



MINUTES
OCONEE COUNTY COUNCIL MEETING
Regular Meeting
September 9, 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, September 9, 2008 at 7:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members, 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: Dick Mangrum-WGOG, Ashton Hester, Keowee Courier, Ray Chandler-Anderson Independent & Carlos Galarza-Daily Journal.

Call to Order:

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

Pledge of Allegiance:

Mr. Blanchard recognized members of Boy Scout Troup #226 in attendance noting that the boys were working on a merit badge. He asked the scouts; Brighton Blanton, Addison Land, Shane Kelly and Kyle Rogers along with the Scout Master Mr. Rex Ramsey to step forward and lead the pledge of allegiance to the US Flag.

Minutes:

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

Chairman's Comments:

Mr. Blanchard stated that he wished to address three topics before the start of the regular meeting.

[1] He stated that all were aware of the allegations made by the County Treasurer, Mr. Greg Nowell, that milage had been improperly assessed in the amount of \$72 million dollars. Mr. Blanchard noted that Council instructed the County Administrator to contact the SC Department of Revenue [SCDOR] to request a thorough investigation. SCDOR was on site in Oconee County today. They have reviewed the records and no improprieties have been found. SCDOR will complete their review and Council will make those results public.

[2] He stated that there are no "hidden monies" in any county accounts. All investments are made by the Treasurer's office and not such money exists. In addition, he noted that there have been allegations of extravagant expenditures. Mr. Blanchard invited everyone to closely review the FY 2008-2009 budget, which was reviewed in great depth by the Council in multiple public committee meetings. He invited all to attend future meetings for the next fiscal year which will likely begin in March 2009.

[3] He stated that he was concerned about the unprofessional way this situation has been handled. He voiced concerns why there has been an attempt to sully the reputations of Ms. Linda Nix, County Auditor, and Ms. Phyllis Lombard, Finance Director. He stated that both ladies are dedicated, hard working employees who deserve our thanks not our criticism. Mr. Blanchard stated that both Ms. Nix and Ms. Lombard have the full confidence of Council.

Public Comment Session:

Mr. Berry Nichols addressed Council regarding his concerns regarding various agenda items to include; FILOT agreements, Ordinances 2008-16 & 2008-17 and VC3.

Mr. Ron Leppig addressed Council regarding concerns about milage rates and increased property taxes.

Mr. Bo Horne addressed Council regarding his concerns about Council's spending and the effect it could have on our bond capacity and rates

Mr. George Cleveland addressed Council regarding his concerns about any additional payments to Waste Management above the contracted amounts as requested in a previous Council meeting.

Mr. B. J. Littleton addressed Council regarding his opposition to the Zoning Enabling Ordinance and his opinion that the Oconee County Airport should be self sufficient.

Extended Public Comment Session:

Mr. Berry Nichols addressed Council regarding his opposition to the request from the School District of Oconee County [SDOC] for fiscal autonomy. Mr. Nichols outlined his concern that this autonomy would remove current checks and balances in the system.

Introduction of Convention Visitor's Bureau Director [CVB]:

Mr. Phil Shirley, PRT Director, introduced Mr. Ken Sloan, who was recently selected to be Oconee County's first CVB Director. Mr. Sloan made a few brief statements outlining his goals for the first 90-120 days to include brand development, logo development, website, etc. He stated that a steering committee has been formed to research and develop Oconee County's "brand". In addition, he is identifying the county's "inventory" to which will include places to stay, places to eat, places to visit, etc. He stated that it is his goal to have a brand in place for public announcement by April 1, 2008.

US Forest Service Presentation to Council:

Mr. Vern Shumway gave a brief PowerPoint presentation [filed with these minutes] outlining the details of the proposed Falling Waters State Scenic Byway. The presentation included identifying the highways [107, 413 & 130], objectives of the project and the process to have the designation. Discussion followed.

Mr. Ables made a motion, seconded by Mr. Suarez, approved 5 – 0 to both write a letter from Council in support of the project and they agreed to be co-applicants on the application submitted to SCDOT.

