



**AMENDED MINUTES
OCONEE COUNTY COUNCIL MEETING
Regular Meeting
February 5, 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, February 5, 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, Ray Chandler–Anderson Independent and Peter Kent-WSNW Radio.

Call to Order:

Chairman Blanchard called the meeting to order at 7:00 p.m.

Pledge of Allegiance:

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

Minutes:

Mr. Crumpton made a motion, seconded by Mr. Ables, approved 5 – 0 that the minutes from the January 29, 2008 meeting with the Planning Commission be adopted as printed.

Mr. Suarez made a motion, seconded by Mr. Crumpton, approved 5 – 0 that the minutes from the January 29, 2008 regular meeting be adopted as printed.

New Public Comment Form Announcement:

Prior to the beginning of the public comment session, Mr. Blanchard announced a trial program to allow individual citizens the opportunity to speak to Council for more than the allotted three minutes. The new public comment forum will allow two citizens to address Council for up to five minutes at each regular Council meeting. The time may not be used to promote or criticize a political candidate or figure. Any interested individuals are to contact the Council Clerk [718-1023 or bhulse@oconeesc.com] to determine if time is available for the next meeting. Only one meeting will be schedule at a time.

This time before Council is designed to allow for joint dialog between Council and the citizens. Lastly, any material that the citizen wishes Council to review prior to the meeting must be submitted to the Clerk to Council [either via email, fax 864-718-1024 or in person] no later than noon on the Wednesday prior to the meeting.

Public Comment Session:

Mr. Larry Linsin addressed Council regarding his concerns about a Convention Visitors Bureau and his desire to see Council proceed with building a new jail.

Dr. Brett Wright, Clemson PRT Department head and Oconee County resident, addressed Council regarding his support for the Convention Visitors Bureau.

Mr. Ken Sloan addressed Council regarding his support for the Convention Visitors Bureau and provided written comments [filed with these minutes].

Mr. George Cleveland addressed Council regarding his support for additional public comment time and his concerns about the status of the Seneca Library.

Mr. B. J. Littleton addressed Council regarding his concerns about the Oconee County Building Codes Department and the need for a new jail.

Executive Session:

Mr. Blanchard asked for a motion to enter into executive session for the purpose of discussing a contractual matter.

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 7:17 p.m.

Council returned form executive session at 7:37 p.m.

Mr. Blanchard recognized Mr. Norton who addressed Council regarding the pending lawsuit between Ann Hughes and Oconee County; noting that a settlement offer has been made and accepted by Ms. Hughes. Mr. Norton noted that Council must vote to approve the settlement which is as follows:

- [1] Oconee County would purchase years of retirement for Ms. Hughes up to 28 years of service at a cost of \$28,000.
- [2] Oconee County would pay to Ms. Hughes the sum of \$47,000. The total settlement would total \$75,000.
- [3] Ms. Hughes would return to work for Oconee County. She would not be in the Pine Street complex.
- [4] Ms. Hughes would agree to cooperate fully with the County
- [5] Ms. Hughes would sign a release of liability for all Oconee County employees.

Mr. Lyles made a motion, seconded by Mr. Crumpton, approved 4 – 1 [Mr. Ables voting against] to approve the settlement offer as presented by Mr. Norton.

Ordinance 2007-20:

Mr. Norton noted that there have been no changes from second to third and final reading.

Mr. Crumpton 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 third and final reading.

Resolution 2008-04:

Mr. Norton noted that this resolution is required as the company has changed its legal name and there are fee/inducement agreements in place.

Mr. Lyles made a motion, seconded by Mr. Suarez, approved 5 – 0 that **Resolution 2008-04, “A RESOLUTION ACKNOWLEDGING AND CONSENTING TO THE ACQUISITION OF AND NAME CHANGE OF VALENITE INC. AND VALENITE LLC TO SANDVIK, INC. IN CONNECTION WITH A FEE IN LIEU OF TAX AGREEMENT AND AN INFRASTRUCTURE TAX CREDIT AGREEMENT WITH OCONEE COUNTY”** be adopted on first and final reading.

