



MINUTES
OCONEE COUNTY COUNCIL MEETING
Regular Meeting
May 20, 2008
SENECA MIDDLE SCHOOL CAFETERIA

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, May 20, 2008 at 6:00 PM at Seneca Middle School Cafeteria, Seneca, SC with all Council Members [except Mr. Lyles], 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, Brett Maclaughlin-Daily Journal and Chad Dorsett-WSNW.

Call to Order:

Chairman Blanchard called the meeting to order at 6:00 p.m. Mr. Blanchard thanked the staff and students at Seneca Middle for helping to make the meeting a success. He recognized the schools principal, Mr. Al LeRoy, assistant principal for instruction Mrs. Idasa Cobb and Mr. Brian Odom, Assistant Principal for their valuable assistance.

Lastly, Mr. Blanchard asked all those present to keep the family and friends of former Westminster Mayor Vera Duke in their thoughts and prayers as she had passed away earlier in the day.

Pledge of Allegiance:

Mr. Blanchard asked Ms. Brittany Pope, Seneca Middle School Student Body President, to lead the pledge of allegiance to the US Flag.

Minutes:

Mr. Suarez made a motion, seconded by Mr. Ables, approved 4 – 0 that the minutes from the May 6, 2008 regular meeting be adopted as printed.

Public Comment Session:

Mr. Arlon Moore addressed Council regarding concerns with the Building Codes Department.

Ms. Linda Lovely addressed Council regarding her support for the hiring of a Planning Department consultant.

Extended Public Comment Session:

No citizens signed up for extended public comment session at this meeting.

Statewide Case Management for Courts:

Mr. Blanchard recognized Ms. Joan Assey, SC Judicial Department representative along with Judge Alexander Macaulay, Judge J. C. Nicholson, Judge Becky Gerrard and Clerk of Court, Sally Smith.

Ms. Joan Assey addressed Council regarding a proposal to install the SC Judicial Department's Statewide Court Case Management System in Oconee County. Ms. Assey provided handouts [filed with these minutes] for Council's review. She reviewed the highlights of the program, support in Oconee County for the installation of the system and estimated costs.

Lengthy discussion followed and it was the consensus of Council to take no action on this matter at this meeting and asked the Clerk to Council to place this item on the June 3, 2008 agenda for further discussion.

Ordinances for Approval:

Ordinance 2008-10:

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

Mr. Ables made a motion, seconded by Mr. Crumpton, approved 4 – 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 third and final reading.

Ordinance 2008-11:

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

Mr. Suarez made a motion, seconded by Mr. Crumpton, approved 4 – 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 third and final reading.

Ordinance 2008-12:

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

Mr. Crumpton made a motion, seconded by Mr. Suarez, approved 4 – 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 third and final reading.

Resolutions for Approval:

Resolution 2008-08:

Mr. Ables made a motion, seconded by Mr. Suarez, approved 4 – 0 that **Resolution 2008-08** “A RESOLUTION CELEBRATING MAY 2008 AS OLDER AMERICAN MONTH IN OCONEE COUNTY” be adopted on first and final reading.

Items for Consideration by Council:

Registration & Elections: State Election Commission Laptops

Mr. Surrett addressed Council regarding six laptops being provided by the State Election Commission to assist Registration and Elections with record tracking in some of the busier polling places. Mr. Surrett noted that there is no initial cost for these computers but that Registration and Elections should plan for replacement and/or upgrade of these computers and plan appropriately in future budgets for their replacement/repair if Council approves acceptance.

Mr. Ables made a motion, seconded by Mr. Blanchard, approved 4 – 0 to approve acceptance of six laptops from the State Election Commission.

Delinquent Tax: Palmetto Posting Agreement:

Mr. Surrett addressed Council regarding Delinquent Tax’s request for approval of an agreement with Palmetto Posting. He noted that this contractor will take exclusive physical possession of properties on which ad valorem property taxes are owing by posting a notice on the premises in accordance with SC State law. He noted that there will be no cost to the general fund; the cost is paid from funds collected solely from delinquent tax payers.

Mr. Suarez made a motion, seconded by Mr. Ables, approved 4 – 0 to approve the agreement with Palmetto Posting as described above.

Airport: Adoption of Airport Minimum Standards:

Mr. Surrett along with Mr. Kevin Short, Airport Director, addressed Council regarding the adoption of airport minimum standards. Mr. Short noted that these standards had been reviewed and approved by the Oconee County Aeronautics Commission. Mr. Blanchard questioned the portion dealing with sky diving clubs and if the county was appropriately indemnified. Mr. Norton felt the document was adequate but if the club or its members failed to fulfill the requirements outlined in the standards and a lawsuit ensued that it would be up to a jury to decide if the County had any liability. Mr. Norton stated he had no objections to Council passing this document.