South Carolina Association of Counties [SCAC] Presentation to Council:

Mr. Robert Croom addressed Council and provided a pack of handouts [filed with these minutes] to include: 2008 President's Report, 2008 Acts that Affect Counties and Funding GASB 45 Liabilities. Mr. Croom briefly discussed each document and other services by SCAC to include the Friday Report, continuing education, etc. He noted that there will be a continuing education opportunity for human resources personnel on October 9-10, 2008 which will specifically address the new immigration bill and how it will affect counties.

Lastly, Mr. Croom presented Council with plaque for the 2008 Barrett Lawrimore Regional Award. Oconee County worked in cooperation with Abbeville, Greenville, Pickens and Anderson Counties as part of the Western Piedmont Regional Emergency Management Task Force.

Appalachian Council of Government [ACOG] 2008 Comprehensive Economic Development Strategy Presentation to Council:

Mr. Chip Bentley, Planning Director, ACOG, reviewed the 2008 Comprehensive Economic Development Strategy with Council members and addressing completed projects, projects under way and projects to be in 2009. Mr. Bentley asked for Council's formal support of this document. Mr. Blanchard agreed to forward a letter to ACOG after the meeting.

Mr. Lyles commended ACOG on their through work. Mr. Blanchard noted that Sheep Farm Road was listed as a project and noted that a public meeting will be held on Thursday, September 25, 2008 at 6:00 p.m. at St. Paul's Catholic Church on Bountyland Road, Seneca. Mr. Surrett thanked ACOG stating that they provide an invaluable service to the counties through their expertise. Mr. Blanchard thanked Mr. Lyles for his years of service on the ACOG Board of Directors and his time as that groups Chairman noting that a lot of good work had been accomplished during his leadership of the group.

Ordinances for Approval:

Ordinance 2008-13:

Mr. Blanchard noted that this Ordinance needed to be discussed in Executive Session. It was agreed to table reading of this Ordinance until later in the meeting.

Ordinance 2008-16:

Mr. Wesley Crum addressed Council and outlined the Fee-in-lieu-of-Tax [FILOT] ordinance before the Council. He stated that we have a previous FILOT with this company for \$13 million dollars and that they are seeking to add an additional \$10 million dollars to the project. Mr. Ables noted that their investment would mean \$1.17 million dollars in fees to Oconee County and that 50 new jobs would be created equaling \$1,633 million dollars in wages for county citizens.

Mr. Lyles made a motion, seconded by Mr. Ables, approved 5 – 0 to approve **Ordinance 2008-16** “AN ORDINANCE BY OCONEE COUNTY, SOUTH CAROLINA, AUTHORIZING AN INFRASTRUCTURE TAX CREDIT (PROJECT BOOMER); 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 AND APPROVAL OF THE AMENDMENT AND EXTENSION OF THE FEE AGREEMENT DATED AS OF DECEMBER 1, 2007, INCLUDING CERTAIN OTHER MATTERS RELATING THERETO” on first reading.

Ordinance 2008-17:

Mr. Norton discussed this Ordinance, stating that amending this Ordinance would benefit the company as they would be able to receive tax incentives. It was noted that this is not a specific park; that the properties included in the park are not on contiguous properties.

Mr. Ables made a motion, seconded by Mr. Crumpton, approved 5 – 0 to approve **Ordinance 2008-17** “AN ORDINANCE TO AMEND ORDINANCE 2006-27 RELATING TO THE INDUSTRIAL/BUSINESS PARK OF OCONEE AND PICKENS COUNTIES SO AS TO ENLARGE THE PARK” on first reading.

Resolutions for Approval:

Resolution 2008-13:

Mr. Norton noted that this document is part of Project Boomer, Ordinance #2008-16, and is the Inducement Agreement.

Mr. Crumpton made a motion, seconded by Mr. Ables, approved 5 – 0 to approve Resolution 2008-13 “A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN INDUCEMENT AGREEMENT BY AND BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND PROJECT BOOMER WHEREBY, UNDER CERTAIN CONDITIONS, OCONEE COUNTY WILL PROVIDE AN INFRASTRUCTURE TAX CREDIT AND APPROVAL OF THE AMENDMENT TO THE FEE AGREEMENT DATED AS OF DECEMBER 1, 2007 TO PROJECT BOOMER” on first and final reading.

