



**MINUTES**  
**OCONEE COUNTY COUNCIL MEETING**  
**Regular Meeting**  
**January 6, 2009**

**MEMBERS, OCONEE COUNTY COUNCIL**

Mr. Reg Dexter, District V, Council Chairman  
Mr. Joel Thrift, District IV, Vice Chairman  
Mr. Mario Suarez, District III, Chairman Pro Tem  
Mr. George Blanchard District I  
Mr. Wayne McCall, District II

Prior to the beginning of the January 6, 2009 Council meeting, the Honorable Timothy M. Cain administered the Oath of Office to Mr. Wayne McCall, Council Member, District II, Mr. Joel Thrift, Council Member, District IV, & Mr. Reg Dexter, Council Member, District V in a ceremony in Council Chambers at 5:30 pm.

Oconee County Council met on Tuesday, January 6, 2009 at 7:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members, County Administrator Dale K. Surrett, Bradley A. Norton County Attorney and Elizabeth G. Hulse, Clerk to Council present.

**Press:**

Pursuant to the Freedom of Information Act, notice of the meeting, date, time, place of meeting and agenda were posted on the bulletin board at the County Administrative Offices, 415 South Pine Street, Walhalla, SC, and the County Council website [[www.oconeese.com/council](http://www.oconeese.com/council)]. In addition it was made available to the newspapers, radio stations, television stations and concerned citizens.

Member of the press present: Ray Chandler – Anderson Independent, Dick Mangrum - WGOG Radio, Peter Kent - WSNW Radio & Carlos Galarza - Daily Journal.

**Call to Order:**

Mr. Norton called the meeting to order at 7:00 p.m.

**Pledge of Allegiance:**

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

**Minutes:**

Mr. Blanchard made a motion, approved 1 – 0 that the minutes from the December 16, 2008 workshop meeting with the Emergency Services Commission be adopted as printed.

Mr. Blanchard made a motion, seconded by Mr. Suarez, approved 2 – 0 that the minutes from the December 16, 2008 regular meeting be adopted as printed.

## **Public Comment Session:**

Mr. Jerry Barnett addressed Council wishing the three new council members well and voicing concerns regarding the Building Codes and Planning Departments mistreatment of Oconee County citizens.

Ms. Donna Linsin addressed Council regarding her concerns that Council is too closely tied to outside organizations such as Oconee Alliance and that these organizations made up of individuals not elected by the people are planning and making decisions for the county.

Mr. Devoe Blackston welcomed the three incoming council members.

Mr. Gary Owens, president of Advocates for Quality Development, addressed Council regarding his group's support of the ZEO and lake overlays. Mr. Owens read from a prepared statement which is filed with these minutes.

Mr. George Cleveland addressed Council welcoming the new members and asking Council for three things; extend public comment to five [5] minutes per citizen for a maximum of forty-five [45] minutes, keep campaign promises and open government with adherence to FOIA.

## **Extended Public Comment Session:**

### **Mr. Berry Nichols / County Council:**

Mr. Berry Nichols addressed Council welcoming the three new members and voicing concerns regarding several key issues as follows:

- He requested increasing the Public Comment Session to five [5] minutes per citizen.
- He questioned if the new Council had any intention to sell or lease the Rock Crusher.
- He asked Council with the increases in the county's population to consider two additional Council Districts
- He requested transparency in the budget process so that average citizens can review the document and understand it.
- He asked that Council work with the School District of Oconee County regarding meeting schedules so that citizens can attend both meetings
- He asked Council to consider putting prayer back in the meetings.
- He voiced concerns regarding the credentials of the external auditor who presented a report to Council at the last meeting in December 2008.
- He asked Council to consider moving the Delegation Office to Pine Street for citizen's convenience.

### **Mountain Lakes Community Association / Development & Protection of Upstate Lakes:**

Ms. Sharon Hamilton, Vice President of the newly formed group briefly outlined the Associations membership and position regarding; preservation of the quality of life in the county, preservation of the natural resources for future generations; smart growth, and protection of the upstate lakes offered by the Zoning Enabling Ordinance and the lake overlays. Ms. Hamilton read from a prepared statement which is filed with these minutes.

