



MINUTES
OCONEE COUNTY COUNCIL MEETING
Regular Meeting
April 1, 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, April 1, 2008 at 7:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members [except Mr. Blanchard], 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: Ray Chandler–Anderson Independent and Carlos Galarza-Daily Journal.

Call to Order:

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

Pledge of Allegiance:

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

Minutes:

Mr. Suarez made a motion, seconded by Mr. Lyles [Mr. Ables abstained], approved 3 – 0 that the minutes from the March 18, 2008 regular meeting be adopted as printed.

Mr. Ables made a motion, seconded by Mr. Crumpton, approved 4 – 0 that the minutes from the February 5, 2008 regular meeting be adopted and amended and printed.

Public Comment Session:

Mr. Cindy Ramsey addressed Council to request that Council approve the contract in a timely manner with the Army Corp of Engineers for the boat landings.

Extended Public Comment Session:

Mr. Kelvin Moore addressed Council to request that Council consider an Oconee County Junk Yard Ordinance. Mr. Moore presented Council with a detailed handout [filed with these minutes] outlining his concerns, how other jurisdictions handles junk yards and outlined damage done to his parent's home and neighborhood because of the junk yard across the street.

Mr. Lyles thanks Mr. Moore for his well thought out presentation and asked that he contact Mr. Dale Surret, County Administrator and Mr. Brad Norton, County Attorney to schedule a meeting to assist them in drafting an ordinance.

“Annual Report on Appalachian Council of Government Services to Oconee County”

Mr. Lyles introduced Mr. Steve Pelissier, Executive Director of Appalachian Council of Government Services [ACOG], who provided Council with details of the accomplishments during fiscal year 2008. Specifically he noted that Oconee County's annual investment in ACOG was \$27,951.00. The return on that investment to Oconee County in fiscal year 2008 is \$3, 416,311.00, representing a return on investment ratio of \$122.00 to \$1.00.

Mr. Pelissier also addressed goals for fiscal year 2009 and beyond.

Lastly, Mr. Pelissier thanks Council for their ongoing support and teamwork. Mr. Pelissier singled out Mr. Lyles for his services a chairman of the board for the past two years.

Council unanimously thanked ACOG for their clear & concise report and noted that the County looks forward to continuing a very successful partnership with ACOG.

Public Hearings:

Ordinance 2008-02:

Mr. Crumpton asked those present if anyone wished to make an oral comment to council regarding Ordinance 2008-02.

Mr. Berry Nichols requested the specific investment figures for this company in Oconee County. Mr. Norton noted that Sandvik will be investing \$35,000,000 and will be creating approximately 85 new jobs at their operation. Additionally, they will pay in fees \$2,703,718.00.

Mr. Crumpton asked those present if anyone wished to submit to the Clerk to Council any written comments regarding Ordinance 2008-05.

Ms. Susie Cornelius submitted written comments that concern both Ordinance 2008-02 and Ordinance 2008-03.

Ordinance 2008-03:

Mr. Crumpton asked those present if anyone wished to make an oral comment to council regarding Ordinance 2008-03.

Mr. Berry Nichols again requested the specific investment figures for this company in Oconee County. Mr. Norton noted that the investment dollars were the same for Ordinance 2008-02.

Mr. George Cleveland requested clarification for wording in the title of the ordinance. Mr. Norton responded.

Mr. Crumpton asked those present if anyone wished to submit to the Clerk to Council any written comments regarding Ordinance 2008-05.

Ms. Susie Cornelius submitted written comments that concern both Ordinance 2008-02 and Ordinance 2008-03.

Ordinance 2008-04:

Mr. Crumpton asked those present if anyone wished to make an oral comment to council regarding Ordinance 2008-04. No oral comments were made.

Mr. Norton noted that Itech South purchased the old Pine River Plastic building and that they are creating approximately 85 new jobs at their operation.

Mr. Crumpton asked those present if anyone wished to submit to the Clerk to Council any written comments regarding Ordinance 2008-04. None were submitted.

Mr. Crumpton called the public hearing at an end.

Ordinances for Approval:

Ordinance 2008-02:

Mr. Ables made a motion, seconded by Mr. Lyles, approved 4 – 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 SANDVIK; AND OTHER MATTERS RELATING THERETO INCLUDING, WITHOUT LIMITATION, PAYMENT OF A FEE IN LIEU OF TAXES” be adopted on third and final reading.