Items for Consideration by Council:

Valenite Request: HAZMAT Truck donation:

Mr. Surrent addressed Council regarding a request from Valenite for a HAZMAT truck. He noted that if Council approves that Valenite would be solely responsible for all insurance, taxes and maintenance on the vehicle. In addition, Valenite has agreed to respond to any HAZMAT requests from Oconee County.

Mr. Ables made a motion, seconded by Mr. Crumpton, approved 5 – 0 to donate the HAZMAT truck [1978 Ford, F600 CG34561, VIN# R80DVCG6806] to Valenite based on the terms outlined above.

Convention & Visitor Bureau [CVB]:

Mr. Surrett requested Mr. Phil Shirley, PRT Director, to address Council regarding the creation of a Convention & Visitor Bureau [CVB]. Mr. Shirley outlined a brief history noting that this project has been ongoing for about 1 ½ years. He stated that he worked with many individuals and that he consulted other counties to create an Oconee model.

Mr. Shirley's recommendations are as follow:

- [1] Create a Convention Visitor Bureau [CVB] under the umbrella of Oconee Alliance.
- [2] Fund for a three year period \$160,000 each year for the following:
 - Hire and Executive Director who would report directly to Jim Gadd and the Board of Directors. The Executive Director would be interviewed and selected by Oconee Alliance.
 - Provide an intern to work directly with the Executive Director
 - Estimated marketing budget between \$75,000-\$80,000

[3] The Oconee Alliance Tourism committee will remain in place to serve in an advisory capacity on tourism to the CVB and the Oconee Alliance Board of Directors. The committee includes a representative from each of the three Chamber of Commerce, plus a wide variety of tourism professionals that will behind on to assist the newly hired Executive Director get this organization established.

The Oconee Alliance will add three ex officio board seats to the Oconee Alliance Board of Directors for representatives of the three Chambers of Commerce, and three ex officio board seats to three tourism professionals that will be recommended by the tourism committee.

[4] Funding: ATAX funds are designed for this type of project. Funds have been building in the ATAX accounts for several years.

Mr. Blanchard questioned if there are tools in place to measure performance and provide periodic reports to council. Mr. Shirley stated that reports could be made as frequently as Council desires. In addition he noted that the approved advertisement in 2007 in the SC Smiles publication generated 360 replies within 3 weeks and that respondents were from around the US and Canada.

Mr. Lyles noted that he could not support spending tax dollars for this type of project. Mr. Crumpton concurred.

Mr. Shirley addressed the purchase of land for a recreation center noting that this type of facility should generate a lot of revenue by attracting tournaments to our facilities.

Mr. Ables made a motion, seconded by Mr. Suarez, approved 3 – 2 [Mr. Lyles & Mr. Crumpton voting against] to commit \$480,000 over a three year period for the creation of a Convention & Visitor Bureau as outlined above.

Corp of Engineers Lease:

Mr. Surrett along with Mr. Shirley addressed Council and gave a PowerPoint presentation [filed with these minutes] regarding the Corp of Engineers – Lake Hartwell Project, Lease # DACW21-1-07-5245. Mr. Surrett noted that this presentation is for information only and that no action is required at this meeting. The lease has been in existence since the 1980's at which time the Corp stated that they could no longer maintain the ramps and initiated a lease with the County. This lease period would be from July 2007 through July 2017. At present, Oconee County does not have a lease agreement in place.

Mr. Surrett noted that he and Mr. Shirley rode to all of the landings included in the lease to inspect and document their current status and to identify areas of concern. Specific issues of concern include: [1] appropriate and/or non-existent signage, [2] ramp repairs needed, [3] road repairs needed, [4] public safety, [5] access issues, and [6] trash at each site. Mr. Surrett also noted that there were opportunities to potentially upgrade and/or improvements to several locations with either the addition of picnic shelters and/or camping facilities.

After discussion it was agreed to forward this matter to the Real Estate, Facilities & Land Management Committee for further study.

2008 Visitors Guide to the Upcountry, SC Magazine Advertising Request:

Mr. Shirley addressed Council regarding an advertising request to place a full page ad in the 2008 Visitors Guide to the Upcountry. He noted that last year our advertisement was on the back of the front cover and appeared in over 70,000 copies. Mr. Shirley stated that the contact information provided allowed for effective tracking for the advertisement.