Items for Consideration by Council:

Amendment to Agenda:

Mr. Surrett asked that Council amend the agenda to include review and approval of RFP 2008-01, ISO Fire Protection Study.

Mr. Ables made a motion, seconded by Mr. Lyles, approved 5 – 0 to amend the agenda and add the RFP outlined above.

RFP 2008-01: ISO Fire Protection Study for Oconee County:

Mr. Surrett noted that this study will look at exiting resources and develop a strategy going forward to improve ISO ratings throughout the county. Mr. Blanchard questioned the time line for completion of the study. Mr. Surrett noted that completion by end of year is expected.

Mr. Lyles made a motion, seconded by Mr. Ables, approved 5 – 0 to approve awarding RFP #2008-01 to Mizelle, Hodges & Associates, Inc. of Atlanta GA in the amount of \$28,500.00 [budget code 010-107-30025].

VC3 Proposal:

Mr. Surrett reviewed with Council the enclosed proposal for VC3 to conduct a full IT system assessment. He outlined their qualifications to include; 1] familiarity with county's IT infrastructure, 2] staff depth to identify issues, 3] provided for the SC Municipal Association, and 4] they have are a state contract vendor for hardware. Mr. Surrett requested that Council consider VC3 as a sole source vendor and approve \$58,959.48 to conduct the assessment. Mr. Blanchard questioned the timeframe for the assessment. Mr. Barry Maddox, VC3, stated he estimated that it would take between two and three months to complete and report back.

Mr. Lyles made a motion, seconded by Mr. Suarez, approved 5 – 0 to authorize VC3 to conduct a full IT system assessment at the cost of \$58,959.48.

Health Insurance Contract:

Mr. Norton addressed Council regarding the his prepared memo which outlines specifics related to over insurance for the County which is self insured; noting that this protects the county from huge catastrophic and/or accident claims which could wipe the county out financially.

Mr. Ables made a motion, seconded by Mr. Crumpton, approved 5 – 0 to authorize for one year staying with the Insurance Reserve Fund for a premium cost of \$577,645.00.

Auditor: 2008-2009 Millage Recommendation for Oconee County / New Budget Ordinance:

Ms. Nix presented a handout to Council [filed with these minutes] outlining her recommendation for both Oconee County operations milage and SDOC milage. Lengthy discussion followed.

Mr. Blanchard noted that there will be an amendment to the county operating budget for FY 2008-2009 and questioned if this change would affect the milage. Ms. Nix noted it would effect her recommendation. Mr. Norton suggested that Council amend the agenda to add a first reading in title only of an ordinance to amend Ordinance 2008-06 and to have second reading at the next meeting with the full version of the ordinance for Council's review.

Mr. Ables made a motion, seconded by Mr. Crumpton, approved 5 – 0 to amend the agenda to include a new ordinance which would adjust the fund balance decreasing it by \$320,118.40 and transferring a like amount from the undesignated fund balance.

Mr. Blanchard made a motion, seconded by Mr. Lyles, approved 5 – 0 to approve **Ordinance 2008-18** “AN ORDINANCE TO AMEND ORDINANCE 2008-06, THE 2008-2009 BUDGET APPROPRIATIONS ORDINANCE FOR OCONEE COUNTY” in title only.

Ms. Nix along with Mr. Norton stepped out of the room to revise the milage numbers to reflect anticipated changes to the budget as discussed. Upon their return Ms. Nix made the following recommendations [handouts filed with these minutes]:

County Operations	64.1 Mills
Emergency Services	2.9 Mills
Economic Development	1.0 Mills
Bridges/Culverts	1.0 Mills
County Bonds	1.8 Mills
Court House	1.6 Mills
Total County	72.4 Mills
School Operations	110.5 Mills
Various Bonds/Funding	31.0 Mills
Total School	141.5 Mills
Tri County Operations	2.1 Mills
Tri County Bonds	0.7 Mills
Total Tri County	2.8 Mills
Grant Total	216.7 Mills

Ms. Susie Cornelius questioned if the Duke Energy numbers had been received from the SC Department of Revenue. Ms. Nix noted they had not and that these milage numbers are estimates and may be changed based on updated information, refunds, etc.

