



A G E N D A
OCONEE COUNTY COUNCIL MEETING
Tuesday, October 6, 2009, 7:00 PM
Council Chambers,
Oconee County Administrative Offices
415 South Pine Street, Walhalla, SC

1. Call to Order
2. Moment of Silence
3. Pledge of Allegiance to the Flag of the United States of America
4. Approval of Minutes:
 - o September 10, 2009: Special Council Meeting with Blue Ribbon Panel
 - o September 15, 2009: Regular Council Meeting
5. Worklink Presentation to Council
6. Service Presentations to Retiring Staff:
 - [1] First and Final Reading of [Resolution 2009-16](#) "A RESOLUTION HONORING DEPUTY STEVE L. DYAR AT THIS RETIREMENT"
 - [2] First and Final Reading of [Resolution 2009-17](#) "A RESOLUTION HONORING SERGEANT SAM M. COBB AT THIS RETIREMENT"
7. Public Comment Session *(Limited to forty (40) minutes, four (4) minutes per person.)*
Comments MUST be related to a specific agenda item slated for action at this meeting
8. Extended Public Comment Session *(Limited to 2 citizens per meeting, prior scheduling required with Clerk to Council, five [5] minutes per person. Comments not limited to specific agenda item)*
 - Zoning Ordinance procedures / Mr. Tom Markovich
9. Consideration of the Following Resolutions:
 - [3] First and Final Reading of [Resolution 2009-18](#) "A RESOLUTION AUTHORIZING AND SUPPORTING THE APPLICATION BY OCONEE COUNTY FOR ALL AVAILABLE FEDERAL OR STATE GRANT FUNDS FOR WHICH MATCHING COUNTY GRANT FUNDS HAVE PREVIOUSLY BEEN MADE AVAILABLE BY OCONEE COUNTY COUNCIL THROUGH THE OCONEE COUNTY OPERATING AND CAPITAL BUDGET OR FOR WHICH MATCHING FUNDS ARE NOT REQUIRED; COMMITTING SUCH PREVIOUSLY BUDGETED MATCHING FUNDS AS REQUIRED BY ANY SUCH GRANT; AUTHORIZING THE RECEIPT AND EXPENDITURE OF SUCH GRANT FUNDS; AND OTHER MATTERS RELATED THERETO."
10. Consideration of the Following Ordinances:
 - [1] Second Reading of [Ordinance 2009-15](#) "AN ORDINANCE TO AMEND THE OCONEE COUNTY ZONING ENABLING ORDINANCE, ORDINANCE 2007-18, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, AS TO REZONE A SERIES OF PARCELS SPECIFIED HEREIN, AND TO RATIFY AND AFFIRM ALL OTHER PROVISIONS OF ORDINANCE 2007-18 NOT AMENDED OR MODIFIED HEREBY; AND OTHER MATTERS RELATING THERETO"
On July 7, 2009, County Council took First Reading in Caption Only on Ordinance 2009-15, which will rezone a series of 61 parcels located in the Fairview Community area, near Lake Keowee, from the Control Free District. As submitted, 56 parcels would be rezoned as Traditional Rural District (TRD); and 5 parcels were proposed as Lake Residential District (LRD). The request, which was submitted under the Small Area Rezoning Method by Mr. Gary McMahan and Mr. Lewis McMahan on May 26, 2009, was accompanied by the signatures of 79% of the parcel owners involved. Council referred the matter to the Planning Commission for review. The Commission held a special called meeting on July 27, 2009 to deal with the request, and following discussion, voted to recommend approval to the Council.

It should be noted that subsequent to the submission of the request, Crescent Resources contacted the Planning Department to inquire about changing two of the parcels included in the request, both owned by Crescent Resources, from Lake Residential District (LRD) as proposed to Residential District (RD). Following a series of discussions with staff, Crescent Resources sent a letter requesting that Council and the Planning Commission be advised of their wishes. At the time the letter was received, the Planning Commission had already completed their review of the request, and County Council was scheduled consider the matter for 2nd Reading and schedule a public hearing at their meeting on September 1st. At the Council meeting, the matter was referred back to the Commission for further review.

