



**A G E N D A**  
**OCONEE COUNTY COUNCIL MEETING**  
**Tuesday, November 3, 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 October 20, 2009: Regular Council Meeting
  - o October 27, 2009: Special Council Meeting
5. 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
6. 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)*
  - Council Government / Mr. Berry Nichols
7. Presentation by Mercer Group / Mr. Jim Mercer *[5 minutes]*
8. Executive Session  
*[for the purpose of discussing a contractual matter/conducting an interview with the Mercer Group]*
9. Consideration of the Following Ordinances:
  - [1] Third & Final 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 fiscal year 2009-2010 budget to eliminate the capital lease financing and increases expenditures in order to provide for radio tower equipment, support for the CAT bus system, reduction in the number of furlough days from 4 to 2, a bridge replacement, and increase in Library State Aid.

The General Fund Balance will decrease by \$945,473 to replace the \$750,000 capital lease and to fund \$45,000 of radio equipment, \$60,000 of support for the CAT bus and \$90,473 for the reduction in furlough days from 4 to 2. The Capital Project Fund - Bridges and Culvert fund balance will decrease by \$275,000 for Jenkins Road Bridge replacement. The increases 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.
  - [2] Second Reading of [Ordinance 2009-21](#) “AN ORDINANCE TO AUTHORIZE THE TRANSFER OF CERTAIN INTERESTS IN REAL PROPERTY; AND OTHER MATTERS RELATED THERETO”

This Ordinance is designed to fully effectuate the approved Cross-lease approved by Council on October 6, 2009 with the City of Westminster whereby the County will lease 14.95 acres of land from the City and then lease certain space within a building built by the County on the property back to the City.

[3] First Reading [in title only] of **Ordinance 2009-23** “AN ORDINANCE TO AMEND THE ZONING ENABLING ORDINANCE PURSUANT TO A CITIZEN-INITIATED REZONING REQUEST”

The proposed Ordinance 2009-23 stems from a revised citizen-initiated rezoning request originally submitted by Mr. Gary McMahan and Mr. Lewis McMahan on May 26, 2009, which was accompanied by the signatures of 79% of the owners of the parcels proposed for rezoning. The original ordinance (2009-15) was removed from consideration by vote of Council on October 6, 2009. The new proposal will rezone a series of 58 parcels located in the Fairview Community area, near Lake Keowee, from the Control Free District (CFD). As submitted, 56 parcels would be rezoned as Traditional Rural District (TRD), and 2 parcels rezoned as Residential District (RD); 3 parcels proposed to be rezoned as Lake Residential District (LRD) in the original request will be resubmitted as part of another rezoning request at a later date. It should be noted that the revised request includes petitions from Crescent Resources proposing that 2 parcels be rezoned as Residential District (RD), which increases the percentage of supporting property owner signatures to approximately 84%.

Staff mailed the owners of all parcels included in the request a letter (reviewed by County Attorney) notifying them of the proposed rezoning, as well as a map showing the requested classification of each parcel. Per Council’s instruction, the letter stated that the lack of a response would be considered support for the proposal.

**It is the recommendation of Staff to take First Reading in Title Only on Ordinance 2009-23, and refer the rezoning request to the Planning Commission for review & recommendation.**

10. Consideration of the following Resolutions:

[1] First & Final Reading of **Resolution 2009-19** A RESOLUTION CONSENTING TO AN ASSIGNMENT OF INTERESTS UNDER A FEE IN LIEU OF TAX AGREEMENT WITH OCONEE COUNTY, SOUTH CAROLINA BY THE TIMKEN COMPANY TO KOYO BEARINGS USA LLC, AND OTHER MATTERS RELATED THERETO.

JTEKT Corporation recently acquired The Timken Company, Walhalla Plant, from previous ownership. The original FILOT, dated November 1, 2004, was for \$18,000,000 and although not required called for the creation of approximately 175 jobs. The investment was met and approximately 220 jobs were created

**It is the recommendation of Staff to approve Resolution 2009-19 on first and final reading.**

11. Discussion & Possible Action Items

[1] Discussion regarding Preliminary Status of Oconee County Capital Projects

12. Board & Commission Appointments *[none at this meeting]*

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

- Parks, Recreation & Tourism Commission

*[Keowee Fire Tax District Commission will report on December 1, 2009]*

14. Council Committee Reports

- Transportation Committee / Mr. Thrift

15. Administrator Report

16. Old Business

[1] Discussion of Administrator Position Job Description *[deferred from October 20, 2009]*

17. New Business

18. 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](http://www.oconeesc.com/council.html)**

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