



MINUTES
OCONEE COUNTY COUNCIL MEETING
Regular Meeting
November 6, 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 Thursday, November 6, 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: Ray Chandler–Anderson Independent, Peter Kent-WSNW Radio, Dick Mangrum-WGOG Radio & Brett McLaughlin-Daily Journal.

Call to Order:

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

Pledge of Allegiance:

Mr. Lyles led the pledge of allegiance to the United States Flag.

Minutes:

Mr. Ables made a motion, seconded by Mr. Crumpton, approved 3 – 0 [Mr. Lyles & Mr. Suarez abstained – forms filed with these minutes] that the minutes from the October 21, 2008 workshop meeting with a representative from the South Carolina Association of Counties be adopted as printed.

Mr. Ables made a motion, seconded by Mr. Crumpton, approved 4 – 0 [Mr. Lyles abstained – form filed with these minutes] that the minutes from the October 21, 2008 regular meeting be adopted as printed.

New Employee Announcement:

Mr. Surrett introduced the newly hired Procurement Director, Robyn Courtright, who began with the County on November 3, 2008. Ms. Courtright relocated to the area a few years ago from Homestead, Fla. after her husband retired as a police officer. She graduated from Florida State University with a Bachelor's degree in Business Administration and worked for Miami Dade College in their purchasing department for 14 years. She was a buyer and then promoted to

Assistant Director of Purchasing for her last seven years. Her responsibilities included procurement for six college campuses that totaled \$100 million annually.

Council welcomed Ms. Courtright stating they look forward to working closely with her and her department.

Public Comment Session:

Mr. W. C. Richards addressed Council regarding his concerns about poor morale in the Rural Fire Departments and protection in the unincorporated areas of Oconee County. Mr. Richards laid blame for both on County Council and the County Administrator.

Mr. Gordon Towe addressed Council regarding his opposition to the Zoning Enabling Ordinance [ZEO] and requested that final reading be postponed until further work is done.

Ms. Donna Linsin addressed Council regarding her opposition to the ZEO stating that insufficient public input has been received for Council to take action.

Mr. P. R. Ramsey addressed Council regarding his opposition to the ZEO and the loss of existing lifestyles by the citizens.

Mr. James Pearson addressed Council regarding his opposition to the ZEO and overlays.

Mr. Phillip Bearden addressed Council requesting that Council postpone final reading of the ZEO until further input by the citizens can be reviewed.

Mr. Bobby Robinson addressed Council regarding his opposition to the ZEO and land use planning in any format.

Mr. John Little addressed Council regarding his opposition to the ZEO; specifically noting the height restrictions and density in the lake overlay.

Mr. Tommy Alexander addressed Council regarding his concerns about the restrictions put on citizens with the codes and laws and his opposition to Council engaging in the real estate business by building a spec building.

Mr. Berry Nichols addressed Council regarding his opposition to the ZEO; citing historical references when outsiders forced their views on the citizens. Mr. Nichols submitted his comments in writing and they are filed with these minutes.

Mr. Devoe Blackston addressed Council regarding his opposition to the ZEO and the infringement on individual property rights.

Mr. Robert Lee addressed Council regarding his opposition to the ZEO and overlays and asked that Council not pass the document but study the matter further.

Ms. Ginger Tidmon addressed Council in support for the ZEO and overlays noting that the 15% requirement is common practice in both other South Carolina counties and in other states.

Mr. Paul Reckert addressed Council regarding his opposition to the ZEO; stating that overlays equal zoning.

Mr. Dick Hughes addressed Council regarding his concerns that Council is moving too quickly to pass the ZEO and requested an additional Public Hearing for input on the final draft document.

Ms. Linda Lovely addressed Council regarding her support for the ZEO; noting her background as a farmer's daughter which gives her a clear understanding of the traditional lifestyles in Oconee County. She expressed her desire to maintain these ways of life for future generations through sustainable growth in the County beginning with the ZEO.

Mr. Randy Jones addressed Council regarding his opposition to the ZEO asking Council to study further and delay the final vote this evening.