Mr. Blanchard asked Mr. Short to come back to Council at a future meeting and update the Council regarding how other airports of similar size and in rural settings handle these issues.

Mr. Suarez made a motion, seconded by Mr. Ables, approved 4 – 0 to adopt the Airport Minimum Standards as presented.

Airport: FAA AIP Grant #16 Request / \$2,030,613.00:

Mr. Surrett addressed Council regarding a request from the Airport to apply for an FAA grant. He noted that the county has been notified by the FAA that due to funding cuts that they will not award the entire grant but only approximately \$500,000.00; however, they require a grant submission for the entire grant amount. Mr. Surrett noted that the \$500,000 would be used primarily for a wetland survey and mitigation of a dry stream bed on the property.

Mr. Ables made a motion, seconded by Mr. Crumpton, approved 4 – 0 to authorized applying for the FAA AIP Grant #16 in the amount of \$2,030,513.00.

Airport: Long Term Parking Agreement:

Mr. Surrett along with Mr. Kevin Short, Airport Director, addressed Council regarding the adoption of a long term parking agreement for airport patrons. Mr. Short noted that this agreement has been reviewed and approved by the Oconee County Aeronautics Commission.

Mr. Ables made a motion, seconded by Mr. Suarez, approved 4 – 0 to approved the long term parking agreement for the Oconee County Airport to include a monthly parking fee of \$10.00 per month.

Airport: Addendum / Airport Operations Manual/ Regulation of Ultralight Operations:

Mr. Surrett along with Mr. Kevin Short, Airport Director, addressed Council regarding the adoption of the addendum to the airport operations manual to include regulation of Ultralight operations. Mr. Short noted that this addendum is being brought to Council proactively prior to an issue arising with Ultralight aircraft. In addition, he noted that this addendum has been reviewed and approved by the Oconee County Aeronautics Commission.

Mr. Suarez made a motion, seconded by Mr. Crumpton, approved 4 – 0 to approve the addendum to the Airport Operations Manual to include Regulation of Ultralight Operations.

PRT: Local ATAX Grant / Patriots Hall Museum / \$1,500.00:

Mr. Crumpton made a motion, seconded by Mr. Suarez, approved 4 – 0 to approve grant funding in the amount of \$1,500.00 to Patriots Hall Museum for brochures to advertise the museum.

PRT: Local ATAX Grant / Historic Pickens Foundation, Inc. / \$1,500.00 / Historic Old Pickens Church:

Mr. Ables made a motion, seconded by Mr. Suarez, approved 3 – 0 [Mr. Blanchard abstained] to approve grant funding in the amount of \$1,500.00 to the Historic Pickens Foundation for brochures to advertise the Historic Old Pickens Church.

PRT: Proposed 2008 Fee Schedule for County Parks:

Mr. Surrett addressed Council regarding proposed fee changes for the county parks. He noted that he and Mr. Phil Shirley, PRT Director, worked to prepare this document and that discussion was required as there was not a consensus of opinion. Mr. Surrett noted that action was not required at this meeting but that he needed input on the proposed fee schedule as it will be advertised in the paper for a public hearing to be held on June 3, 2008 at 7:00 p.m. at the regular Council meeting. Mr. Surrett asked Council that any additional questions and/or concerns be forwarded to him via email this week for response and resolution prior to the ad placement.

Lengthy discussion followed with changes occurring in the daily admission fee structure, Recreation Building fee structure, length of stay for water front camping sites in season and issuance of in county season passes. Mr. Surrett and Mr. Shirley noted that any fee changes will have to be approved also by Duke Power as the parks are leased property from Duke.

Lastly, Mr. Blanchard requested that Mr. Surrett to follow-up regarding the boat launching fee with Duke Energy and address this issue at the next Council meeting.

Sheriff's Department Overtime Line Item Transfer:

Mr. Surrett addressed Council regarding a request from the Sheriff's Department to transfer \$40,000 to both the Sheriff's Department and Law Enforcement Center. Mr. Surrett noted that the Sheriff's Department was able to identify \$12,000 in overtime spent to combat Methamphetamine use. The Sheriff's Department was able to apply for and receive a grant because of their work in the amount of \$12,000; therefore, the request is being amended to \$30,000 [changing \$22,000 to \$12,000 for the remaining pay periods, leaving other line items the same].

Mr. Ables made a motion, seconded by Mr. Suarez, approved 4 – 0 to authorize transfer of \$30,000 from the employment contingency account funded in Human Resources to the Oconee County Sheriff's Department.

Council Committee Reports:

Transportation:

Mr. Crumpton had no report at this meeting.

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

Mr. Blanchard had no report at this meeting.

