



MINUTES
OCONEE COUNTY COUNCIL MEETING
Regular Meeting
March 4, 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, March 4, 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: David Williams—Anderson Independent and Carlos Garza-Daily Journal.

Call to Order:

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

Pledge of Allegiance:

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

Minutes:

Mr. Lyles made a motion, seconded by Mr. Crumpton, approved 5 – 0 that the minutes from the February 19, 2008 regular meeting be adopted as printed.

Public Comment Session:

Mr. Jerry Barnett addressed Council regarding his opposition to zoning in Oconee County.

Mr. Richard Hathaway addressed Council regarding his concerns about the 2006 tax assessment appeals process and his perception regarding the inequity in the assessments.

Mr. Berry Nichols addressed Council regarding his request that the Council be fiscally responsible during the budget process and his belief that new homeowners, FILOT agreements and new and expanding industry should cover any increases in the FY 2008-2009 Oconee County budget.

Mr. Tom Marcovich addressed Council regarding his support for a civic center located in Oconee County.

Mr. George Cleveland addressed Council regarding his support for a civic center and new Seneca Library.

Mr. B. J. Littleton addressed Council regarding his belief in the republican creed.

Extended Public Comment Session:

Mr. Larry Linsin:

Mr. Linsin addressed council regarding various funding options for a civic / recreation center in Oconee County that would not involve taxpayer's money. He reviewed successful two models; a health club in Franklin, NC and the YMCA.

The health club in Franklin was an example of a successful private/corporate partnership that provided low cost to the members without using tax dollars, grants or issuing bonds. Mr. Linsin provided Council with contact information for this health club [filed with these minutes].

In addition, Mr. Linsin noted that the YMCA can be started in several ways without tax dollars. Corporate funding could be utilized and he stated that Ms. Jeanne Ward, CEO at Oconee Memorial Hospital, is interested in this type of venture. A founder's campaign could be used for funding along with private citizens contributing as well.

Council thanked Mr. Linsin for his efforts in gathering the information and his well thought out presentation.

No action was taken by Council at this time.

Advocates for Quality Development:

Advocates for Quality Development notified Clerk to Council that they would not make a presentation at this meeting.

Elliott Davis presentation: "Comprehensive Annual Financial Report: Fiscal Year Ended June 30, 2007"

Ms. Phyllis Lombard, Finance Director, introduced Ms. Lori Smith and Mr. Jim Davis from Elliott Davis, the external auditor who prepared the comprehensive annual financial report [CAFR]. A copy of the full report is available in the Finance Office and will be filed in the County Council office. Ms. Smith noted that Oconee County received an unqualified opinion / clean opinion for the period ending June 30, 2007 and summarized key areas for Council. Lastly, Ms. Smith summarized some of the new standards that will be in place for the next audit period.

Lake Hartwell Coalition presentation regarding Lake Hartwell water level concerns:

Mr. Mike Grey, Mr. Burris Nelson along with Mr. Tom Coley presented to council a PowerPoint presentation regarding the groups request for support for funding to study the impact of lower lake levels on the economies of the counties in South Carolina and Georgia that border the lake. They presented a report "Lake Hartwell Economic Impact Analysis Proposal / Scope of Work" [filed with these minutes] that was prepared in part with the assistance of the Strom Thurmond Institute of Government and Public Affairs. As part of their presentation they requested financial support from Council to proceed with the study, noting that matching funds are available to assist with the study.

Mr. Blanchard asked if private companies were currently being solicited to assist with funding for the study. Mr. Grey noted none were at present but any wishing to contribute would be gladly accepted. Mr. Ables stated support and asked that this item be addressed during the upcoming process for fiscal year 2008-2009. Mr. Blanchard suggested another potential measurement tool i.e., gallons of fuel sold.

Ordinance 2008-02:

Mr. Norton noted that there have been no changes to Ordinance 2008-02 from first to second reading. In addition he stated that a detailed cost benefit analysis was provided to each council member for their review.

Mr. Ables made a motion, seconded by Mr. Suarez, 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 second reading.

Ordinance 2008-03:

Mr. Norton again noted that there have been no changes to Ordinance 2008-03 from first to second reading and that this relates to 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 second reading.

Ordinance 2008-05:

Mr. Norton stated that this ordinance is required to amend the Comprehensive Plan with the addition of the Future Land Use Map as approved on first reading at the last meeting held on February 19, 2008.

Mr. Suarez made a motion, seconded by Mr. Ables, approved 5 – 0 that **Ordinance 2008-05, "AN ORDINANCE AMENDING ORDINANCE 2004 - 25 AN ORDINANCE ADOPTING THE OCONEE COUNTY COMPREHENSIVE PLAN"** be adopted on second reading.

Ordinance 2008-04:

Mr. Norton stated that this is an infrastructure tax credit and an estimated investment by the company of \$5.7 million and creating approximately 60 new jobs.

