



MINUTES
OCONEE COUNTY COUNCIL MEETING
Regular Meeting
January 8, 2008

MEMBERS, OCONEE COUNTY COUNCIL

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

Oconee County Council met on Tuesday, January 8, 2008 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: Carlos Garza–Daily Journal, David Williams–Anderson Independent and Dick Mangrum-WGOG Radio.

Call to Order:

County Attorney Mr. Norton called the meeting to order at 7:00 p.m.

Pledge of Allegiance:

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

Minutes:

Mr. Norton asked for a motion to accept the four sets of minutes prepared.

Mr. Crumpton made a motion, seconded by Mr. Ables, approved 4 – 0 that the minutes from the following meetings be adopted as printed:

- December 10, 2007: Executive Session
- December 11, 2007: Meeting with Infrastructure Advisory Commission
- December 11, 2007: Meeting with Sewer Commission
- December 11, 2007: Regular Council Meeting

Public Comment Session:

Ms. Susie Cornelius addressed Council regarding the Comprehensive Plan.

[Councilman Suarez arrived at the meeting during the public comment session.]

Mr. C. W. Richards addressed Council regarding his concern that Council passed the buck regarding appointments to the Capital Project Sales Tax Commission.

Mr. B. J. Littleton addressed Council regarding his concerns about Council and their plans for the future of the county.

Election of Council Chairman:

Mr. Lyles made a motion, seconded by Mr. Suarez, approved 4 – 0 [Mr. Blanchard abstaining] to elect Mr. George Blanchard as Council Chairman.

Mr. Blanchard took this opportunity to thank Mr. Lyles for his years of services to this council and his assistance in a smooth transition of council chairman. Mr. Blanchard at this time took leadership of the meeting.

Election of Council Vice Chairman:

Mr. Lyles made a motion, seconded by Mr. Ables, approved 4 – 0 [Mr. Crumpton abstaining] to elect Mr. Thomas Crumpton as Council Vice Chairman.

Election of Council Chairman Pro Tem:

Mr. Suarez made a motion, seconded by Mr. Crumpton, approved 4 – 0 [Mr. Ables abstaining] to elect Mr. H. Frank Ables as Council Chairman Pro Tem.

Reappointment of Clerk to Council:

Mr. Blanchard made a motion, seconded by Mr. Lyles, approved 5 – 0 to re-appoint Elizabeth G. Hulse as Clerk to Council.

Reappointment of County Attorney:

Mr. Blanchard made a motion, seconded by Mr. Ables, approved 5 – 0 to re-appoint Bradley A. Norton as County Attorney.

Appointment of County Committees:

Mr. Blanchard stated that all Council Committees are functioning well and he requested that all committee assignments and committee chairmen remain in place for 2008. All committee chairmen accepted. Council Committee assignments are as follows:

Budget, Finance & Administration:

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

Road & Transportation:

Thomas S. Crumpton, Jr. District II, Chair
Marion E. Lyles, District IV
Mario Suarez, District III

Real Estate, Facilities & Land Management:

Marion E. Lyles, District IV, Chair
Thomas S. Crumpton, Jr., District II
George C. Blanchard, District I

Law Enforcement, Public Safety, Health & Welfare:

George C. Blanchard, District I, Chair
H. Frank Ables, Jr., District V
Thomas S. Crumpton, Jr., District II

Planning & Economic Development:

Mario Suarez, District III, Chair
H. Frank Ables, Jr., District V
George C. Blanchard, District I

Appointment of County Representatives:

Mr. Blanchard reappointed Marion E. Lyles as Council representative to the South Carolina Council of Governments Board of Directors. Mr. Blanchard noted that Mr. Lyles is currently chair of this board and thanked him for his service.

Mr. Blanchard reappointed H. Frank Ables as Council representative to the Oconee Memorial Hospital Board of Directors. Mr. Blanchard noted that Mr. Ables has been the Council's representative for many years and is very knowledgeable.

