



MINUTES
OCONEE COUNTY COUNCIL
Regular Meeting
June 16, 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. Wayne McCall, District II

Oconee County Council met on Tuesday, June 16, 2009 at 7:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members [except Mr. Suarez], Kendra Brown, Interim Administrator, Thomas L. Martin 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]. In addition it was made available to the newspapers, radio stations, television stations and concerned citizens.

Members of the press present: Ray Chandler – Anderson Independent, Carlos Galarza - Daily Journal and Peter Kent - WSNW Radio.

Call to Order:

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

Pledge of Allegiance:

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

Minutes:

Mr. Thrift made a motion, seconded by Mr. McCall, approved 3 – 0 that the minutes from the May 30, 2009 workshop meeting be adopted as printed.

Mr. McCall made a motion, seconded by Mr. Thrift, approved 3 – 0 that the minutes from the following meetings be adopted as printed:

- June 2, 2009: Workshop Council Meeting with OJRSA
- June 2, 2009: Regular Council Meeting
- June 2, 2009: Workshop Council Meeting re: Administrator Search

Public Comment Session:

No citizens signed up to speak during the Public Comment Session.

Extended Public Comment Session:

West Oak Young Farmers & Agribusiness Association / Ms. Gwen McPhail:

Ms. McPhail addressed Council outlining the history for the groups proposed fair to be held at the Golden Corner Commerce Park [GCCP] in 2009. She stated that as her group was not able to umbrella under the state organization that they would have to scale back the fair this year and hold it at a different location. She announced that after work with the School District of Oconee that the fair will be held on property adjacent to West Oak High School and will be smaller in scale. She closed her statement with her hopes that next year the fair can be moved back to the GCCP and that the full fair experience can be offered to Oconee County citizens and visitors alike.

Convention Visitor's Bureau [CVB] Update:

Mr. Ken Sloan, CVB Director, read from a PowerPoint presentation [filed with these minutes] highlighting the CVB's activities to date and goals for the future. He reviewed with Council upcoming events and plans for future events and growth of tourism in Oconee County.

Consideration of the following Ordinances:

Ordinance 2009-05:

Mr. McCall made a motion, seconded by Mr. Thrift, approved 3 – 0, to approve on third and final reading **Ordinance 2009-05** “AN ORDINANCE TO AMEND THE FISCAL YEAR 2008-2009 BUDGET APPROPRIATIONS ORDINANCE FOR OCONEE COUNTY”.

Ordinance 2009-06:

Mr. Dexter made a statement prior to a vote on third reading noting that a salary increase had inadvertently been left in the FY 2009-2010 budget for part time library staff. He stated that he wanted to be very clear that this was being done because of the difficult economic times and the need to furlough all levels of county staff including Council. Lastly, he stated that he wanted to make it clear that Council values the daily contributions made by the part time staff at the county libraries and the removal of this increase is not a reflection of their performance.

Mr. Dexter made a motion, seconded by Mr. McCall, approved 3 – 0, to amend Ordinance 2009-06 removing \$3,883 from the Library budget.

Mr. McCall made a motion, seconded by Mr. Thrift, approved 3 – 0, to approve on third and final reading **Ordinance 2009-06** “AN ORDINANCE TO ESTABLISH THE BUDGET FOR OCONEE COUNTY AND TO PROVIDE FOR THE LEVY OF TAXES FOR ORDINARY COUNTY PURPOSES IN OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2009 AND ENDING JUNE 30, 2010” as amended and presented.

Ordinance 2009-07:

Mr. McCall made a motion, seconded by Mr. Thrift, approved 3 – 0, to approve on third and final reading **Ordinance 2009-07** “AN ORDINANCE TO ESTABLISH THE BUDGET FOR THE SCHOOL DISTRICT OF OCONEE COUNTY AND TO PROVIDE FOR THE LEVY OF TAXES FOR THE SCHOOL DISTRICT OF OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2009 AND ENDING JUNE 30, 2010.”

Ordinance 2009-08:

Mr. McCall made a motion, seconded by Mr. Thrift, approved 3 – 0, to approve on third and final reading **Ordinance 2009-08** “AN ORDINANCE TO PROVIDE FOR THE LEVY OF TAXES FOR THE KEOWEE FIRE SPECIAL PURPOSE TAX DISTRICT AND TO ESTABLISH THE BUDGET FOR THE KEOWEE FIRE SPECIAL PURPOSE DISTRICT FOR THE FISCAL YEAR BEGINNING JULY 1, 2009 AND ENDING JUNE 30, 2010.”

Ordinance 2009-12:

Mr. Martin noted that the caption for this ordinance was revised after distribution to the Council and asked the Chair to read the updated caption in its entirety. Mr. Dexter read the complete caption into the record.