Mr. Charles Chalmers addressed Council regarding above ground utility lines on Highway 11 and how they relate to the Scenic Highway Ordinance.

Mr. Richard Watson addressed Council regarding his support for the ZEO; noting that this is a good way to begin to protect traditional lifestyles in the county.

Mr. Jack Thomason addressed Council regarding concerns that zoning may get out of hand in the County and his feeling that the Building Codes Department staff are dictatorial when dealing with citizens.

Extended Public Comment Session:

Zoning Enabling Ordinance / Mr. Tom Markovich:

Mr. Markovich addressed Council regarding specific concerns with the Zoning Enabling Ordinance [ZEO]. He stated that he is in favor of planning in the county but feels the ZEO should be tabled until specific answers to key issues can be addressed. Mr. Markovich outlined the following concerns:

- Disenfranchisement: Mr. Markovich raised concerns that citizens living within the County but not owning property are left out of the citizen initiated zoning process.
- Land Contract: Mr. Markovich raised concerns regarding who was eligible to vote during the contract period for property; the seller or buyer.
- Small Area Zoning [page 15]: Mr. Markovich questioned if wording in this section would create a new class of owners.
- Section 9.5 – General Provisions: Mr. Markovich stated that as written Appendix A applies to all areas not just the overlay districts.
- Lake Overlay District: Mr. Markovich stated that the intention was to apply to new construction however the way it is written it could be interrupted to apply to all including existing homes.

- I85 Overlay District: Again, the intention was to apply to this section but language is not clear.

Mr. Markovich stated that he clearly understood the pressures that Council is facing from both proponents and opponents of zoning. He closed by briefly discussing affordable housing in Oconee County and his concerns that the ZEO with density standards will price out young families and ultimately create sprawl.

Zoning Enabling Ordinance: Advocates for Quality Development/Mr. Jim Codner:

Mr. Jim Codner addressed Council and read from a PowerPoint presentation [filed with these minutes] outlining his groups rational in supporting passage of the ZEO. Key points of his presentation included:

- Reasons to Support the ZEO
- Citizens Initiate, Council Listens
- Grassroots Input Guaranteed
- Grandfathering Protects Owners
- Smart Development & Taxes
- Exhaustive Legal/Expert Review
- Lake Overlay – Critical Breathing Room
- Who Talks – Citizens or Money?
- Calm & Facts Should Prevail
- Take Pride – We Thank You

Convention& Visitors Bureau [CVB] Progress Report:

Mr. Ken Sloan, CVB Director, addressed Council and read from a PowerPoint presentation [filed with these minutes] outlining the progress made since the inception of the CVB. He has reviewed key areas to include lodging and meeting space to identify current inventory and areas of need. A Branding Committee met and determined this county’s differentiating factors to create the brand. With the assistance of FMG Design out of Houston, TX the following logo / Brand were created.



The logo includes our mountains, rivers & waterfalls, lakes along with denoting the seasons with the two color leaf. In addition the outer circle of the logo is an “O” and the curve of the leaf creates the “C” for Oconee County. Mountain Lakes was decided upon based on other organizations use of this designation for Oconee, Pickens & Anderson. Mr. Sloan also discussed two advertising publications. Lastly he introduced the new website which is being developed by TrueZeal.

Executive Session:

Mr. Blanchard asked for a motion to enter into Executive Session for the purpose of discussing a personnel & contractual matter.

Mr. Suarez 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 8:32 p.m.

Council returned from Executive Session at 9:09 p.m.

Mr. Blanchard stated that Mr. Surrect had an announcement after Executive Session.

Retirement Announcement:

Mr. Surrett announced the retirement of Ms. Phyllis Lombard, Finance Director, effective on or about January 30, 2009. He noted that Ms. Lombard's retirement will be a loss to Oconee County as she has extensive institutional knowledge and experience. Mr. Surrett stated that Ms. Lombard has agreed to assist in a smooth transition and that the job will be posted in the near future.