## **Election of Council Officers:**

### **Council Chairman:**

Mr. Joel Thrift made a motion, seconded by Mr. Wayne McCall, approved 3 – 0 [Mr.'s Dexter & Blanchard abstaining – forms filed with these minutes] to elect Mr. Reg Dexter as Council Chairman for 2009.

### **Council Vice Chairman:**

Mr. Wayne McCall made a motion, seconded by Mr. Reg Dexter, approved 4 – 0 [Mr. Joel Thrift abstaining – form filed with these minutes] to elect Mr. Joel Thrift as Council Vice Chairman for 2009.

### **Council Chairman Pro Tem:**

Mr. Wayne McCall made a motion, seconded by Mr. Joel Thrift, approved 4 – 0 [Mr. Mario Suarez abstaining – form filed with these minutes] to elect Mr. Mario Suarez as Council Chairman Pro Tem for 2009.

## **Appointment of Appointed Officials:**

### **Clerk to Council:**

Mr. Wayne McCall made a motion, seconded by Mr. Joel Thrift, approved 5 – 0 to re-appoint Ms. Elizabeth Hulse as Clerk to Council for 2009.

## **Executive Session:**

Prior to appointment of the county attorney, Mr. Dexter stated a need to enter into Executive Session for the purpose of discussing two personnel matters [one of which was scheduled to be discussed as agenda item #21].

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

Council entered into Executive Session at 7:31 p.m.

Council returned from Executive Session at 8:28 p.m.

### **County Attorney:**

As a result of matters discussed in Executive Session, Mr. Joel Thrift made a motion, seconded by Mr. Wayne McCall, approved 5 – 0 to appoint Mr. Thomas L. Martin, McNair Attorneys, Anderson, South Carolina as the Oconee County Attorney.

Mr. Dexter asked Mr. Norton to stay on during the transition to assist Mr. Martin get up to speed regarding county issues and litigation. Mr. Norton agreed.

Near the close of the meeting Mr. Dexter introduced Mr. Martin to those present. Mr. Martin thanked Council for the opportunity to serve Oconee County and he presented each member with a brief outline of his firm's credentials, his firm's history, his personal credentials along with those of his associate Mr. Adam R. Artigliere [copy filed with these minutes].

## **Appointment of Council Committees by Council Chairman:**

### **Budget, Finance & Administration:**

Mr. Dexter appointed Mr. George Blanchard as Committee Chairman and all other council members as members of this committee.

### **Transportation:**

Mr. Dexter appointed Mr. Joel Thrift as Committee Chairman and Mr. George Blanchard and Mr. Wayne McCall as committee members.

### **Real Estate, Facilities & Land Management:**

Mr. Dexter appointed Mr. Mario Suarez as Committee Chairman and Mr. George Blanchard and Mr. Joel Thrift as committee members.

### **Law Enforcement, Public Safety, Health & Welfare:**

Mr. Dexter appointed Mr. Wayne McCall as Committee Chairman and Mr. Reg Dexter and Mr. Mario Suarez as committee members.

### **Planning & Economic Development:**

Mr. Dexter appointed himself as Committee Chairman and Mr. Mario Suarez and Mr. Wayne McCall as committee members.

## **Appointment of Council Representatives to Boards:**

### **South Carolina Appalachian Council of Government [ACOG] Board of Directors:**

Mr. Dexter appointed himself to serve as the Council representative to this board.

### **Upstate Alliance Board of Directors:**

Mr. Dexter appointed Mr. George Blanchard to serve as the Council representative to this board. Mr. Blanchard voiced concerns that this appointment should be the Council Chairman. Discussion followed. Mr. Blanchard agreed to serve on this board on an interim basis.

### **Oconee Alliance Board of Directors:**

Mr. Dexter appointed himself to serve as the Council representative on this board.