Ordinance 2008-03:

Mr. Lyles made a motion, seconded by Mr. Ables, approved 4 – 0 that **Ordinance 2008-03**, “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND SANDVIK, INC. FOR GRANTING CERTAIN INFRASTRUCTURE CREDITS TO SANDVIK, INC” be adopted on third and final reading.

Ordinance 2008-04:

Mr. Suarez made a motion, seconded by Mr. Lyles, approved 4 – 0 that **Ordinance 2008-04**, “AN ORDINANCE BY OCONEE COUNTY, SOUTH CAROLINA, AUTHORIZING AN INFRASTRUCTURE TAX CREDIT (ITECH SOUTH, L.L.C. PROJECT); 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 third and final reading.

Ordinance 2008-07:

Mr. Lyles made a motion, seconded by Mr. Ables, approved 4 – 0 that **Ordinance 2008-07**, “AN ORDINANCE REPEALING BOTH ORDINANCE 2004-1, AN ORDINANCE CREATING THE LAKEVIEW ASSISTED LIVING COMMISSION AND ORDINANCE 2003-18, AN ORDINANCE TO APPOINT A BOARD MEMBER TO THE BOARD OF LAKEVIEW ASSISTED LIVING, INC.” be adopted on first reading.

Ordinance 2008-08:

Mr. Lyles made a motion, seconded by Mr. Ables, approved 4 – 0 that **Ordinance 2008-08**, “AN ORDINANCE REPEALING ORDINANCE 2002-6, AN ORDINANCE REORGANIZING THE OCONEE COUNTY SOLID WASTE COMMISSION.” be adopted on first reading.

Resolution 2008-07:

Mr. Suarez made a motion, seconded by Mr. Ables, approved 4 – 0 that **Resolution 2008-07**, “A RESOLUTION CELEBRATING NATIONAL TELECOMMUNICATIONS WEEK, APRIL 13-19, 2008” be adopted on first and final reading.

Executive Session:

Mr. Lyles made a motion, seconded by Mr. Suarez, approved 4 – 0 to enter into Executive Session to discuss a contractual matter.

Council entered Executive Session at 7:35 p.m.

Mr. Crumpton called the meeting back into session at 8:03 p.m. noting that no action will be taken on matters discussed in Executive Session.

Items for Consideration by Council:

Oconee County Airport: Funding Approval Request for Design/Bidding re: Line of Sight Safety Issues:

Mr. Surrett addressed Council noting that this request deals with fixing the line of sight issues at the county airport. The FAA approved the work authorization on March 21, 2008. The FAA will pay 95% of the design and bidding service fees with Oconee County's financial share equaling \$2,382.00.

Mr. Lyles made a motion, seconded by Mr. Ables, approved 4 – 0 to approve the work authorization for design / bidding services for runway crown remediation in the amount of \$2,382.00.

FY 2008-2009 Budget Schedule

Mr. Surrett noted each Council member had been provided with a FY 08-09 budget schedule in their packs.

Homeland Security Assistance to Firefighters Grant request

Mr. Surrett outlined the request for authorization for volunteer fire stations and Emergency Services to apply for Homeland Security Assistance to Firefighters Grant Program. Mr. Surrett recommended to Council to only approve \$250,000 for a truck with a match of \$50,000. Equipping the truck would be via existing funds.

Mr. Ables made a motion, seconded by Mr. Lyles, approved 4 – 0 to authorize the grant application in the amount of \$250,000 and direct staff to include the local grant match of \$50,000.

Change Order: Architectural Services for Courthouse Litigation:

Mr. Lyles made a motion, seconded by Mr. Suarez, approved 4 – 0 to authorize the change order for Ard, Wood, Holcombe & Slate Architectural Firm in the amount of \$75,000 bringing the total PO to \$100,000.

Commission / Board Reports to Council:

None were presented at this meeting.

Council Committee Reports:

Road & Transportation:

Mr. Crumpton noted that the Road Committee met on Monday, March 31, 2008. It is the recommendation of the Committee to change the name to the Transportation Committee. Council unanimously approved the change.

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

Mr. Blanchard was absent from the meeting therefore no report was presented.

Budget, Finance & Administration:

Mr. Ables had no report at this meeting but reminded Council of the Budget Workshop dates and times.

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:

Appointment for At Large seat was tabled to allow Mr. Blanchard to attend the vote and will be added to April 15, 2008 agenda.