Scheduling of Council Meeting Dates/Times for 2008:

Mr. Blanchard requested discussion and a vote regarding the current schedule for County Council meetings, noting that Mr. Suarez had recently accepted a new position with a hospital in Gwinnett County, GA. Mr. Blanchard suggested that the second meeting of the month be moved to a 6:00 p.m. meeting to accommodate Mr. Suarez and the citizens of Oconee County. Mr. Crumpton and Mr. Lyles stated their desire to continue with the current schedule which is widely known to the public. Mr. Ables noted that the current schedule has likely had an impact on individuals who would wish to seek office on Council but can't due to their traditional work schedules. Discussion followed.

Mr. Blanchard made a motion, seconded by Mr. Suarez, approved 3 – 2 [Mr. Lyles & Mr. Crumpton voting against] to change the meeting time for the second Council meeting of the month, held on the third Tuesday of each month, from 3:00 p.m. to 6:00 p.m.

Next Council Meeting:

Mr. Blanchard noted that he will be out of the country for the next scheduled meeting for January 22, 2008. In addition, the Clerk to Council will be on vacation on that date. Mr. Blanchard announced that the next County Council will be scheduled for Tuesday, January 29, 2008 at 6:00 PM.

Ordinance 2007-20:

Mr. Blanchard asked Mr. Norton if any changes had been made to this Ordinance since first reading. Mr. Norton noted that section #9 addresses concerns voiced by Council regarding insurance.

Mr. Ables made a motion, seconded by Mr. Lyles, approved 5 – 0 that **Ordinance 2007-20, "AN ORDINANCE TO AMEND ORDINANCE 1995-05, AN ORDINANCE CREATING THE OCONEE COUNTY BOARD OF DISABILITIES AND SPECIAL NEEDS"** be adopted on second reading.

Ordinance 2008-01:

Mr. Blanchard asked Mr. Norton to address this ordinance. He stated that this is an inducement agreement for Project Golden and this is a first reading only in title only. Mr. Suarez asked for more information regarding the company. Mr. Jim Alexander, Economic Development Director, stated that this company is a manufacturing company and will be making a \$5,000,000 investment. He noted that at this point he is not authorized to discuss additional information but assured Council that further information will be forthcoming prior to third and final reading.

Mr. Lyles made a motion, seconded by Mr. Ables, approved 5 – 0 that **Ordinance 2008-01 AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT BY AND BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND THE OWENR OF PROJECT GOLDEN WITH RESPECT TO CERTAIN ECONOMIC DEVELOPMENT PROPERTY, WHEREBY SUCH PROPERTY WILL BE SUBJECT TO CERTAIN PAYMENTS IN LIEU OF TAXES; AND OTHER MATTERS RELATED THERETO"** be adopted in title only on first reading.

Resolution 2008-01:

Mr. Blanchard asked Mr. Norton to address this Resolution. Mr. Norton noted that this is an inducement agreement with Project I-Tech.

Mr. Ables made a motion, seconded by Mr. Lyles, approved 5 – 0 to approve **Resolution 2008-01 “A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN INDUCEMENT AGREEMENT BY AND BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND PROJECT I-TECH WHEREBY, UNDER CERTAIN CONDITIONS OCONEE COUNTY WILL PROVIDE AN INFRASTRUCTURE TAX CREDIT TO PROJECT I-TECH”** on first and final reading.

Resolution 2008-02:

Mr. Blanchard asked Mr. Norton to address this Resolution. Mr. Norton noted that this is an inducement agreement with Project Golden and is part of the previous Ordinance 2008-01 approved earlier in the meeting.

Mr. Ables made a motion, seconded by Mr. Crumpton, approved 5 – 0 to approve **Resolution 2008-02 “A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN INDUCEMENT AGREEMENT BY AND BETWEEN OCONEE COUNTY, SOUTH CAROLINA, AND THE OWNER OF THE INDUSTRIAL PROJECT KNOWN AS PROJECT GOLDEN, WHEREBY, UNDER CERTAIN CONDITIONS, OCONEE COUNTY WILL EXECUTE A FEE IN LIEU OF TAX AGREEMENT WITH SAID OWNER WITH RESPECT TO SAID PROJECT IN THE COUNTY, WHEREBY THE PROJECT WOULD BE SUBJECT TO CERTAIN FEES IN LIEU OF TAXES; AND PROVIDING FOR RELATED MATTERS”** on first and final reading.

