



MINUTES
OCONEE COUNTY COUNCIL MEETING
Regular Meeting
April 15, 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 15, 2008 at 6:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members [except Mr. Blanchard], County Administrator Dale K. Surrent, 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, Brett McLaughlin-Daily Journal and Dick Mangrum-WGOG.

Call to Order:

Chairman Blanchard called the meeting to order at 6:06 p.m.

Pledge of Allegiance:

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

Minutes:

Mr. Ables made a motion, seconded by Mr. Suarez [Mr. Blanchard abstained], approved 4 – 0 that the minutes from the April 1, 2008 regular meeting be adopted as printed.

Mr. Ables made a motion, seconded by Mr. Suarez [Mr. Blanchard abstained], approved 4 – 0 that the minutes from the April 1, 2008 public hearing meeting be adopted as printed.

Mr. Suarez made a motion, seconded by Mr. Crumpton [Mr. Ables abstained], approved 4 – 0 that the minutes from the March 18, 2008 meeting with the Library Board be adopted as printed.

Public Comment Session:

Mr. Randy Jones addressed Council in opposition to the Zoning Enabling Ordinance [ZEO] but voiced concerns about the overlay on Highway 11.

Ms. Linda Lovely addressed Council in support for the ZEO and the lake overlays.

Ms. Sherry Watson rescinded her request to address Council at this time.

Mr. B. J. Littleton addressed Council regarding his opposition to the ZEO and Communism.

Mr. J. Harold Thomas addressed Council regarding his support for the ZEO but not the Highway 107 & 11 overlays.

Mr. Francis X addressed Council regarding his support for the ZEO but voiced concerns for the 500' buffer.

Mr. Berry Nichols addressed Council regarding his opposition to the ZEO and the lack of communication between Council and the Planning Commission.

Mr. Ben Turetsky, Executive Director of FOLKS, addressed Council regarding potential storm water concerns and requested that Council begin work on an ordinance to address these issues.

Ms. Susie Cornelius addressed Council regarding the role of the Oconee Joint Regional Sewer Authority.

Mr. Robbie Lee addressed Council regarding his opposition to the ZEO and overlay on Highway 11.

Mr. Dan Manhardt addressed Council regarding his concerns that zoning in the county will start as one thing and change into something not intended.

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].

Extended Public Comment Session:

Mr. Steve Macleod, Advocates for Quality Development, addressed Council regarding his groups support for the ZEO and overlays. Mr. Macleod presented Council with a petition from 1,948 citizens in support for the ZEO. In addition, he noted that 11 communities around the lake have voiced their unanimous support for the ZEO and lake overlay.

Update from the Oconee Joint Regional Sewer Authority:

Mr. Bob Winchester, Chairman Oconee Sewer Commission addressed Council and gave a brief summary of work on the Golden Corner Commerce Park project. He noted that the draft Preliminary Engineer's Report [PER] will be available after April 25, 2008 and that he would come back to Council with their recommendations after review by the Commission.

County Attorney Recommendation: Ordinance 2007-18 "ZONING ENABLING ORDINANCE" language:

Mr. Brad Norton, County Attorney, addressed Council outlining that the only changes made to this ordinance were on page 1. He stated that this document was presented for review only and that a second reading on Ordinance 2007-18 would be scheduled at a future Council meeting. Lastly, Mr. Norton noted that this document will be available on the web once technical difficulties have been worked out. Ms. Hulse, Clerk to Council, noted that she had hard copies of the updated ordinance for those interested as the web link was not yet available.

Ordinances for Approval:

Ordinance 2008-05:

Mr. Norton noted that no changes have been made to his ordinance since second reading.

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 third and final reading.

Ordinance 2008-07:

Mr. Norton noted that no changes have been made to his ordinance since first reading.

Mr. Ables made a motion, seconded by Mr. Suarez, approved 5 – 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 second reading.

Ordinance 2008-08:

Mr. Norton noted that no changes have been made to his ordinance since first reading.

Mr. Suarez made a motion, seconded by Mr. Crumpton, approved 5 – 0 that **Ordinance 2008-08**, "AN ORDINANCE REPEALING ORDINANCE 2002-6, AN ORDINANCE REORGANIZING THE OCONEE COUNTY SOLID WASTE COMMISSION" be adopted on second reading.

Ordinance 2008-06:

Mr. Ables made a motion, seconded by Mr. Suarez, approved 5 – 0 that **Ordinance 2008-06**, “THE 2008-2009 BUDGET APPROPRIATIONS ORDINANCE FOR OCONEE COUNTY” be adopted in title only on first reading.