School District of Oconee [SDOC] Budget Process Statement: Mr. Blanchard made a statement regarding ongoing comments and criticisms made by the SDOC Board and the press coverage Council received after approval of the SDOC FY 2008-2009 budget. Mr. Blanchard noted that had the SDOC Board spent as much time in an in depth review of their budget as County Council did on their own over the course of six 4+ hour meetings, that they would have had enough money to fund all of their requests without asking the County Council for additional funding. He stated that he and fellow council members were not “backward” and that each member did have the best interest of the students in mind during their deliberations.

Mr. Blanchard also referenced a recent article in the Greenville News, [Sunday, May 18, 2008, Section B1 – filed with these minutes and distributed to Council members after the meeting] that addresses the issue of the state limiting a district’s taxing ability however refusing to fully replace lost funding for the district.

Budget, Finance & Administration:

Mr. Ables reminded those present of the schedule for the Public Hearing and Third Reading for the FY 2008-2009 Oconee County, SDOC and Tri County budgets.

- Public Hearing: Tuesday, June 3, 2008 at 7:00 p.m. at Walhalla High School Auditorium
- Third & Final Reading: Tuesday, June 17, 2008 at 6:00 p.m. in Chambers

In addition, Mr. Ables requested an Executive Session at this meeting to discuss a personnel matter.

Planning & Economic Development:

Mr. Suarez had no report at this meeting.

Real Estate, Facilities & Land Management:

Mr. Lyles was not present therefore there was no report at this meeting.

Commission / Board Reports to Council:

There were no reports presented at this meeting.

Board & Commission Appointments:

Board of Zoning Appeals:

District III: Appoint: Mr. Gary Littlefield, 703 Marina Pointe Circle, Seneca, SC
864-723-6673

Mr. Suarez made a motion, seconded by Mr. Ables, approved 4 – 0 to appoint Mr. Gary Littlefield to the Board of Zoning Appeals, District III for a three year term.

Emergency Management Commission:

Mr. Ables noted that Mr. Jim Miles has resigned from the Emergency Management Commission in District V. He requested that the Clerk to Council advertise the opening for interested parties in the paper, at the Administrative Offices and on the Council Website.

Administrator's Report:

SDOC / Blue Ridge Elementary / 5 acres:

Mr. Surrent noted that he had discussed the 5 acres with Dr. Michael Thorsland and that an update would be forthcoming after their meeting also held on May 20, 2008.

Oconee County Fuel Usage:

Mr. Surrent addressed Council regarding meetings he has had with staff regarding rapidly increasing fuel costs and current usages/costs for Oconee County. He noted that he has asked the staff to provide both actual costs and actual usage by gallon to identify areas where conservation can take place. Mr. Surrent stated that at the June 3, 2008 Council meeting he will have specific information for Council's review and action but that Council should anticipate the need to review fuel budgets for FY 08-09 prior to third and final reading.

Planning Department Consultant:

Mr. Surrent addressed Council regarding the proposed scope of work provided to Council for discussion for a Planning Department Consultant. He noted that the intent is to have this person assist the Planning Commission with their responsibility to maintain the Comprehensive Plan and to identify and make recommendations to the existing Plan. Discussion followed and Mr. Blanchard asked that all references to the consultant working with County Council be removed as the consultant is to work solely with the Planning Commission to prepare a written report to Council with recommendations.

Mr. Art Holbrooks, Planning Director, stated that he is working closely with Appalachian Council of Governments [ACOG] to identify appropriate candidates who have experience working in rural counties of our size and with many of our issues. Mr. Holbrooks requested guidance regarding a timeline for the consultants work. Mr. Blanchard noted that there is not a need to have the consultant prepare cost estimates; that a specific report with recommendations was needed and that he hoped this could be accomplished in a few months.

Old Business:

Public Comment issue for Mr. Arlon Moore:

Mr. Suarez asked Mr. Surrent to follow up with Mr. Moore in an effort to resolve his confusion regarding appropriate building codes requirements and license types.

Junk Yard Ordinance:

Mr. Suarez asked Mr. Norton to bring to Council a draft junk yard ordinance for review at their next meeting.

New Business:

No New Business as addressed at this meeting.

Executive Session:

Mr. Suarez made a motion, seconded by Mr. Ables, approved 4 – 0 to enter into Executive Session for the purpose of discussing a personnel matter.

Council entered Executive Session at 8:37 p.m.

Council returned from Executive Session at 9:17 p.m.

Mr. Blanchard noted that no action would be taken on the matter discussed in Executive Session.

Adjourn:

Mr. Blanchard motioned to adjourn the meeting at 9:18 p.m. The motion was approved unanimously.

Respectfully Submitted:

Elizabeth G. Hulse
Clerk to Council