT tourism plans, the Draft Unified Standards and Ordinance 2007-17 “Oconee County Vested Rights Ordinance”.

Mr. Suarez stated the next meeting will be held on Thursday, October 4, 2007 at 5:30 p.m. in Council Chambers for the purpose of further discussing the Draft Unified Standards.

Administrator Report:

“Case in Point” Cover Story Featuring Judge Gerrard:

Mr. Surrett provided Council members with a copy of a cover story appearing in the Spring/Summer 2007 “Case in Point” magazine in which Oconee County Chief Magistrate Janice R. “Becky” Gerrard is featured. Judge Gerrard is the first non-attorney to appear on the cover of the national magazine and was the first in South Carolina to receive certification in Judicial Trial Skills. Mr. Surrett noted that this is wonderful recognition for not only Judge Gerrard but Oconee County also.

Council meeting with the Oconee County Sewer Commission:

Mr. Surrett noted that Council met earlier in the day with the Oconee County Sewer Commission to receive timeline and cost estimates. At this meeting a specific action plan was established to include:

[1] County Council to retain a scientist who specializes in soil to study and test the soil at the Industrial Park for availability of land for soil application, and

[2] Sewer Commission is to meet with SC PRT to identify locations for placement of a treatment plant across I85 from the Welcome Center.

The Sewer Commission designated Mr. Winchester as their contact person and Council designated Mr. Surrett and Mr. Jim Alexander, Economic Development Director, as contacts for the County.

Old Business:

No Old Business was addressed.

New Business:

No New Business was addressed.

Executive Session:

Mr. Lyles moved to enter into Executive Session for the purpose of discussing contractual and personnel matters.

Mr. Lyles called the meeting back to Order stating no action will be taken on matters discussed in Executive Session.

Adjourn:

Mr. Lyles adjourned Council at 8:35 PM

Respectfully Submitted:

Elizabeth G. Hulse
Clerk to Council

MINUTES
JOINT OCONEE COUNTY COUNCIL MEETING
with OCONEE COUNTY SEWER COMMISSION
October 2, 2007



MEMBERS, OCONEE COUNTY COUNCIL

Mr. George Blanchard District I
Mr. Thomas S. Crumpton, Jr., District II
Mr. Mario Suarez, District III
Mr. Marion E. Lyles, District IV, Chairman
Mr. H. Frank Ables, Jr., District V

Oconee County Council met with members of the Oconee County Sewer Commission on Tuesday, October 2, 2007 at 5:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members, County Administrator Dale K. Surret, Elizabeth G. Hulse, Clerk to Council &. Mr. Bradley A. 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 WSPA TV & WSNW Radio.

Member of the press present: Carlos Garza – Daily Journal and Ray Chandler – Anderson Independent.

Members of Sewer Commission identified: Lowell Ross, Commission Attorney, Mr. Bob Winchester, General Superintendent OCSC, Mr. Ron Knoerr, Mr. Greg Dietterick, City of Seneca Administrator & Sewer Commission Member, and Mr. Bob Froneberger, Engineer with W. K. Dickson Engineering.

Call to Order:

Chairman Lyles called the meeting to order at 5:00 pm.

Oconee County Sewer Commission Presentation to Council:

Mr. Bob Winchester made a short statement noting that the Sewer Commission's proposal would center on two key areas; the Welcome Center and the Industrial Park. Mr. Winchester stated that they have had talks with State PRT regarding available land at the Welcome Center. In addition he noted that a meeting was held with Mr. Mark Hunter, SCDOT, regarding proposed sewer along the I85 corridor.

Mr. Lyles noted that he attended a recent Appalachian Council of Governments [ACOG] meeting and that ARC grants were suggested as a possible way to help fund this project. He noted that a letter of intent and employment projections would be required to obtain any ARC grant.

Mr. Blanchard noted that an additional developer has voiced interest in this project and would commit to 100,000 capacity and approximately 600-700 new jobs.

Mr. Winchester stated that after meetings with SCDOT that it is their position to have any treatment plant located away from the Welcome Center to avoid this being seen by visitors as they enter our state.

Mr. Dietterick asked Council members to clarify their priorities for this project and noted that to proceed further would require further definition of the plans. After discussion, it was agreed that the Welcome Center and Industrial Park should be identified as the priorities.

Mr. Winchester introduced Mr. Bob Froneberger, Engineer with W. K. Dickson Engineering, who distributed a written proposal along with a presentation to Council outlining the Sewer Commissions proposal for building a sewer system along the I85 corridor. [proposal included with minutes]. Mr. Froneberger noted that options #5 & #6 were likely the best based on the narrowing of the priorities as noted earlier in the meeting.

Mr. Froneberger stated that once they receive approval to begin the project it would require 6-7 months minimum for design. In addition plans would have to be approved by all appropriate regulatory and state agencies, bids would have to be solicited and approved. Finally, construction would take between 10-11 months.

Mr. Dietterick suggested that two things need to be done to begin the process; [1] County Council to retain a scientist who specializes in soil to study and test the soil at the Industrial Park for availability of land for soil application, and [2] the Sewer Commission to meet with SC PRT to identify locations for placement of a treatment plant across I85 from the Welcome Center. The Sewer Commission designated Mr. Winchester as their contact person and Council designated Mr. Surrett and Mr. Jim Alexander, Economic Development Director, as contacts for the County.

Adjourn:

Chairman Lyles adjourned the meeting at 6:25 PM.

Respectfully Submitted:

Elizabeth G. Hulse
Clerk to Council