Mr. Suarez made a motion, seconded by Mr. Ables, approved 5 – 0 to authorize the advertisement in the 2008 Visitors Guide to the Upcountry in the amount of \$2,400.

PRT Commission: Bassmasters Classic Funding:

Mr. Shirley addressed Council regarding a funding request from the Southern Hospitality Group in the amount of \$15,000 to support hosting the 2008 ESPN Bassmaster Classic being held in the upstate in February. Mr. Shirley noted that the PRT Commission is however recommending funding in the amount of \$10,000 based on their concerns that they could not clearly identify a positive impact for Oconee County.

South Cove Park will host the women's weigh in and the County will receive national ESPN coverage. The men's weigh in will be held at the Bi-Lo Center in Greenville.

Mr. Blanchard asked Mr. Shirley to closely monitor any possible effect that this grant might generate to help council identify if they wish to fund again in coming years.

Mr. Ables made a motion, seconded by Mr. Suarez, approved 5 – 0 to approve \$10,000 to the Southern Hospitality Group in support of hosting the 2008 ESPN Bassmaster Classic in the upstate in February.

Tourism Website Funding:

Mr. Shirley addressed Council regarding a recommendation from the PRT Commission to create an Oconee County Tourism & Destination Website. After a brief discussion, it was unanimously agreed to table this matter to allow the Executive Director of the newly created CVB to address this once they are on board and up to speed.

ATAX Requests:

- (1) **Blue Ridge Arts Association Advertising, \$1,436.00 for Heritage Lecture Series**
- (2) **Blue Ridge Arts Association Advertising, \$ 520.00 for Oconee Schools Exhibit**
- (3) **Blue Ridge Arts Association Advertising, \$ 1,370.00 for “Art & Soul Show”**

Mr. Crumpton made a motion, seconded by Mr. Ables, approved 5 – 0 to approve the three Blue Ridge Arts Association Advertising requests as outlined above.

- (4) **Downtown Seneca Merchants Association, \$13,520.00 to sponsor “Your Day”**

Mr. Shirley addressed Council regarding the Downtown Seneca Merchants Association request for \$13,520 to sponsor the “Your Day” radio program. Mr. Blanchard voiced concerns that Oconee County would not be prominently advertised to warrant this expenditure.

After a brief discussion, it was unanimously agreed to table this matter to allow for further study.

Renew Bid #2006-15: Road Striping:

Mr. Crumpton made a motion, seconded by Mr. Ables, approved 5 – 0 to extend Bid #2006-15 for one additional year.

Amendments to Airport Hanger Lease Agreement:

Mr. Norton noted that he met last week with the Pilot’s Association and that minor changes were made in the lease agreement before Council. Mr. Norton noted that the Association thanked the County for working with them to draft a lease that all parties are happy with.

Mr. Lyles made a motion, seconded by Mr. Crumpton, approved 5 – 0 to approve the amendments to the Airport Hanger Lease Agreement as presented.

Planning Department: SC Budget & Control Board Competitive Community Grant:

Mr. Surrett addressed Council regarding the Planning Department request to apply for the SC Budget & Control Board Competitive Community Grant. He noted that there is no local match available for this grant.

Mr. Ables made a motion, seconded by Mr. Lyles, approved 5 – 0 to authorize the Planning Department to apply for the SC Budget & Control Board Competitive Community Grant.

Council Committee Reports:

Real Estate, Facilities & Land Management:

Mr. Lyles had no report at this meeting.

Road & Transportation:

Mr. Crumpton outlined the Road Committee's recommendations from a meeting held earlier in the day and requested Council's approval for the following:

1. McAlister Road: Committee recommends acceptance of road at 22'.
2. Willow Creek II: Committee recommends approval for a variance to accept the road into the county system as built.

Council unanimously approved the recommendations from the Road Committee as outlined above.

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

Mr. Blanchard had no report at this meeting

Budget, Finance & Administration:

Mr. Ables noted that the Committee met earlier in the day to discuss goals and future obligations for the County. No action was required based on this report.

Planning & Economic Development:

Mr. Suarez had no report at this meeting.

Board & Commission Appointments:

Mr. Blanchard noted that a worksheet has been prepared including a schedule for Councils to use to streamline the appointment process for Board & Commissions. He noted that appointments for the Arts & Historical Commission and the Economic Development Commission will be addressed at the first meeting in March to be held on March 4, 2008.