Ordinance 2008-09:

Mr. Lyles made a motion, seconded by Mr. Crumpton, approved 5 – 0 that **Ordinance 2008-09**, “THE 2008-2009 BUDGET APPROPRIATIONS ORDINANCE FOR THE SCHOOL DISTRICT OF OCONEE COUNTY AND TRI-COUNTY TECHNICAL COLLEGE.” be adopted in title only on first reading.

Ordinance 2008-10:

Mr. Crumpton made a motion, seconded by Mr. Ables, approved 5 – 0 that **Ordinance 2008-10**, “AN ORDINANCE TO REPEAL ORDINANCE 1975-08, TO AMEND ACT #458 OF THE 1969 ACTS AND JOINT RESOLUTIONS OF THE SC GENERAL ASSEMBLY PERTAINING TO THE BOARD OF CHARITABLE MEDICAL SERVICES AND OCONEE COUNTY” be adopted on first reading.

Ordinance 2008-11:

Mr. Suarez made a motion, seconded by Mr. Ables, approved 5 – 0 that **Ordinance 2008-11**, “AN ORDINANCE TO REPEAL ORDINANCE 1977-07, THE ESTABLISHMENT OF THE GOVERNING BODY OF THE OCONEE COUNTY CHILDREN'S HOME” be adopted on first reading.

Ordinance 2008-12:

Mr. Surrett summarized the ordinance and noted that some equipment [i.e., turnout gear, radio’s and pagers] do not quality for the lease purchase agreement. He requested these items be funded out of the FY 07-08 budget and that lease payments begin in FY 08-09 as outlined in the agenda item summary.

Mr. Ables made a motion, seconded by Mr. Lyles, approved 5 – 0 that **Ordinance 2008-12**, “ORDINANCE OF THE COUNTY COUNCIL OF OCONEE COUNTY, SOUTH CAROLINA, AUTHORIZING A NOT EXCEEDING \$1,477,683 LEASE/PURCHASE AGREEMENT, SERIES 2008 RELATING TO THE FINANCING OF VARIOUS ITEMS OF EQUIPMENT FOR PUBLIC PURPOSES; AUTHORIZING THE EXECUTION AND DELIVERY OF VARIOUS DOCUMENTS INCLUDING THE LEASE AGREEMENT; AND OTHER MATTERS RELATING THERETO” be adopted on first reading.

Items for Consideration by Council:

Smith Data Processing Contract/OC Tax Center Forms/Supplies Agreement / FY 08-09:

Mr. Surrett addressed Council noting this contract covers computer service agreements, data process, data conversion and a remote back up service for the Auditor, Delinquent Tax and Treasurer. He also stated that funding is in place for this fiscal year for these services.

Mr. Ables made a motion, seconded by Mr. Crumpton, approved 5 – 0 to approve the contract with Smith Data Processing in the amount of \$128,793.17 for services outlined above.

Smith Data Processing Contract: Computer Service Agreements for FY 2008-09 for Auditor, Delinquent Tax and Treasurer's offices:

Mr. Surrett addressed Council stating that this is a yearly contract for the Auditor, Delinquent Tax and Treasurer. The contract covers all forms necessary for the preparation and collection of vehicle and real estate tax notices.

Mr. Lyles made a motion, seconded by Mr. Suarez, approved 5 – 0 to approve the contract with Smith Data Processing in the amount of \$29,611.13 for services outlined above.

Bid 07-22: Ten 40 Yard Open Top Containers for Solid Waste:

Mr. Surrett noted that five companies submitted bids to provide ten 40 yard open top containers for Solid Waste. WasteQuip/LM, of Duncan, SC submitted the lowest bid of \$45,800.00.

Mr. Ables made a motion, seconded by Mr. Suarez, approved 5 – 0 to award bid #07-22 to WasteQuip/LM, of Duncan, SC in the amount of \$45,800.00 to provide ten 40 yard open top containers for Solid Waste.

Local ATAX Grant: Walhalla Merchant's Association/\$2,000 for advertising:

Mr. Crumpton made a motion, seconded by Mr. Suarez, approved 5 – 0 to approve the grant request from the Walhalla Merchant's Association in the amount of \$2,000.00 for advertising of the May Cultural Festival.

Memorandum of Understanding [MOU] / CDBG Workforce / Norton:

Mr. Norton presented Council with the MOU for the CDBG Workforce Grant.

Mr. Suarez made a motion, seconded by Mr. Ables, approved 5 – 0 to authorize the signing of the MOU for the CDBG Workforce Grant.

Sheriff's Department - Bulletproof Vest Partnership by USDOJ:

Mr. Surrett noted that the Bulletproof Vest Partnership funds up to 50% of the cost of each vest purchased or replaced by law enforcement applicants.