Mr. Lyles made a motion, seconded by Mr. Crumpton, approved 5 – 0 to approve the milage recommendation made by the County Auditor as outlined above.

Procurement: 2009 Ford Focus Vehicles [two] / \$25,816:

Procurement: 2009 Ford Rangers [four] / \$45,240:

Procurement: 2009 Ford F-250's [two] / \$51,148:

Mr. Surrent discussed these three agenda items together noting that local dealers had been contacted but they were unable to meet or beat the state contracted amounts.

2009 Ford Focus: It is the recommendation to award to Benson Ford Mercury of Greer, SC in the amount of \$25,816.00 for the purchase of two [2] 2009 Ford Focus vehicles per SC State Contract 07-S7319-A12721.

2009 Ford Rangers: It is the recommendation to award to Vic Bailey Ford of Spartanburg, SC in the amount of \$45,240.00 for the purchase of four [4] 2009 Ford Ranger vehicles per SC State Contract 07-S7328-A12750.

2009 Ford F-250's: It is the recommendation to aware to Vic Bailey Ford of Spartanburg, SC in the amount of \$51,148.00 for the purchase of two [2] 2009 Ford F-250's, per SC State Contract 07-S73128-A12801.

Mr. Crumpton made a motion, seconded by Mr. Lyles, approved 5 – 0 to approve the purchase of the eight vehicles listed above for the stated prices from the stated vendors.

Emergency Medical Services [EMS] Community Grant-in-Aid Program Application Request:

Mr. Surrett reviewed the request to apply for the EMS Community Grant-in-Aid Program. The grant request is in the amount of \$21,327.36 with a local match paid by Oconee Medical Center [OMC] in the amount of \$1,241.27.

Mr. Ables made a motion, seconded by Mr. Suarez, approved 5 – 0 to authorize OMC EMS to apply for the state EMS Grant-in-Aid program.

American Library Association Visions of the Universal Grant Request:

Mr. Surrett reviewed the grant request which would allow the Oconee County Library to host if selected the Visions of the Universe traveling exhibit.

Mr. Crumpton made a motion, seconded by Mr. Suarez, approved 5 – 0 to authorize the Oconee County Library to apply for the Visions of the Universe Grant.

South Carolina Community Development Block Grant Request:

Mr. Surrett reviewed the grant request which is intended to support construction of a Workforce Center making workplace skills training more accessible to Oconee County residents. The grant is requesting funds for survey work at an approximate cost of \$1,000. Mr. Crumpton asked if our County Engineer could perform this work and save the cost. Mr. Surrett stated he would follow-up to determine if the Engineer could and has time to do the survey.

Mr. Ables made a motion, seconded by Mr. Lyles, approved 5 – 0 to approve \$1,000 for survey costs as outlined above.

Executive Session:

Mr. Blanchard asked for a motion to enter into Executive Session for the purpose of receiving legal advice and a contractual matter.

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

Council entered into Executive Session at 9:09 p.m.

Council returned from Executive Session at 9:49 p.m.

Mr. Blanchard stated that two issues will be acted upon from discussions in Executive Session.

Ordinance 2008-13:

Mr. Blanchard stated that the 2006 International Property Maintenance Code be stricken from this ordinance.

Mr. Crumpton made a motion, seconded by Mr. Ables, approved 5 – 0 to approve **Ordinance 2008-13** “AN ORDINANCE AMENDING ORDINANCE 98010, ORDINANCE THAT IS THE BUILDING CODE ORDINANCE OF OCONEE COUNTY, SOUTH CAROLINA” on third and final readings as amend above.

Enforcement of Codes:

Mr. Blanchard stated that it is the policy statement from Oconee County Council that the Codes Department be instructed to concentrate first on occupied structures [i.e., houses, business, etc.] versus unoccupied structures [i.e., sheds, chicken coops, detached garages, etc.]

Council Committee Reports:

Transportation:

Mr. Crumpton made the following report:

At the **July 9, 2008 meeting** is was approved by the committee to direct the Road Department to exercise legislative intent to allow construction of **Valley Farm Road** at a width of twenty feet.