Board of Zoning Appeals:

Mr. Blanchard asked the remaining members for their appointments to the Board of Zoning Appeals. Appointments are as follow:

District II: Appoint: Mr. Berry Nichols, 211 West Park Drive, Walhalla, SC 29691
864-638-5532

Mr. Crumpton made a motion, seconded by Mr. Ables, approved 5 – 0 to appoint Mr. Berry Nichols to the Board of Zoning Appeals for one of the two open at large seats.

Appointment for District III will be added to February 19, 2008 agenda.

Aeronautics Commission:

Mr. Blanchard asked the remaining members for their appointments to the Aeronautics Commission. Appointments are as follow:

District II: Appoint: Mr. Dan Suddeth, 213 Burnt Tanyard Road, West Union, SC
864-903-1017

Mr. Crumpton made a motion, seconded by Mr. Ables, approved 5 – 0 to appoint Mr. Dan Suddeth to the Aeronautics Commission.

District III: Re-Appoint: Mr. Thomas Luke, 106 Terry Drive, Seneca, SC 29678
864-882-2619

Mr. Suarez made a motion, seconded by Mr. Ables, approved 5 – 0 to re-appoint Mr. Thomas Luke to the Aeronautics Commission.

Arts & Historical Commission:

District II: Re-appoint: Mr. Luther Lyle, 65 Plantation Road, Walhalla, SC 29691
864-638-6070

Mr. Crumpton made a motion, seconded by Mr. Suarez, approved 5 – 0 to re-appoint Mr. Luther Lyle to the Arts & Historical Commission.

Administrator's Report:

Charter Communications:

Mr. Surrett addressed Council regarding the change to the Charter Communications contract based on South Carolina granting Charter a state-wide franchise. This requires no action by Council and is presented for information purposes only.

FAA Funding at Airport:

Mr. Surrett noted that the Oconee County Airport received grand funding from the FAA in the amount of approximately \$48,000 to obtain engineering work to repair in part a high spot in the runway. This would be conducted under the existing contract with Talbert & Bright if approved by Council.

Mr. Lyles made a motion, seconded by Mr. Suarez, approved 5 – 0 to authorize a change order to for Talbert & Bright in the amount of \$48,000.

Master in Equity:

Mr. Surrett advised Council that during the budget meetings held to prepare and finalize the 2007-2008 Oconee County Budget that funding for the Master in Equity in the amount of \$36,000 was cut without notice to the Judge's office. Judge Few is requesting Council approve the original funding request as his office has continued to work. Mr. Norton shared some of the scope of the Master in Equity's duties. The funding covered not only the Judge but support staff and operational expenses for his time in Oconee County.

After discussion, it was unanimously agreed to table this request and obtain additional information to be brought to a future meeting.

Old Business:

There was no old business discussed at this meeting.

New Business:

Oconee County Council Meeting Schedule:

Mr. Blanchard advised those citizens present regarding a schedule change for County Council meetings in May 2008 and June 2008 in order in part to accommodate Registrations & Elections who will need to use Council Chambers for absentee voting. The meeting schedule will be amended and advertised as follows:

- Tuesday, May 6, 2008 at 7:00 p.m. at West Oak High School, Westminster, SC
- Tuesday, May 20, 2008 at 6:00 p.m. at Seneca High School, Seneca, SC
- Tuesday, June 3, 2008 at 7:00 p.m. at Walhalla High School, Walhalla, SC

Mr. Blanchard noted that Council is eager to meet with citizens in each location and bring the meetings into these communities.

Transfer of Assets from Oconee County to Oconee Joint Regional Sewer Authority:

Mr. Norton addressed Council regarding the transfer of certain assets to include real property [two tracts] and easements to the newly formed Oconee Joint Regional Sewer Authority [OJRSA].

Mr. Crumpton made a motion, seconded by Mr. Ables, approved 5 – 0 to approve transfer of real property and easements to the Oconee Joint Regional Sewer Authority.

Adjourn:

Mr. Blanchard adjourned Council at 9:00 PM

Respectfully Submitted:

Elizabeth G. Hulse
Clerk to Council