Resolution 2008-03:

Mr. Blanchard asked that **Resolution 2008-03 “A RESOLUTION HONORING MS. BONNIE MOSES”** be removed from the agenda and rescheduled at a time when Ms. Moses can attend the meeting.

Items for Consideration by Council:

Arts & Historical Request to Apply for a Grant from the South Carolina Institute of Archeology & Anthropology:

Mr. Surrett addressed Council regarding the request for approval to apply for a grant of \$2,000 to help fund an initial survey of the historic Oconee Town site. Mr. Blanchard asked if the funds were in the budget and Mr. Surrett noted that they were available.

Mr. Crumpton made a motion, seconded by Mr. Suarez, approved 5 – 0 to approve the request to apply for a \$2,000 grant from the South Carolina Institute of Archeology & Anthropology to fund the initial survey of the Oconee Town site.

Oconee Sheriff's Department Request to Apply for the Palmetto Pride Enforcement Grant:

Mr. Surrett addressed Council regarding this request for approval to apply for the Palmetto Pride Enforcement Grant that provide litter control and law enforcement agencies with equipment for use in litter control and illegal dumping cases. The grant amount is \$4,000 with no local match.

Mr. Crumpton made a motion, seconded by Mr. Suarez, approved 5 – 0 to approve applying for the Palmetto Pride Enforcement Grant in the amount of \$4,000.

Property Line Encroachment Request from Mr. Brian Hackley near South Cove County Park:

Mr. Surrett addressed Council regarding this request from Mr. Brian Hackley for a replacement dock permit with Duke Energy Lake Services. Due to the contour lines of the lake, Duke considers this dock to be encroaching on the leased area of South Cove County Park. Mr. Hackley is requesting a signed encroachment waiver from Oconee County. Mr. Surrett noted lengthy conversations with Mr. Hackley regarding this issue. Mr. Surrett noted that the County can not offer Mr. Hackley a conditional waiver that could be withdrawn at a later date. Mr. Hackley addressed Council and provided a handout [filed with these minutes] to better explain his issue. Mr. Surrett stated that after careful consideration that he could not recommend to Council to grant the encroachment waiver as it is not revocable.

Mr. Blanchard asked that this issue be sent to the Real Estate, Facilities & Land Management Committee for further review and discussion. No other action was taken by Council.

Letter from Janet E. Danforth re: Nick Gambrell / Heritage Center:

Mr. Surrett addressed Council regarding this email received from Ms. Danforth commending Mr. Gambrell and his efforts to assist the City of Westminster. Mr. Surrett noted that Mr. Gambrell should be praised for his efforts to assist the citizens. Council also expressed their appreciation of Mr. Gambrell's efforts.

Council Committee Reports:

Real Estate, Facilities & Land Management:

Mr. Lyles had no report at this meeting.

Road & Transportation:

Mr. Crumpton noted that the Road & Transportation Committee met prior to Council at 5:00 p.m. and discussed several road issues. Committee recommendations are as follow:

1] McAlister Road: The Committee recommends permitting to upgrade and provide stabilization with the understanding that a formal written plan must be in place.

2] Encroachment Signs at Blind Driveways: The Committee recommends the installation of signs at the owners expense for the first signs to be installed on either side of the blind driveway and in the driveway.

3] Quit Claim Deed: The Committee recommends that Mr. B. J. Littleton receive a Quit Claim deed from the County for an unused right of way on Metcalf Road.

Council unanimously approved the recommendations from Committee on these issues.

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

Mr. Crumpton had no report at this meeting

Budget, Finance & Administration:

Mr. Ables had no report at this meeting.

Planning & Economic Development:

Mr. Suarez had no report at this meeting.