Mr. Lyles made a motion, seconded by Mr. Crumpton, approved 5 – 0 to approve the Sheriff's Department to apply for the Bulletproof Vest Partnership offered by the USDOJ.

Council Committee Reports:

Transportation:

Mr. Crumpton noted that the Road Committee last met on Monday, March 31, 2008. No future meetings have been scheduled at this time.

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

Mr. Blanchard noted that there will be a meeting on Thursday, April 17, 2008 at 7:00 p.m. in Chambers to receive an update from Emergency Management.

Mr. Blanchard also noted that a second reading of the ZEO, Ordinance 2007-18, was intentionally pulled from the April 15, 2008 regular meeting to allow time for the Planning Commission and Council to work on the ordinance.

Budget, Finance & Administration:

Mr. Ables noted that Council received the draft FY 2008-2009 budget from Mr. Surrett in a meeting held on Monday, April 14, 2008. The next meeting will be held on Wednesday, April 16, 2008 at the Hamilton Career Center in Seneca where Tri County Technical College will make a budget request presentation to the committee. The next Budget meeting scheduled for Chambers will be held on Monday, April 21, 2008 at 9:00 a.m.

Planning & Economic Development:

Mr. Suarez had no report at this meeting.

Real Estate, Facilities & Land Management:

Mr. Lyles had no report at this meeting.

Executive Session:

Unanimously deferred to end of meeting.

Commission / Board Reports to Council:

None were presented at this meeting.

Board & Commission Appointments:

Board of Zoning Appeals:

Discussion deferred.

Administrator's Report:

City of Seneca's interest in county surplus vehicles [Dump Truck / Mobile Command Ctr.]:

Mr. Surrett read into the record a letter received from Mr. Greg Dietterick, Administrator, City of Seneca, in which he requests the county to donate a 1998 Chevy 7500 Dump Truck and a retired 1981 Chevy G30 Mobile Command Center [Serial# 2GCGG31MXB4140124] to the City.

Mr. Surrett noted that he recommends donation of the two vehicles to the City of Seneca. Lengthy discussion followed. It was the unanimous decision of Council to table discussion regarding the 1998 Dump Truck until such time as Mr. Surrett can provide Council with additional information from the Road Department.

Mr. Suarez made a motion, seconded by Mr. Crumpton, approved 5 – 0 to donate the 1981 Chevy G30 Mobile Command Center [Serial# 2GCGG31MXB4140124] to the City of Seneca.

Old Business:

Encroachment Permit for Dock: Mr. Hackley:

Mr. Norton noted that this permit has not yet been signed by Duke Energy and he will follow-up to ensure completion.

New Business:

Proposal for a Joint Purchase of New Fire Engine/City of Walhalla & County:

Mr. Surrett asked Chief Ekaitis, City of Walhalla to address Council regarding the proposal for a joint purchase of a new fire engine with the City of Walhalla. Lengthy discussion followed.

Mr. Surrett suggested that this matter be sent to the Law Enforcement, Public Safety, Health & Welfare Committee for review and discussion. It was agreed that discussion will not be scheduled at committee level until the City of Walhalla has taken action on this request.

Amendment to Agenda:

Mr. Blanchard made a motion, seconded by Mr. Ables, approved 5 – 0 to amend the Regular Meeting Agenda for Council to include discussion by the Administrator regarding the County Group Health Insurance Renewal for 2008-2009.

County Group Health Insurance Renewal for 2008-2009 Play Year:

Ms. Kay Olbon, Human Resource Director, and Ms. Marianne Dillard, Procurement Director, addressed Council regarding group health insurance renewal for 2008-2009. They reviewed with Council information received from three providers and made a recommendation to Council based on costs and benefits provided.

It was the unanimous decision of Council to table this and to take it under advisement for discussion at the Budget Committee meeting to be held on Monday, April 21, 2008 at 9:00 a.m.

Executive Session:

Mr. Suarez made a motion, seconded by Mr. Lyles, approve 5 – 0 to enter into Executive Session for the purpose of discussing a personnel matter.

Council entered Executive Session at 8:00 p.m.

Council returned from Executive Session at 8:08 p.m. and took the following action.

Board of Zoning Appeal Appointment:

Mr. Blanchard made a motion, seconded by Mr. Ables, approved 5 – 0 to appoint Mr. Paul Reckert to the Board of Zoning Appeals At Large Seat.

Adjourn:

Mr. Blanchard motioned to adjourn the meeting at 8:09 p.m. The motion was approved unanimously.

Respectfully Submitted:

Elizabeth G. Hulse
Clerk to Council