On September 14th, the Planning Commission took the matter up again, and staff informed the Commission that, as changing the 2 parcels from LRD to RD was consistent with the Comprehensive Plan and the Future Land Use Map, the proposed change presented no problems from the planning perspective. During discussions of the matter, which included input from the public in attendance, no opposition to the change was heard; the consensus of Commission, however, was that changing their vote solely on the basis of a property owner coming forward after their review would be problematic, and possibly be seen as a precedent that would lead to similar situations in the future. In setting out their position, however, commissioners noted that Council should, if they wished, initiate the change.

The Commission voted unanimously to recommend the proposed rezoning as originally submitted.

Staff recommends the following:

[1] **Council initiate the change of the Crescent Resources parcels (178-00-02-012 & 179-00-02-001) from LRD to RD, and**

[2] **Take Second Reading on Ordinance 2009-15, amending the ZEO by the proposed rezoning, and**

[3] **Schedule the required Public Hearing on or after November 3, 2009.**

[2] Second Reading of [Ordinance 2009-18](#) “AN ORDINANCE AUTHORIZING THE TRANSFER OF AN EASEMENT FOR INGRESS, EGRESS AND UTILITIES ACROSS CERTAIN OCONEE COUNTY REAL PROPERTY AND AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGREEMENT RELATED TO THE SAME; AND OTHER MATTERS RELATED THERETO” and [Exhibit A](#) & [Exhibit B](#)

Blue Ridge Electric wishes to upgrade the power lines that cross the Ebenezer Convenience Center to transmission lines and is requesting an easement from Oconee County. Blue Ridge will pay \$9,800 to the County for the easement.

Public Hearing has been advertised to be held on Tuesday, October 20, 2009 at 7:00 p.m. for this Ordinance.

[3] Second Reading of [Ordinance 2009-19](#) “AN ORDINANCE AUTHORIZING THE TRANSFER OF INTEREST IN CERTAIN OCONEE COUNTY REAL PROPERTY AND AUTHORIZING THE EXECUTION AND DELIVERY OF AN ACCESS EASEMENT AGREEMENT RELATED TO THE SAME; AND OTHER MATTERS RELATED THERETO” and [Exhibit A](#) & [Exhibit B](#)

For over 10 years Duke Energy, LLC has had a nuclear emergency Siren Tower located near the recently demolished house on the Oconee County Airport. The current tower location prohibits future hangar development of the old house site. After agreeing the tower should be relocated to a new site on the airport, a new easement agreement was drafted as the legal means to allow the tower to remain on and operate on County owned property. The easement agreement will allow Duke Energy and other nuclear regulatory agencies to periodically inspect and/or service the Emergency Siren tower. The county attorney has reviewed and updated the easement agreement wording to protect Oconee County’s interests. This siren tower is one of several located in the vicinity of the Oconee Nuclear Station and is part of Duke Energy’s NRC emergency communications plan with the surrounding community. In the event of a Nuclear emergency at the Oconee Station, the Siren will be activated to alert the surrounding community to take precautionary measures.

Public Hearing has been advertised to be held on Tuesday, October 20, 2009 at 7:00 p.m. for this Ordinance.

[4] Second Reading of [Ordinance 2009-20](#) “AN ORDINANCE TO AMEND THE FISCAL YEAR 2009-2010 BUDGET APPROPRIATES ORDINANCE FOR OCONEE COUNTY IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY; AND OTHER MATTERS RELATED THERETO”

This Ordinance amends the budget the fiscal year 2009-2010 budget to eliminate the capital lease finance and increases expenditures in order to provide for radio tower equipment, a bridge replacement, support the CAT bus system and increase in Library State Aid.