At the **August 19, 2008 meeting** it was approved by the committee to:

- Direct the Administrator to write a letter to the resident’s on **Walter Scott Lane** to inform them that the county will not take their road into the county road system for paving as it does not meet current county standards. The letter will inform them that the committee would reconsider in the future if upgrades are made to the road by the citizens.

Direct the County Administrator write to the citizens on **Dr. Johns Road**, advising them that at this time the County will not agree to close their road. In addition, the letter should request that they obtain a letter from the District Colonel with the Army Corp of Engineers stating that they agree to have the county abandon the road. Once they obtain such a letter, they may come before this committee to request that the issue of closure be reconsidered.

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

Mr. Blanchard had no report at this meeting; however, he did comment that he and several other council members had attended the Planning Commission meeting held in Chambers the previous evening at which the planning consultant hired by the Commission, Benchmark CMR, Inc., gave a report and PowerPoint presentation [filed with these minutes] regarding progress on the Zoning Enabling Ordinance [ZEO]. Mr. Blanchard thanked the Planning Commission and Benchmark for their hard work.

Mr. Blanchard noted that the next step is Councils. He announced that second reading of Ordinance 2007-18 “ZONING ENABLING ORDINANCE” will take place at the September 23, 2008 council 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.

Commission / Board Reports to Council:

There were no reports presented at this meeting.

Board & Commission Appointments:

ATAX Commission:

Mr. Blanchard questioned Mr. Phil Shirley, PRT Director, to determine if a candidate has been found. Mr. Shirley stated he hoped to have someone for the next meeting.

ACOG Board / Citizen Representative:

Mr. Lyles made a motion, seconded by Mr. Crumpton, approved 5 – 0 to appoint Mr. Bob Winchester as the Citizen Representative to ACOG's Board of Directors.

Mr. Lyles also asked that a letter be sent from Council to Mr. Bob Gillard's family in appreciation and thanks for his years of service not only on this Board but to the County as a whole.

Administrator's Report:

Off Road Diesel:

Mr. Surrett outlined the current procurement guidelines and the current issue of widely fluctuating off road diesel pricing. He requested that Council grant a waiver to allow the procurement staff to daily contact the vendors to determine best pricing without having to come to council if the amount exceeds \$25,000.

Mr. Lyles made a motion, seconded by Mr. Ables, approved 5 – 0 to authorize the waiver as outlined above.

Mr. Blanchard asked that a quarterly report be submitted to Council regarding usage and expenditures. Mr. Surrett noted that the report will also include on road diesel, gasoline and results of county wide efforts at conservation.

Old Business:

Sewer for Golden Corner Commerce Park:

Mr. Surrett stated that he has met with the Oconee Joint Regional Sewer Authority [OJRSA] and that based on work to date and county requests that additional engineering fees will be incurred. Mr. Surrett asked Council to approve \$5,100 for W. K. Dickson engineering fees. He noted that this invoice will come from and be payable to the OJRSA as the pass through agency.

Mr. Ables made a motion, seconded by Mr. Lyles – approved 5 – 0 to approve \$5,100 in additional engineering fees for W. K. Dickson for sewer at the Golden Corner Commerce Park.

New Business:

Council September Meeting Schedule:

Mr. Blanchard noted that there is a scheduling conflict with Registration and Elections for the first meeting in November 2008. Registration and Elections needs to use Chambers on November 4, 2008 to tally and broadcast election night results. Mr. Blanchard polled the Council members to revise the November 2008 meeting schedule as follows:

- November 4, 2008 meeting moved to Thursday, November 6, 2008 at 7:00 p.m.
- November 18, 2008 meeting will take place as scheduled.

Mr. Blanchard made a motion, seconded by Mr. Lyles, approved 5 – 0 to revise the November 2008 Oconee County Council meeting schedule as outlined above.

Adjourn:

Mr. Blanchard asked for a motion to adjourn the meeting. Mr. Ables made a motion at 10:09 p.m. The motion was approved unanimously.

Respectfully Submitted:

Elizabeth G. Hulse
Clerk to Council