Mr. Ables made a motion, seconded by Mr. Crumpton, approved 5 – 0 that **Ordinance 2008-04, “AN ORDINANCE BY OCONEE COUNTY, SOUTH CAROLINA, AUTHORIZING AN INFRASTRUCTURE TAX CREDIT (PROJECT I-TECH); THE ENTERING INTO OF CERTAIN COVENANTS AND AGREEMENTS AND THE EXECUTION AND DELIVERY OF CERTAIN INSTRUMENTS RELATING TO THE ISSUANCE OF THE AFORESAID INFRASTRUCTURE TAX CREDIT, INCLUDING CERTAIN OTHER MATTERS RELATING THERETO”** be adopted on first reading.

Resolution 2008-06:

Mr. Lyles made a motion, seconded by Mr. Crumpton, approved 5 – 0 that **Resolution 2008-06, “A RESOLUTION SUPPORTING FAIR HOUSING IN OCONEE COUNTY”** be adopted on first and final reading.

Items for Consideration by Council:

Assessor Update: 2006 Appeals:

Mr. Leslie Smith addressed Council regarding the status of the 2006 property tax assessment appeals. He presented a report [filed with these minutes] outlining the step for reassessment, issues with the current process, percentage of appeals, current status and length of time to resolve appeals. In addition he reported on new appeals for 2007 and steps being taken to improve the reassessment process.

Mr. Blanchard voiced concerns regarding the length of time the process is taking and noted the frustration of both the Council and the public. Mr. Surrett questioned if the Board of Assessment Appeals could be amended to add members or have split meetings in order to address a greater number of appeals. Mr. Smith noted that he had requested during the last budget process to be able to contract with outside appraisers to assist in the process but the former Administrator had cut this from the budget. Mr. Blanchard thanked Mr. Smith for his report and stated that he expected to find in the report a clear plan how to resolve the appeals.

Mr. Lyles recommended that Council task Mr. Surrett and Mr. Smith with developing a plan to resolve the backlog of appeals and report back at a future meeting. Mr. Surrett noted that he will with Mr. Smith develop and implement a plan and act to address Council’s concerns.

Possible Property Transfer to BorgWarner:

Mr. Norton stated that the County has a current Fee In Lieu of Tax Agreement [FILOT] with BorgWarner and that under a previous law as part of the FILOT the company transferred property to the county and the county would turn around and lease the property back to the company. BorgWarner’s attorney is now requesting that the county transfer the property back to the company. Mr. Norton noted that there would be no effect to the FILOT.

Mr. Ables made a motion, seconded by Mr. Suarez, approved 5 – 0 to approve the transfer of property to BorgWarner in conjunction with their FILOT.

Renewal and Contract for Title Search Services for Delinquent Tax:

Mr. Lyles made a motion, seconded by Mr. Ables, approved 5 – 0 to approve the renewal and contract for title services for the Delinquent Tax office.

Bid #2007-17: Filters for Vehicle Maintenance & Rock Quarry:

Mr. Surrett addressed Council regarding Bid #2007-17 for filters for Vehicle Maintenance and the Rock Quarry. The staff recommendation is to award this bid to Anderson Auto Parts in the amount of \$41,335.73 for one year with an option to extend the bid for an addition four 1 year periods. Mr. Blanchard questioned why the recommendation was not for low bid when the brand parts were the same. Mr. Surrett noted that Myrtle Beach Auto & Truck did not meet the specs for delivery and were not able to guarantee 24 hour delivery. Mr. Blanchard voiced concerns that both Vehicle Maintenance and the Rock Quarry should be able to appropriately plan for filters on hand in order to save approximately \$18,000. Mr. Crumpton noted that Anderson Auto is a local vendor with a good track record of service.

Mr. Crumpton made a motion, seconded by Mr. Lyles, approved 3 – 2 [Mr. Blanchard and Mr. Suarez voting against] to award Bid #2007-17 Anderson Auto Parts in the amount of \$41,335.73 for one year with an option to extend the bid for an addition four 1 year periods.

Council Committee Reports:

Road & Transportation:

Mr. Crumpton noted that the Road Committee met on Thursday, February 28, 2008. At that meeting, Mr. Mack Kelly, Road Director, notified the committee that the county had received C Funds in the amount of \$959,685.

Mr. Crumpton noted that the following Road Committee meetings have been scheduled to address subdivision regulations:

- March 5, 2008 @ 10:00 a.m. in Chambers
- March 12, 2008 @ 10:00 a.m. in the Conference Room
- March 19, 2008 @ 10:00 a.m. in Chambers
- March 26, 2008 @ 10:00 a.m. in Chambers

Lastly, Mr. Crumpton noted that Mr. Kelly is working on a revised Road Department schedule to include 10 hour days with the assurance that the schedule would have staff appropriately covering 5 business days. Mr. Surrett noted that this will be brought to the March 18, 2008 Council meeting for final review and approval.

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.

Real Estate, Facilities & Land Management:

Mr. Lyles had no report at this meeting.