Mr. Blanchard on behalf of Council thanked Ms. Lombard for her years of service and noted that when Mr. Hendricks left she stepped in as Interim Administrator on very short notice and not only did that job well but also maintained high standards in the Finance Department. He noted that Ms. Lombard has been a close advisor to Council over the years and that she is not only respected within the County but throughout the state.

Ordinances for Approval:

Ordinance 2007-18: Zoning Enabling Ordinance [ZEO]:

Mr. Blanchard recognized Mr. Suarez who wished to make a statement. Mr. Suarez noted that he met with staff and that all comments from the public along with the recommendations from the Planning Commission were carefully reviewed in the crafting of the ordinance. He outlined the historical progression of this ordinance and stated that the next step is for Council to approve the ordinance. Mr. Suarez clearly stated that all parties needed to respect the other's views so that together we can work toward the future.

Mr. Blanchard next recognized Mr. Surrett & Mr. Norton who described the ordinance review process that the staff undertook in preparation of the ordinance.

Mr. Blanchard then read a statement into the record [filed with these minutes] addressing the process and his support for the ZEO.

Mr. Ables then spoke in support of the ordinance noting that he is a 4th generation farmer on a century farm. He stated that his son is attending Clemson and will take over the farm upon graduation. Mr. Ables stated that passage of the ZEO is the only way to preserve the land and that no place in the ordinance does it state that County Council can take a citizens land. He reminded those present that there was support for and opposition to the document when it was 7 pages and the same is true now that it is in excess of 70 pages. Mr. Ables stated that he was concerned that there was a lot of misinformation circulating in the public. This ordinance is designed to be citizen initiated, existing homes are grandfathered in and the County is not going to take a citizens land. Discussion continued.

Mr. Ables made a motion, seconded by Mr. Suarez, approved 3 – 2 [Mr. Crumpton and Mr. Lyles opposed] to approve **Ordinance #2007-18** "ZONING ENABLING ORDINANCE" on third and final reading with the proviso that the ordinance will not be implemented until May 1, 2009.

Ordinance 2008-19:

Mr. Crumpton made a motion, seconded by Mr. Suarez, approved 5 – 0 to approve **Ordinance 2008-19** "AN ORDINANCE TO CREATE ROAD STANDARDS FOR THE UNINCORPORATED AREAS OF OCONEE COUNTY AND REPEAL ALL OTHER ROAD RELATED ORDINANCES AND RESOLUTIONS" on first reading in title only.

Ordinance 2008-20:

Mr. Suarez made a motion, seconded by Mr. Ables, approved 5 – 0 to adopt **Ordinance 2008-20** “AN ORDINANCE TO AMEND THE LAND DEVELOPMENT AND SUBDIVISION REGULATIONS CHAPTER OF THE OCONEE COUNTY UNIFIED PERFORMANCE STANDARDS ORDINANCE [CHAPTER 6], REPEALING ORDINANCE 2002-05 [Passed May 7, 2002], ORDINANCE 2006-07 [Passed May 1, 2006], AND ORDINANCE 2006-20 [Passed August 15, 2006].” on first reading.

Items for Consideration by Council:

Oconee Memorial Center [OMC] Contract / Amended & Restated Interlocal Agreement:

Mr. Norton explained that this agreement is very similar to the one signed three years ago with two changes; 1] County Council relinquishes the right to approve OMC’s bylaws, and 2] County Council may continue to have a member on the board but it will not be a requirement of the contract.

Mr. Ables made a motion, seconded by Mr. Crumpton, approved 5 – 0 to authorize approval of Amended and Restated Interlocal Agreement between Oconee County and Oconee Memorial Hospital, Inc d/b/a Oconee Medical Center.

Oconee Heritage Center Lease Agreement:

Mr. Lyles made a motion, seconded by Mr. Crumpton, approved 5 – 0 to ratify Section 6.6 of the Lease Agreement to allow the Heritage Center to incorporate the basement into the existing lease agreement.

GIS / Pictometry to Acquire Road Data Information:

Mr. Surret discussed Pictometry and presented a PowerPoint presentation [filed with these minutes] outlining the advantages of the system. Mr. Surret noted that this was a request for sole source purchasing.

