



MINUTES
OCONEE COUNTY COUNCIL MEETING
Regular Meeting
February 19, 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 19, 2008 at 6:00 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: David Williams–Anderson Independent and Peter Kent-WSNW Radio.

Call to Order:

Chairman Blanchard called the meeting to order at 6:00 p.m.

Pledge of Allegiance:

Ms. Hulse led the pledge of allegiance to the US Flag.

Minutes:

Mr. Blanchard requested a minor correction to the minutes as prepared by the Clerk to Council. Mr. Suarez made a motion, seconded by Mr. Ables, approved 5 – 0 that the minutes from the February 5, 2008 regular meeting be adopted as amended.

Public Comment Session:

Mr. Frank Kieninger Oconee Men's Outreach addressed Council regarding the groups continued prayers for Council members. Mr. Kieninger also presented Council members with a letter, desk card and wallet card [filed with these minutes].

Mr. Jerry Barnett addressed Council regarding his support for the public's property rights and his opposition to any zoning in Oconee County.

Mrs. Donna Linsin addressed Council regarding her support for the extended public comment session and concerns regarding the "Economic Development Strategic Plan".

Mr. Larry Linsin addressed Council regarding his opposition to taxes to build a spec building and concerns regarding the "Economic Development Strategic Plan".

Mr. Berry Nichols addressed Council regarding his concerns about light pollution in Oconee County and his opposition to the time change for the second monthly council meeting.

Ms. Linda Lovely, Advocates for Quality Development, addressed Council regarding her support and the support of many citizens as evidenced by a signed petition [filed with these minutes] from more than 1,000 citizens who support the Zoning Enabling Ordinance.

Mr. Bill Graham, FOLKS, addressed Council regarding his support and the support of many citizens as evidenced by a petition [filed with these minutes] from citizens who support the Zoning Enabling Ordinance and the overlay districts.

Ms. Mary Alice Wald addressed Council regarding her concerns about uncontrolled future growth in Oconee County. Ms. Wald provided Councilman Blanchard with a copy of a booklet for his review.

Ms. Susie Cornelius addressed Council regarding her concerns regarding the Rural Fire program and a lack of information being given to the citizens regarding the process.

Mr. B. J. Littleton addressed Council regarding his concerns about increasing taxes for unnecessary economic development in Oconee County.

Extended Public Comment Session:

Advocates for Quality Development:

Mr. Steve MacLeod, Advocates for Quality Development representative, addressed council and provided handouts [filed with these minutes] from an extensive PowerPoint presentation in support for the Zoning Enabling Ordinance [ZEO]. He briefly addressed issues covering who supports the ZEO, common misunderstandings, parcels ripe for development, possible solutions and completed his presentation with a call to action by council to enact the ZEO as quickly as possible.

Mr. Blanchard opened the floor for council questions. Mr. Ables asked Mr. Norton where the county stood as we have had first reading of the ZEO. Mr. Norton noted that we are progressing using legislative intent at the present time. Mr. Blanchard thanked Mr. MacLeod on behalf of the Council for his presentation and asked that he also make the same presentation at the next Planning Commission meeting.

Mr. David Nabors regarding the Picket Post Camp Oak Fire Department:

Mr. David Nabors, a member for 16 years of the Pickett Post Camp Oak Fire Department, read a statement to Council members regarding his concerns regarding the Fire Department's finances noting that financial information was being kept from the volunteers. Mr. Nabors stated that he filed a Freedom of Information Act request with the chief to obtain specific bank records and that incomplete information was received.

Mr. Nabors stated that he received a certified letter [along with several other members of the station] telling him to return his gear and notifying him that he had been placed on "no trespass". He stated that the Pickett Post Camp Oak Fire Department is his assigned polling place and he has been told he may not enter the building. Mr. Nabors stated that he just wants answers to his questions and to be fairly treated.

No action was taken by Council at this meeting.

Economic Development Commission presentation: "Economic Development Strategic Plan"

Mr. Jim Alexander, Economic Development Director, introduced Dr. Jimmy Morris, CEO Genesis Group, who's group facilitated the Economic Development Commission's [EDC] work through questionnaires and meetings to create the "Economic Development Strategic Plan" as presented at this meeting.