Board & Commission Appointments:

Board of Zoning Appeals:

Mr. Blanchard asked each member for appointments to the Board of Zoning Appeals. Appointments are as follow:

District I: Appoint: Mr. Gary Winters, 1593 Tall Ship Drive, Salem, SC, 944-2026
Mr. Blanchard noted that Mr. Winters, a resident for 15 years, is a retired developer and builder with extensive knowledge on the topic. He also thanked Ms Coward for her service on this Board noting that she is no longer eligible to serve as she is a member of the Salem Town Council.

District II: No Appointment at this time

District III: No Appointment at this time

District IV: Re-Appoint: Mr. Clark Wilmont, 1588 Toccoa Highway, Westminster, SC, 647-5143

Mr. Lyles noted that Mr. Wilmont has served faithfully and will be a continued asset to this Board.

District V: No Appointment at this time

Appointments for District II, III & V will be added to February 5, 2008 agenda.

Aeronautics Commission:

District I: Appoint: Mr. Paul Mack, 128 Sunset Bay Blvd. Seneca, SC 888-4014
Mr. Blanchard noted that Mr. Mack is a pilot of both fixed wing and helicopters and is a current tenant at the airport.

District II: No Appointment at this time

District III: No Appointment at this time

District IV: Re-Appoint: Mr. Wayne Rholetter, 268 Bennett Road, Westminster, SC 647-5259.

Mr. Lyles noted that Mr. Rholetter has served faithfully and is the current chairman.

District V: No Appointment at this time

Appointments for District II, III & V will be added to February 5, 2008 agenda.

Administrator Report:

Contract: Third Party Administration Agreement for County Medical Plan:

Mr. Surrett asked Ms. Kay Olbon, Human Resources Director, to address Council regarding this contract for medical coverage for active employees, their families and retirees and spouses. Ms. Olbon outlined the timeline for enrollment and contract review noting that during the change of county administration this contract was not signed. Mr. Norton noted that the contract in effect renews itself as the terms state it will continue unless terminated.

Mr. Blanchard questioned why the contract does not coincide with our fiscal year and what fees increased from the last contract. Ms. Olbon stated that the contract period is structured this way because *** and that the only fees to increase minimally were the Medicost fees.

Mr. Ables asked when this contract was last sent out for bid. Ms. Olbon stated that the last bid was approximately 5 years ago. In addition, she noted that she had been working with Mr. Surrett to bid out the insurance this spring.

Mr. Surrett noted that an option for the county might be to explore insurance through the Municipal Association of South Carolina. He noted that they understand the type of employees we have, work to keep their product competitive and the insurance company receives no compensation from the Municipal Association to select their product.

Mr. Norton voiced concerns that the contract as written is very one sided in favor of Benefit Administrators. In addition, he noted that we need to notify Benefit Administrators by March 1, 2008 of our intent to not continue the contract.

Mr. Blanchard stated that Oconee County health insurance needs to be closely looked at during the 2008-2009 budget process.

Mr. Ables made a motion, seconded by Mr. Lyles, approved 5 – 0 to approve the Third Party Administration Agreement for the county's medical plan.

Town of Salem: 2007 Rock Allocation Request:

Mr. Surrett addressed Council regarding a letter from the Town of Salem requesting the balance of their donated gravel allotment for 2007.

Old Business:

No Old Business was addressed.

New Business:

Community Enrichment Grant Award for QuickJobs Development Center:

Mr. Surrett read a letter received from Governor Mark Sanford announcing that Oconee County will receive a \$986,364 Community Enrichment Grant from the Community Development Block Grant Program. Funds will be used to provide a QuickJobs Development Center to serve the citizens of Oconee County. Mr. Surrett noted that the center will likely be at the Hamilton Career Center and that with these funds we will provide training in order to maintain a viable workforce in the county.

Mr. Blanchard asked Clerk to Council to draft a letter to Governor Sanford to thank him for the grant funds for this valuable project.