### **Infrastructure Advisory Commission:**

Mr. Dexter appointed Mr. Joel Thrift to serve as the Council representative to this Commission. In addition, he re-appointed to continue serving the following individuals; Mr. Jim Alexander, Economic Development; Mr. Dale Surrett, Administration, and Mr. Art Holbrooks, Planning Department.

### **SCAC Budget, Finance & Economic Development Steering Committee:**

Mr. Blanchard noted that SCAC will request our county to participate on one of the committees and that an appointment is not necessary by Council at this time; SCAC will notify the county which committee they wish a representative to serve on. No appointment was made at this meeting to this committee.

### **Scheduling of Council Meeting Dates / Times for 2009:**

Mr. Thrift made a motion, seconded by Mr. Blanchard, approved 5 – 0 to set the 2009 Oconee County Council meeting schedule as follows:

- First Tuesday of each month at 7:00 p.m. in Council Chambers
- Third Tuesday of each month at 7:00 p.m. in Council Chambers

Mr. Thrift noted that he had discussions with the Chairman of the School District and that they have agreed to adjust their meeting schedule so that the public can attend both meetings.

### **Duke Energy Corporation Recognition of OC Emergency Management Agency:**

Mr. Dexter recognized Mr. Rich Frodenburger, Duke Energy Safety, who briefly reviewed the highlights of the letter presented to Council [filed with these minutes] noting the excellent results from the drill conducted with the Duke Energy Nuclear Station. Duke's evaluation included observations of the county Emergency Operations Center [EOC]; Joint Information Center [JIC] operations and support; emergency worker decontamination efforts; and a review and discussion of school evacuation plans with selected school principals and district personnel. FEMA noted that their determination was a direct result of the leadership provided by Emergency Management Director, Rodney Burdette, as well as members of his staff – Scott Krein [Deputy Director], Eric Lutz [POI at the JIC], Aymee Black, Sharon Adams and EOC staff. Council thanked Mr. Frodenburger for his presentation.

Mr. Surrett noted that ongoing training and experience in this drill makes the staff better prepared for any emergency that might happen in Oconee County and that the staff worked well in partnership with Duke Energy's personnel.

Mr. Dexter stated that several of the key Emergency Management staff were present at the meeting and asked them to stand for recognition of their accomplishment.

## **Items for Consideration by Council:**

### **Clerk of Court / Credit Card Agreement:**

Mr. Surrett reviewed with Council the credit card agreement that will allow the Clerk of Court and Magistrate Court offices to accept credit card payments for fees and fines. In May 2008 Council approved an agreement for a new software system for the courts. Mr. Surrett noted that this agreement is a part of that package. Judge Becky Gerrard was also present to address any questions from Council. Mr. Surrett highlighted key areas to include the fees associated with each transaction noting that they will be passed on to the citizen and that the citizen will be fully informed before any transaction is begun. He voiced concerns that posting to Oconee County's account will not be immediate and will take between 3-5 business days. Mr. Norton also addressed issues with fees noting that the 1.83% listed in the document has been changed to 1.7% and that Judge Gerrard has the updated contract reflecting this rate. Judge Gerrard stated that she was very pleased to have the credit card processing activated and that she felt it would have a significant impact on her operation as she routinely receives 5-10 requests each day to pay with a credit card. Discussion followed.

Mr. Blanchard made a motion, seconded by Mr. Suarez, approved 5 – 0 to authorize the County Administrator to execute the contract with SCI for credit card processing in the Clerk of Court and Magistrate offices.