Copies of Dr. Morris's PowerPoint presentation will be filed with these minutes. Copies of the full report were provided to all council members and are also available on the county website or in person at the Economic Development office. Dr. Morris briefly outlined the strategic planning process, recommendations, communication and public awareness, responsibilities of the EDC, cooperation and coordination, infrastructure and lastly imperatives.

Council thanked Dr. Morris and his group for the thoughtful presentation and agreed that many of the areas addressed in the presentation were things that Council was currently considering and/or reviewing.

Ordinance 2008-01:

Mr. Norton noted that there have been no changes to Ordinance 2008-01 from first to second reading. In addition he stated that a draft fee in lieu agreement along with a detailed cost benefit analysis was provided to each council member which in part outlined the creation of approximately 50 new jobs with this project.

Mr. Crumpton made a motion, seconded by Mr. Suarez, 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 on second reading.

Ordinance 2008-02:

Mr. Norton noted that the fee in lieu of tax agreement between Oconee County and Project VAL IV will generate a \$35,000,000 investment. Mr. Norton noted that a cost benefit analysis will be provided to council prior to second reading.

Mr. Ables made a motion, seconded by Mr. Crumpton, approved 5 – 0 that **Ordinance 2008-02, “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND PROJECT VAL IV; AND OTHER MATTERS RELATING THERETO INCLUDING, WITHOUT LIMITATION, PAYMENT OF A FEE IN LIEU OF TAXES”** be adopted on first reading.

Ordinance 2008-03:

Mr. Norton noted that is also related to Project VAL IV and will provide for certain infrastructure credits.

Mr. Lyles made a motion, seconded by Mr. Ables, approved 5 – 0 that **Ordinance 2008-03, “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA, AND PROJECT VAL IV FOR GRANTING CERTAIN INFRASTRUCTURE CREDITS TO PROJECT VAL IV”** be adopted on first reading.

Resolution 2008-05:

Mr. Norton stated that this resolution relates to Project VAL IV and is an inducement agreement and provides for an infrastructure tax credit.

Mr. Lyles made a motion, seconded by Mr. Ables, approved 5 – 0 that **Resolution 2008-05, “A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN INDUCEMENT AGREEMENT BY AND BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND PROJECT VAL IV WHEREBY, UNDER CERTAIN CONDITIONS, OCONEE COUNTY WILL EXECUTE A FEE IN LIEU OF TAX AGREEMENT FOR A PROJECT INVOLVING NOT LESS THAN THIRTY-FIVE MILLION DOLLARS (\$35,000,000) INVESTMENT AND WILL PROVIDE AN INFRASTRUCTURE TAX CREDIT”** be adopted on first and final reading.

Items for Consideration by Council:

Downtown Seneca Merchants Association, \$13,520.00 to sponsor “Your Day”

Mr. Phil Shirley, PRT Director introduced Ms. Ginger Pope and Ms. Mary Tannery from the Downtown Seneca Merchants Association who addressed Council regarding the request for \$13,520 to sponsor the “Your Day” radio program. Ms. Pope briefly outlined the material provided to Council prior to the meeting that included samples of the programs and advertisements. Mr. Blanchard questioned who had funded the program in the past and questioned how they track the effectiveness of these advertisements. Ms. Pope stated that the City of Seneca had previously funded this item but as this program reached throughout the entire state that they felt that state ATAX money would be appropriate to request. In addition she

stated that they routinely track visitors and that reporting is done in percentages per grant requirements not actual numbers. Mr. Shirley interjected that during the last Apple Festival in Westminster that he and PRT staff conducted a half day sampling of visitors and found that those attending the festival were from 8 different states and several other South Carolina counties.

Mr. Ables made a motion, seconded by Mr. Suarez, approved 5 – 0 to sponsor the “Your Day” advertisement through the Downtown Seneca Merchants Association in the amount of \$13,520.00.

Fire Repeater Backup System:

Mr. Surrett addressed Council regarding an upgrade to the fire service emergency radio system with the purchase of a fire repeater backup system. This system will not only back up fire but also rescue and possibly hazmat. Council will need to pass two motions for this item, [1] transfer of funds, and [2] approval of purchase.