Board & Commission Appointments:

Board of Zoning Appeals:

District II: Appoint: Mr. Sammy Lee, 415 S. Lovingood Avenue, Walhalla, SC
Mr. Crumpton made a motion, seconded by Mr. Lyles, approved 5 – 0 to appoint Mr. Sammy Lee to the Board of Zoning Appeals for a four year term.

Appointments for District III and an At Large seat will be added to March 19, 2008 agenda.

Arts & Historical Commission:

District IV: Re-appoint Ms. Barbara Waters, P. O. Box 192, Westminster, SC 29693
Mr. Lyles made a motion, seconded by Mr. Crumpton, approved 5 – 0 to re-appoint Ms. Barbara Waters to the Arts & Historical Commission for an additional four year term.

District V: Re-appoint Mr. Henry Richardson, 150 Rosewood Place., Fair Play, SC 29643
Mr. Ables made a motion, seconded by Mr. Crumpton, approved 5 – 0 to re-appoint Mr. Henry Richardson to the Arts & Historical Commission for an additional four year term.

At Large: Re-appoint Mr. Stan Dubose, 253 East Bear Swamp Road, Walhalla, SC 29691
Mr. Lyles made a motion, seconded by Mr. Crumpton, approved 5 – 0 to re-appoint Mr. Stan Dubose to the Arts & Historical Commission for an additional four year term.

Economic Development Commission:

District I: Re-appoint Ms. Kim Alexander
Mr. Blanchard made a motion, seconded by Mr. Lyles, approved 5 – 0 to re-appoint Ms. Kim Alexander to the Economic Development Commission for an additional four year term.

Administrator's Report:

Board & Commission Appointment Schedule/Worksheet:

Mr. Surretts thanked the Clerk to Council for work on the Board & Commission Appointment Schedule / Worksheet as it has helped to streamline the process of appointments and reappointments.

FY 2008-2009 Budget Process:

Mr. Surrett addressed Council noting that this week he will begin meetings with department heads to review their budgets. Mr. Surrett asked Council to identify any key areas for his focus.

Old Business:

Sprung Industries:

Mr. Blanchard informed Council that he had received literature from Sprung Industries who manufacture correctional buildings at a substantially lower cost. Mr. Lyles asked Mr. Norton to find out the specific SC Department of Corrections minimum standards for a jail along with inmate estimates for Oconee County. Mr. Blanchard noted that he would forward the information to Sheriff Singleton for his review and input.

CAT Bus System Study:

Mr. Lyles asked Mr. Surrett if he had the opportunity to follow up with the City of Seneca regarding funds provided by the County for a CAT study. Mr. Surrett stated that he had talked with the Planning Department and that it is possible that the funds were utilized to leverage the Federal Government for additional funds for routes.

Mr. Ables voiced concerns that the funds had not been utilized for the stated purpose. Mr. Surrett stated that he would follow up with Mr. Greg Dietrich, City Administrator, and would report back at a future meeting.

New Business:

South Carolina Rural Summit:

Mr. Blanchard noted that he attended the 3 day Rural Summit held at Clemson University, noting that it was a very informative and interesting meeting. He noted that Mr. Nick Gambrell, Oconee Heritage Center, led a tour of the Heritage Corridor and did an excellent job of informing the participants about Oconee County.

Communication with Council:

Mr. Lyles commended the Clerk to Council for her diligent work to communicate with all council members in keeping them up to date and her professionalism.

Solid Waste Program Proposal for Recycling:

Mr. Lyles tasked Mr. Surrett to work with Solid Waste to reduce total volume of waste by 2-3% each year through an aggressive recycling program. Mr. Ables suggested "Pay as you Throw" as a program that has worked in other jurisdictions to help encourage recycling and reduce trash.

Humane Society:

Mr. Norton addressed Council regarding approval of a draft agreement [filed with these minutes] between Oconee County and the Humane Society.

Mr. Ables made a motion, seconded by Mr. Crumpton, approved 5 – 0 to approve the draft agreement between Oconee County and the Humane Society as presented.

Agreement between Clemson University and Oconee County:

Mr. Norton addressed council regarding a mutual aid agreement and contract between Oconee County and Clemson University. Mr. Surrett noted that Clemson University has changed their phone system to an enhanced system to include all of their properties including those in Oconee County. Mr. Norton noted concerns and stated that this issue will be brought back to council at a future meeting.

Executive Session:

Mr. Norton asked Council to move to enter Executive Session for the purpose of receiving legal advice regarding a personnel matter.

Mr. Lyles made a motion, seconded by Mr. Ables, approved 5 – 0 to enter into Executive Session for the reason stated above.

Council entered Executive Session at 9:23 p.m.

Mr. Blanchard called the meeting back into session at 9:45 p.m. noting that no action will be taken on matters discussed in Executive Session.

Adjourn:

Mr. Ables motioned to adjourn the meeting at 8:21 p.m.. The motion was approved unanimously.

Respectfully Submitted:

Elizabeth G. Hulse
Clerk to Council