Mr. Norton noted that he reviewed the contract and had no concerns.

Mr. Ables made a motion, seconded by Mr. Suarez, approved 5 – 0 to authorize \$74,000 to Pictometry International, Corp. as outlined in the AIS and contract.

AT&T Grant:

Mr. Surret noted that this grant will be used to help build a new spec building in Oconee County.

Mr. Lyles made a motion, seconded by Mr. Ables, approved 5 – 0 to authorize acceptance of the \$25,000 grant from AT&T as outlined in the Contract dated October 20, 2008.

Council Committee Reports:

Transportation:

Mr. Crumpton reported that the Transportation Committee met on Wednesday, November 5, 2008 discussing Ordinance 2008-19 ‘AN ORDINANCE TO CREATE ROAD STANDARDS FOR THE UNINCORPORATED AREAS OF OCONEE COUNTY AND REPEAL ALL OTHER ROAD RELATED ORDINANCES AND RESOLUTIONS’. It was the recommendation from the Committee that the ordinance be presented to Council for first reading in title only at this meeting. He also announced that the Committee will again meet on Monday, November 10, 2008 to continue work on the ordinance.

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.

Commission / Board Reports to Council:

There were no reports presented at this meeting.

Board & Commission Appointments:

Board of Zoning Appeals – District IV:

District IV representative Mr. Lyles stated that he would not make an appointment prior to end of year and asked the new representative coming on Council in January to fill this vacancy.

ATAX Commission:

Mr. Phil Shirley, PRT Director, stated that the Commission had no candidates for consideration at this meeting. This will be placed on the next Council agenda for appointment.

Library Board:

Clerk to Council noted that there are only two vacancies currently; Mr. Morrison and Mr. Torres, noting that these seats have been vacant for a long period of time. Council did not appoint either seat and asked that this be placed on the agenda for next meeting.

Economic Development Commission:

Mr. Suarez made a motion, seconded by Mr. Ables, approved 5 – 0 to reappoint Mr. Hank Field to the Economic Development Commission for an additional three year term ending December 31, 2012.

Administrator's Report:

Fuel Usage Report for 1st Quarter:

Mr. Surret reviewed with Council three reports from Vehicle Maintenance regarding attempts by departments to decrease fuel usage;

- 1] First Quarter Fuel Report
- 2] Departmental Methods Used to Decrease Usage, and
- 3] Conclusion Report.

He noted that some progress has been made in some departments and that there are still opportunities for improvement. It was noted that smaller vehicles have helped reduce fuel usage in some departments.

Council commended the Administrator and Vehicle Maintenance Supervisor, Ronnie Smith, on their efforts. Mr. Blanchard noted that by the time of the next budget cycle that three reports will have been received and reviewed for planning the next year's budget.

Old Business:

There was no Old Business discussed at this meeting.

New Business:

Meeting Schedule for Remainder of 2008:

Mr. Blanchard stated that the three remaining meetings in 2008 will be held as follows: Tuesday, November 18, 2008 at 6:00 p.m., Tuesday December 2, 2008 at 7:00 p.m. and Tuesday December 16, 2008 at 6:00 p.m.

National Forestry Funds:

Mr. Surrett noted that it is the staff recommendation to continue receiving the National Forestry Funds as we have to this point with the exception of the Title III funds.

Mr. Ables made a motion, seconded by Mr. Crumpton, approved 5 – 0 to allocate National Forestry Funds as indicated on the schedule as presented to Council.

Fair Play Fire Department Funds:

Mr. Surrett noted that it is the policy that if all personal protective equipment [PPE] needs have been met for the year that a fire department may use the funds for other needs at the station. The Fair Play Volunteer Fire Department had requested to use \$18,000 to rescue equipment [automobile extraction equipment]. Mr. Surrett noted that no action is necessary by Council; that this is provided for information only.

Adjourn:

Mr. Blanchard asked for a motion to adjourn the meeting. Mr. Lyles made a motion at 10:03 p.m. The motion was approved unanimously.

Respectfully Submitted:

Elizabeth G. Hulse, Clerk to Council