Planning Commission:

District IV Reappointment: Tommy Abbott, P.O. Box 328, Westminster, SC 29693
647 5077 (H) / 647 5424 (B)

Mr. Lyles made a motion, seconded by Mr. Ables, approved 4 – 0 to re-appoint Mr. Tommy Abbott to the Planning Commission for a three year term.

Administrator's Report:

Chairman Blanchard:

Mr. Surret noted that Mr. Blanchard was recovering well from a recent surgery and would be attending the next council meeting.

Travel Reimbursement by Mr. Blanchard:

Mr. Surret read into the record a letter from Mr. Blanchard [filed with these minutes] regarding reimbursement of travel. Mr. Surret stated that his check would be given to Finance the next day for crediting to the Council's travel line item.

CAT Transit Update:

Mr. Surrett updated Council regarding the status of the grant funds donated for a transit study. He noted that an RFP is complete and has been sent out for bid for expansion of the CAT System in Oconee County.

Emergency Drill:

Mr. Surrett noted that today many citizens would have heard the emergency sirens as part of a drill conducted at the Oconee Nuclear Station. Both Mr. Surrett and Mr. Crumpton participated in the drill. Mr. Surrett stated that a preliminary report should be forthcoming within approximately 30 days. Lastly, he noted that FEMA was very impressed with the participation by a Council member and that it was the first time they had seen a member attend and stay throughout the entire drill.

SCAC Meeting:

Mr. Surrett noted that he and Mr. Crumpton attended an SCAC meeting held in Columbia recently during which they met with our local delegation representatives.

Old Business:

Zoning Enabling Ordinance [ZEO]:

Mr. Ables voiced concerns with the lake overlays as part of the ZEO and that further work needs to be done. He stated that he can not support the ordinance with the current lake overlays. He suggested that the Planning Commission hold community meetings to obtain citizen input.

Mr. Lyles suggested a public workshop with the Planning Commission to try to work on the overlay issue.

Mr. Suarez voiced concerns that the public may not fully understand the ZEO and lake overlays and that he believed that an additional meeting would be helpful.

Lastly, Mr. Ables stated that Council should slow it down and do it right.

Master in Equity:

Mr. Surrett updated Council regarding the funding cut in the FY 07-08 budget for the Master in Equity in the amount of \$36,000.

Mr. Norton noted that the Master is a civil circuit judge whose roll is to hear non-jury cases such as foreclosures. The Master has two sources of revenue; 1] filing fees which total approximately \$18,000 / year, and 2] foreclosure sales which equal 1% of the sale amount totally approximately \$20,000-\$25,000 / year.

Mr. Lyles questioned if the position was mandated by law. Mr. Norton stated it was not but that without this position that court time already very limited would be negatively affected further.

Mr. Surrett stated that it was not appropriate to withdraw funding without notice as we partner with Anderson County for the Master-in-Equity position. He recommended to

Council that they allocate from the FY 07-08 budget \$36,000 to be paid from the salary adjustment & reclassification line item.

Additionally, Mr. Surrett stated that funding for FY 08-09 would be discussed during the budget workshops noting that revenue and costs will be presented for analysis by Council.

Mr. Lyles made a motion, seconded by Mr. Suarez, approved 4 – 0 to authorize \$36,000 for the Master-in-Equity for FY 07-08 to be paid from the salary adjustment & reclassification line item.

Contract with ACOG:

Mr. Norton noted that as part of the CDBG Workforce grant approved by Council for the creation of a school at the Hamilton Career Center that a contract with ACOG is required. Mr. Norton noted that he reviewed the contract and recommends approval. Oconee County's match portion of the grant will total \$8,636.00 with the total grant being \$35,000. ACOG has administered this type of grant previously and done a good job.

Mr. Ables made a motion, seconded by Mr. Lyles, approved 4 – 0 to authorize approval of the contract with ACOG to administer the CDBG Workforce Grant.

New Business:

Proposed Form: “Questionnaire for Boards / Commissions”:

Ms. Hulse, Clerk to Council, presented a draft “Questionnaire for Boards / Commissions” form for review by Council, stating that the form was designed to allow citizens to express interest in serving on boards and/or commissions. This would not prohibit Council from seeking individuals who they feel are qualified to serve but would allow for a larger pool to draw from when openings arise. Ms. Hulse stated that this form will be made available both on the website and in the County Council office.

Council unanimously approved usage of this form.

Adjourn:

Mr. Crumpton motioned to adjourn the meeting at 8:34 p.m. The motion was approved unanimously.

Respectfully Submitted:

Elizabeth G. Hulse
Clerk to Council