Mr. Lyles made a motion, seconded by Mr. Crumpton, approved 5 – 0, to purchase the fire repeater backup system from a single source vendor, Gunby Communication in the amount of \$42,000.00

Mr. Lyles made a motion, seconded by Mr. Crumpton, approved 5 – 0 to transfer \$20,000 from account 010-104-30024-0 to account 010-104-50840-0.

Arts & Historical: Walhalla Civic Auditorium advertising, “The Best of Broadway”:

Mr. Crumpton made a motion, seconded by Mr. Suarez, approved 5 – 0 to approve the \$2,000 grant request to advertise “The Best of Broadway” at the Walhalla Civic Auditorium.

Assessor Update: 2006 Appeals:

Mr. Leslie Smith was not present at this meeting.

Mr. Blanchard tabled this item and requested the Clerk to Council to place it on the March 4, 2008 council agenda.

Solid Waste: SC DHEC Grant Application approval request:

[Mr. Crumpton left council chambers at this time.]

Mr. Surrett addressed Council regarding Solid Wastes request to apply for the SC DHEC grant program as outlined below:

- FY 08 Solid Waste Reduction & Recycling Grant = \$40,000 – no local match
- FY 08 Used Oil Grant = \$210,700 – no local match
- FY 08 Waste Tire/Automobile Dismantler Tire Grant = \$197,500 – no local match

Mr. Lyles made a motion, seconded by Mr. Suarez, approved 4 – 0 to approve Solid Waste applying for the three SC DHEC grants outlined above.

Planning Commission: Future Land Use Map [FLUM]:

[Mr. Crumpton returned to council chambers at this time.]

Mr. Art Holbrooks addressed Council regarding the draft Future Land Use Map [FLUM]. He noted that this document outlines short term usage and that the Planning Commission continues to plan community meetings to assist in developing a 10 year plan. The map shows what the current status of the county is; not what might be planned for the future.

Mr. Holbrooks noted that the FLUM must match with the Zoning Enabling Ordinance [ZEO] as outlined in state law. In addition, it is necessary to amend the map into the Comprehensive Plan prior to passage of the ZEO.

Mr. Suarez made a motion, seconded by Mr. Ables, approved 5 – 0 to adopt the Future Land Use Map and which will amend the Oconee County Comprehensive Plan.

Bid #2007-15: Smooth Drum Vibratory Compactor:

[Mr. Blanchard left council chambers at this time.]

Mr. Surrett addressed Council regarding Bid #2007-15 for a smooth drum vibratory compactor to be used by the Roads & Bridges Department. The recommendation is to award this bid to Blanchard Machinery in the amount of \$114,946.42. Mr. Crumpton questioned if it was possible to negotiate with the vendor to try to come closer to the budgeted amount of \$110,000. Mr. Surrett noted that he would look into this matter.

Mr. Crumpton made a motion, seconded by Mr. Ables, approved 4 – 0 to award Bid #2007-15 to Blanchard Machinery in the amount of \$114,946.42.

[Mr. Blanchard returned to council chambers at this time.]

Council Committee Reports:

[Mr. Lyles left council chambers at this time.]

Road & Transportation:

Mr. Crumpton announced a Road Committee meeting for Thursday, February 28, 2008 at 10:30 a.m. in Council Chambers.

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

Mr. Blanchard 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.

[Mr. Lyles returned to Council Chambers at this time.]

Real Estate, Facilities & Land Management:

Mr. Lyles stated that this committee met earlier in the day and is recommending that Council approve in concept an encroachment permit for Mr. Brian Hackney. Mr. Lyles noted that specific language will be drawn up by Mr. Norton and submitted to Duke for their consent. If for some reason Duke will not agree with the wording the issue will go back to the Real Estate Committee for further discussion.

Board & Commission Appointments:

Board of Zoning Appeals:

Mr. Blanchard asked the remaining members for their appointments to the Board of Zoning Appeals. No appointments were made at this meeting.

Appointments for District II, III and an At Large seat will be added to March 4, 2008 agenda.