Mr. Thrift made a motion, seconded by Mr. McCall, approved 3 – 0, to approve on second reading **Ordinance 2009-12** “AN ORDINANCE TO DELEGATE RESPONSIBILITIES TO AND TO DESIGNATE THE OCONEE JOINT REGIONAL SEWER AUTHORITY AS THE AGENT OF OCONEE COUNTY FOR PURPOSES OF ACTING AS THE SECTION 208 WATER QUALITY MANAGEMENT AGENCY IN OCONEE COUNTY, AND TO RECOMMEND TO THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL THAT IT SO RECOGNIZE THE OCONEE JOINT REGIONAL SEWER AUTHORITY; TO PROHIBIT THE DISCHARGE OF POLLUTING SUBSTANCES; TO SET PENALTIES FOR THE VIOLATION THEREOF; AND OTHER MATTERS RELATED THERETO.

Ordinance 2009 -13:

Mr. Thrift made a motion, seconded by Mr. McCall, approved 3 – 0 to approve on first reading **Ordinance 2009-13** “AN ORDINANCE TO RATIFY, AFFIRM AND AUTHORIZE THE USE OF CERTAIN PROCUREMENT METHODS FOR A CERTAIN OCONEE COUNTY PROJECT AND TO REVIEW, CONSIDER AND APPROVE THE AWARD OF CONTRACT FOR A CERTAIN OCONEE COUNTY PROJECT; AND OTHER MATTERS RELATING THERETO”

Resolutions for Consideration:

Resolution 2009-10:

Mr. Dexter noted that Ms. Nix has been ill and was unable to attend this meeting, therefore, reading of Resolution 2009-10 “A RESOLUTION HONORING TO LINDA R. NIX” has been deferred to July 7, 2009.

Items for Consideration by Council:

Consent Agenda Items:

Mr. Dexter noted that if there were no objections that the following action items could be voted on as a single consent agenda item. No objections were raised.

Mr. McCall made a motion, seconded by Mr. Thrift, approved 3 – 0 to approve the following consent agenda items as presented:

- o \$3,850.00 / Printing of 100,000 “*Waterfalls of Upstate South Carolina*” brochures
- o \$2,800.00 / Upcountry Brochure Service to display the brochures
- o \$1,200 / Foothills Conservatory / Advertising / M.A.D. Camp and The Nutcracker
- o \$1,000 / Heritage Corridor Ambassadors Tour Sponsorship / Sponsors
- o \$9,600 / South Carolina Apple Festival / Advertising for 2009 SC Apple Festival
- o Blue Ridge Arts Council:
 - \$676.02 / Advertising Annual Members Art Show
 - \$426.63 / Advertising Heritage, Arts, and Music Festival

Boat Ramp Lease with Army Corp of Engineers [Lake Hartwell]:

Mr. Thrift made a motion, seconded by Mr. McCall, approved 3 – 0 to approve the lease with the Corp of Engineers as outlined in the agenda item after review by the county attorney.

Parks, Recreation & Tourism:

Re-Institute Use of Badges for Qualified Park Personnel:

Mr. Phil Shirley, PRT Director, addressed the request to allow qualified personnel to wear badges when on duty in the county parks. Discussion followed.

Mr. McCall made a motion, seconded by Mr. Thrift, approved 3 – 0 to authorize reinstating the badges for qualified park personnel

Electronic Gate Installation at South Cove Park / Up to \$13,000:

Mr. Shirley addressed Council noting that this requested arose from discussions in a committee meeting and the need to meet the needs of fishing beyond 10P. He noted that it was his recommendation to utilize local ATAX grants and PRT grants in the existing budget to install a new electronic gate at the entrance to South Cove. He noted that work may also be done to beautify the new gate with masonry by students at the Hamilton Career Center. Discussion followed

Mr. McCall made a motion, seconded by Mr. Thrift, approved 3 – 0 to authorize up to \$13,000 from local ATAX and PRT grants for the installation of an electronic gate at South Cove County Park.

Policy Discussion regarding Multi Year Renewal Policy

Bid 07-05 First Year Renewal Approval / approximately \$350,000 / Rock Quarry

Ms. Robyn Courtright, Procurement Director, and Mr. Rick Martin, Quarry Director, addressed Council regarding these issues.

Mr. Thrift made a motion, seconded by Mr. McCall, approved 3 – 0 to continue with the procurement policy of approving automatic renewals as long as the produce or service continues to meet the needs of the department.

Mr. Thrift made a motion, seconded by Mr. McCall, approved 3 – 0 to approve the first year renewal for approximately \$350,000 for Orica USA of Ronda, NC.