W. K. Dickson Invoice for Services & Update Letter from General Superintendent, OSCS:

Mr. Surrett briefly reviewed the bill received from W. K. Dickson in the amount of \$14,076.65. Mr. Blanchard questioned if these funds have been budgeted. Mr. Surrett stated yes and they will come from an Economic Development account designated for the commerce park.

Mr. Berry Nichols asked what the services being billed related to. Mr. Blanchard stated that it was for services for the I-85 project.

Mr. Lyles made a motion, seconded by Mr. Ables, approved 5 – 0 to approve payment of \$14,076.65 to W. K. Dickson for their December 11, 2007 invoice.

Mr. Surrett reviewed the letter dated January 8, 2008 [filed with these minutes] from the general superintendent at the Oconee County Sewer Commission outlining an approved change order from the Sewer Commission totaling \$26,000.00. Mr. Surrett noted that these funds are coming from an Economic Development account which has been designated for this project.

Mr. Ables made a motion, seconded by Mr. Suarez, approved 5 – 0 to approve payment of \$26,000.00 as outlined in the January 8, 2008 Sewer Commission letter.

Capital Project Commission: Appointment of Members:

Mr. Surrett asked Mr. Bobby Williams, Infrastructure Advisory Commission representative, to step forward to address the recommendations coming from the Commission to Council for appointments to the Capital Project Sales Tax Commission. Mr. Winchester, Chairman, Infrastructure Advisory Commission, prepared a letter [filed with these minutes] outlining the Commissions recommendations of 5 potential individuals who the commission felt were experienced, qualified and willing to serve.

After a brief discussion, Mr. Lyles made a motion, seconded by Mr. Ables, approved 5 – 0 to appoint the following individuals to the Capital Project Sales Tax Commission:

- Mr. Don Fuller
- Mr. Marty McKee
- Mr. Bill Lewis

Litter Control Program:

Mr. Blanchard discussed a potential litter control program [handout provided and filed with these minutes] that would be administered in conjunction with KOBA. There would be three steps to the program:

- 1] Anti-litter education
- 2] Potential of passing a Bottle deposit law
- 3] County Council would commit \$20,000.00 on an ongoing basis toward an adopt a highway program in which civic groups, industry, etc. would be paid \$100 for each mile adopted with the proviso that the group clean that one mile a minimum of three times each year.

Mr. Blanchard asked the Council to approve him meeting with KOBA to outline guidelines for the distribution of the funds, work with the County Attorney to ensure proper legal language is included, etc. Mr. Blanchard noted that KOBA would be the administrator of the funds.

After a brief discussion, it was the consensus of the Council to approve Mr. Blanchard moving forward with work on this project with the understanding that it would be brought back to Council in the future for final approval.

Patriots' Hall Request for a Static Display:

Mr. Blanchard provided Council with a copy of a letter [filed with these minutes] seeking approval from County Council to have a static display of a surplus military vehicle adjacent to Patriots' Hall. He noted that the group already has the support of Congressman Barrett. In addition, there would be no cost to the county for this display.

Mr. Surrent noted that there is another pending monument scheduled for placement at the Courthouse which needs to be considered in placement of any static display. In addition, he noted that he along with Mr. Norton will be meeting in the coming weeks with the Department of Justice regarding the Oconee County Courthouse.

After a brief discussion, it was the consensus of the Council to approve in concept the static display of a military vehicle at or near Patriots' Hall but that final approval should wait until issues surrounding the Courthouse are addressed.

Executive Session:

Mr. Blanchard asked for a motion to enter into executive session for the purpose of discussing a legal matter and to receive legal advise regarding litigation from the County Attorney.

Mr. Suarez made a motion, seconded by Mr. Ables, approve 5 – 0 to move into executive session for the reason stated above.

Council entered into executive session at 7:24 p.m.

Council returned form executive session at 8:36 p.m.

Mr. Blanchard stated that no action will be taken at this time regarding matters discussed in executive session.

Adjourn:

Mr. Blanchard adjourned Council at 8:38 PM

Respectfully Submitted:

Elizabeth G. Hulse
Clerk to Council