The General Fund Balance will:

- Decrease by \$855,000 to replace the \$750,000 capital lease
- Increase by \$ 45,000 for radio equipment
- Increase by \$ 60,000 for support for the CAT bus system.

The Capital Project Fund / Bridges & Culvert Fund will:

- Decrease by \$275,000 for the Jenkins Road Bridge replacement

The increase for the Library State Aid will not have a financial impact as the increased expenditures of \$22,644 are related to an increase in revenue to be received from the State.

Public Hearing has been advertised to be held on Tuesday, October 20, 2009 at 7:00 p.m. for this Ordinance.

11. Discussion & Possible Action Items:

[1] [PRT](#) / Request to apply for the SC Parks and Recreation Development Fund (PARD) Grant / \$10,000 / rebuilding campsites at South Cove County Park

Funds will be used along with the designated \$5,000 rolled over from the 2008-2009 budget along with the 20% match of \$2,000 and the 2008-09 PARD grant and match of \$18,000 for a total of \$35,000 to identify and rebuild the campsites in most need of repair at South Cove County Park. The number of sites to be rebuilt will depend on the bidding process.

Budget Analysis

South Cove-Rebuild Campsites	(PARD grant request 2008-09)	\$ 15,000
South Cove-Rebuild Campsites	(PARD grant request 2009-10)	\$ 10,000
Required 20% match for both grants(PRT line item 010-202-99999)		\$ 5,000
Budgeted 2008-2009 funds for rebuilding campsites (010-204-50850)		<u>\$ 5,000</u>
TOTAL		\$ 35,000

Staff requests the following:

[1] Approval of PARD grant request in the amount of \$10,000, with a required 20% match of \$2,000 that will be taken from PRT line item 010-202-99999, and

[2] Council to execute an endorsement letter of support [required by SC PARD] to accompany the grant request.

[2] Funding Request / Old School - Hwy 11 / Mayor Sharon Nunnery / +/- \$100,000

The Town of West Union is requesting funds to assist with the repair and/or replacement the roof on the historic old school building located on Highway 11. After the substantial rains the weekend of September 12-13, 2009, the roof is leaking and causing deterioration to the interior of the building. In order to save the building the roof issue must be fixed..

[3] [a] [Agreement with City of Westminster](#) / Shared Fire/EMS Station

[b] Review [Environmental Phase I Study](#)

[4] [Airport](#) / Work Authorization for Construction Phase Services for Runway 25 & Parallel Taxiway Extension Project / \$644,085

Per RFQ 08-10, Talbert & Bright was selected as the County's Airport Engineering Consultant. This work authorization is for construction phase services specifically for the 600' expansion of Runway 25 and Parallel Taxiway project which was awarded to Plateau Excavation per Bid 08-32 in the amount of \$3,451,481.50. When FAA grants are funded, a portion of these grants pay the cost of the necessary professional airport engineering consultant services. The grants for this project are 85% Federal, 2.5% State and 2.5% County match. The Total amount that will come from Oconee County will be \$16,102.13 [AIP 17 Line Item: 012-720-97097-0].

12. Board & Commission Appointments

[none at this meeting]

13. Commission / Board Reports to Council [ten minute maximum presentation]

- Infrastructure Advisory Commission

[Parks, Recreation & Tourism Commission will report on November 3, 2009]

14. Council Committee Reports

- Transportation / Mr. Thrift

15. Administrator Report

16. Old Business

17. New Business

[1] Discussion regarding scheduling potential Council meetings/workshops:

- Council meeting with Jail Architect & tour of Jail
- Council workshop with OJRSA Commissioners

18. Executive Session

[for the purpose of discussing a contractual / personnel matter]

19. Adjourn

[This agenda is not inclusive of all issues which Council may bring up for discussion at this meeting.]

Oconee County Council & Committee meeting schedules and agendas are posted at the Oconee County Administration Building and are available on the County Council Website

www.oconeesc.com/council.html

[All upcoming meetings will be held in Council Chambers unless otherwise noted]