### **Blue Ridge Electric Coop Utility Tax Credit Funds Contract:**

Mr. Surrett reviewed the Blue Ridge Electric Coop Utility Tax Credit Funds Contract noting that utilities receive tax benefits when funds are donated to economic development. The County received the funds in 2008 and they have been placed in a designated account. If council decides to not use the funds as outlined they can return the funds to Blue Ridge Electric or the State Department of Revenue based on instructions from Blue Ridge. Mr. McCall asked if these funds could be utilized to assist an existing industry with upgrades. Mr. Surrett stated yes they could for upgrades, expansions, etc., but not just for equipment purchase. Mr. Dexter voiced concerns that the contract stated that the funds would be used specifically to build a shell/spec building. Mr. Surrett stated that the specific use for the funds could be negotiated with Blue Ridge Electric and if consensus could not be reached that the funds could be returned. Discussion followed.

Mr. Suarez made a motion, seconded by Mr. Blanchard, approved 5 – 0 to approve the contract with Blue Ridge Electric Coop as outlined above.

### **Council Committee Reports:**

There were no Council Committee Reports presented at this meeting.

### **Commission / Board Reports to Council:**

There were no reports presented at this meeting.

## **Board & Commission Appointments:**

There were no Board or Commission appointments made at this meeting.

## **Emergency Management Commission:**

Mr. Blanchard noted that Mr. Roger Garst, District I appointee, has resigned for personal reasons from this Commission. He noted that he hoped to have a new appointee from District I at the January 20, 2009 meeting.

## **Administrator's Report:**

Mr. Surrett addressed Council and noted several key areas that he wanted Council to be aware of as issues for discussion / action in the coming year[s] to include:

- Welcome Center at Exit #1 / I85: Mr. Surrett noted that the state is closing the Welcome Center at Exit #1 on Tuesdays and Wednesdays until further notice due to budget constraints. He also noted that North Carolina is closing their centers on Tuesdays.
- 2009-2010 Budget Process: Mr. Surrett noted that budget information has been sent to the departments for their input/requests and that they are due back the end of January. He stated that he will in the future come to council requesting that they identify priorities for the coming fiscal year. In addition he noted that GASB 45 will have a large impact on the budget cycle this time.
- Comprehensive Plan: Mr. Surrett noted that the Comprehensive Plan is due for its five year update in 2009. He reminded those present how important this document is as a tool for not only the county but municipalities, the school district, utilities, etc. for planning growth and development in Oconee County.
- Census 2010: Mr. Surrett noted that the County has already begun work on the 2010 census verifying addresses for the Federal Government to ensure that all citizens are counted appropriately.
  - He noted that as an outgrowth of the census that Council will within the next four years have to redraw the council districts.
  - Additionally the census will likely cause the county to have to deal with the EPA Storm Water Guidelines.
- Reassessment in 2011: Mr. Surrett noted that reassessment will fall in 2011 as part of the five year cycle. Council can vote to delay implementation for one year but noted that this will cause the next cycle to be only four years.

## **Old Business:**

No Old Business was discussed at this meeting.

## **New Business:**

### **Upstate Alliance / Proposed Dates for Regional Growth / Planning Workshop:**

Mr. Dexter asked Council to review their calendars for available dates [3] and requested the Clerk to Council to confirm and book a workshop meeting. Possible dates/times discussed in preference order are as follow: Thursday, January 29, 2009 at 4P, Wednesday, January 28, 2009 @ 4P and Friday, January 30, 2009 at 4P. Final announcement will be forthcoming.

## **Adjourn:**

Prior to requesting a motion to adjourn, Mr. Dexter read from a statement [filed with these minutes] outlining his hopes for Council in the coming year. Key issues in the statement included his statement that Council must:

- Earn the trust by listening to the citizens
- Enhance and protect the natural resources of the county
- Work effectively with our federal, state and local representatives
- Address the future solid waste needs of the county
- Address fixing the courthouse and overcrowding at the detention center
- Insure that the Zoning Enabling Ordinance involves the wishes of county property owners
- Review the county's financial status and request an audit
- Address the issues and procedures relating to the Building Codes Department
- Addresses emergency services and fire issues in the county

Mr. Thrift made a motion at 9:22 p.m. to adjourn the meeting. The motion was approved unanimously.

Respectfully Submitted:

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Elizabeth G. Hulse  
Clerk to Council