Administrator's Report:

Sheriff's Department: Overtime Account:

Mr. Surret addressed Council regarding a request from the Sheriff's Department to transfer \$40,000 into the overtime account to cover an anticipated shortfall. He noted that the funds are available and could be moved from the current payroll budget from open positions that have not been filled. Mr. Surret also noted that the overtime line item was cut during the last budget process and that the Sheriff's Department has been providing additional unbudgeted patrols in the three county parks as needed.

Mr. Suarez made a motion, seconded by Mr. Lyles, approved 5 – 0 to approved transfer of \$40,000 into the Sheriff's Department overtime account.

Register of Deeds: Scam / Public Alert:

Mr. Surret addressed Council regarding a scam that the Register of Deeds has uncovered regarding recent home owners receiving solicitations from a private company offering to provide them with a copy of their deed for \$59.95. A press release was issued to warn the public [a copy is filed with these minutes]. Ms. Davison wanted all to be aware that almost all deeds since 2002 are on line and can be obtained free of charge. In addition, the Register of Deeds has copies of deeds that go back several hundred years and copies can be obtained for a nominal charge. Ms. Davison wanted to alert both the general public and Council regarding this scam.

Mr. Blanchard suggested that if any citizens are contacted by this type of company that they notify the county administrator, the Register of Deeds office or the Oconee County Sheriff's Department to file a report.

Governor's Proclamation: May 2008 Public Works Month:

Mr. Surrett noted that in the Council packs was a copy of a proclamation by Governor Sanford proclaiming May 2008 as Public Works Month. Council along with Mr. Surrett noted their appreciation for the County's employees.

Community Enrichment Grant Award for QuickJobs Development Center:

Mr. Surrett noted that there had been a formal presentation to the County in the last week in the amount of \$986,364 for a Community Enrichment Grant. He noted that the funds are designated for a QuickJobs Development Center to serve the citizens of Oconee County which will be located at the Hamilton Career Center.

Old Business:

Animal Shelter Building:

Mr. Crumpton requested an update from Mr. Surrett regarding construction progress for the new animal shelter facility. Mr. Surrett noted that work is progressing and that the County is awaiting several key permits before construction can begin. He assured Council that work is ongoing and progress is being made.

CAT Bus System Study:

Mr. Lyles asked Mr. Surrett to follow up on a study that was to have been conducted regarding the CAT Bus service and to report back at a future meeting.

Recreation / Civic Center:

Mr. Lyles asked both Mr. Surrett and Mr. Norton to explore funding options to include the SC State ATAX funds that could be utilized to fund a recreation / civic center. Mr. Lyles asked that funding options be provided so that the issue can be revisited during the 2008-2009 budget process.

Treasurer's Office Credit Card Acceptance:

Mr. Blanchard asked Mr. Surrett the status of the pending contracts that had been presented to council at the January 2008 meeting by Mr. Nowell. Mr. Surrett noted that Mr. Nowell is currently working to have the contracts revised to show that any fees associated with the county accepting the credit card will be passed onto the specific customer and not paid by the County or the general taxpayers.

Mr. Blanchard also questioned Mr. Surrett regarding the proposed contract with an outside vendor to create a website for the Treasurer's Office. Mr. Surrett stated that to his knowledge Mr. Nowell had not proceeded with this project.

New Business:

Senior Solutions / Lakeview Assisted Living Contract FY 07-08:

Mr. Surrett addressed Council regarding a request from Senior Solutions to sign a new contract with Senior Solutions as the previous contract expired on June 30, 2007. He noted that funds were allocated in the 2007-2008 budget for Senior Solutions and that the signing of the new contract was overlooked at that time. Mr. Surrett noted that the county attorney reviewed the contract and that it is designed to be coterminous with the county's fiscal budget year.

Mr. Ables made a motion, seconded by Mr. Crumpton, approved 5 – 0 to authorize the contract with Senior Solutions for the period covering July 1, 2007 through June 30, 2008.

Adjourn:

Mr. Blanchard adjourned Council at 8:21 PM

Respectfully Submitted:

Elizabeth G. Hulse
Clerk to Council