Bid 08-28 / \$184,736.80 / Vehicle Maintenance & Rock Quarry / Tires for Heavy Equipment:

Mr. Rick Martin and Mr. Ronnie Smith, Vehicle Maintenance, addressed Council regarding Bid 08-28. Discussion followed.

Mr. McCall made a motion, seconded by Mr. Thrift, approved 3 – 0, to award bid 08-28 to Miller Brothers Giant Tire Services, Inc. for an estimated amount of \$184,736.80 for a period of one year with the option to renew for four [4] additional one year periods and that Council authorizes the County Administrator to execute these renewals provided the product/work is satisfactory.

Bid 08-32 / \$27,947 / Vehicle Maintenance & Solid Waste / Wheels for 826G CAT Compactor:

Mr. Smith addressed Council regarding Bid 08-31. Discussion followed.

Mr. Thrift made a motion, seconded by Mr. McCall, approved 3 – 0, to award Bid 08-31 to Road Machinery Services, Inc. of Statesville, NC in the amount of \$27,947.

Council Committee Reports:

Real Estate, Facilities & Land Management Committee:

As Mr. Suarez was not present this report has been deferred to July 7, 2009.

Transportation Committee:

Mr. Thrift announced a committee meeting scheduled for Tuesday, June 23, 2009 at 6PM to be held in Council Chambers. Mr. Thrift instructed the Clerk to announce the meeting.

Commission / Board Reports to Council:

No Commission or Boards report to Council at this meeting.
[Board of Zoning Appeals will report on July 21, 2009]

Board & Commission Appointments:

No Commission or Boards appointment were made at this meeting.
[Planning Commission Appointments are scheduled for July 7, 2009]

Administrator's Report:

Advertisement Schedule/Fees for Open Administrator Position

Ms. Brown stated Council regarding ongoing advertisement for the open Administrator position. A copy of the summary is filed with these minutes.

Risk Management / Ms. Sheila Wald:

Ms. Brown commended the Risk Manager, Ms. Wald. Out of 44 counties that receive their worker's compensation insurance through SCAC Oconee County has the 2nd best modified in the state. SCAC estimates that the county will have approximately \$50,000 this year.

Council concurred and commended Ms. Wald on a job well done.

Coroner / Mr. Karl Addis:

Ms. Brown commended the Coroner, Mr. Addis, on receiving the Life Point 2008 Dove Award for his support for organ, tissue & eye donations.

Council concurred and commended Mr. Addis for a job well done.

Economic Development / Mr. Jim Alexander:

Ms. Brown commended Mr. Alexander noting that he recently received the 2009 Local Developer Award from the South Carolina Economic Development Association.

Council concurred and commended Mr. Alexander for a job well done.

Motion to Amend Agenda:

Ms. Brown noted that an issue related to attorney fees needs Council action. She asked for a motion to amend the agenda to address this matter.

Mr. Thrift made a motion, seconded by Mr. McCall, approved 3 – 0, to amend the agenda to address attorney fees.

Attorney Fees for the remainder of FY 2008-2009:

Ms. Brown requested that Council approve payment from the Council contingency account for attorney fees for the remainder of FY 2008-2009. She stated that this should not exceed \$130,000. Discussion followed.

Mr. Thrift made a motion, seconded by Mr. McCall, approved 3 – 0 to approve use of Council's contingency account to pay for attorney fees as out lined above.

Old Business:

SDOC Deed:

Mr. Martin stated that as follow up to the April 14, 2009 Council meeting he reviewed the deed which conveys property from the SDOC to the County with the intent that a library be built on the property. He reviewed the deed and found it to be legally sufficient to both parties. He stated no action was required; this was an information report only.

New Business:

Mr. Dexter announced a County Council Workshop meeting with the Aeronautics Commission scheduled for Tuesday, June 30, 2009 at 7PM to be held at the County Airport. Mr. Dexter instructed the Clerk to announce the meeting.

Executive Session:

Mr. Thrift made a motion, seconded by Mr. McCall, approved 3 – 0 to enter into Executive Session for the purpose of receiving legal advice and to discuss contractual and personnel matters.

Council entered Executive Session at 8:06 p.m.

Council returned from Executive Session at 9:04 p.m. on a motion by Mr. Thrift, seconded by Mr. McCall, and approved unanimously.

Mr. Dexter stated that no actions were taken in Executive Session.

\$500 Fine:

Mr. Thrift made a motion, seconded by Mr. Dexter, approved 2 – 1 [Mr. McCall opposed] to approve the payment of a \$500 fine on behalf of a county employee as agreed to by a previous Council.

Legal Services / Mr. Brad Norton:

Mr. Thrift made a motion, seconded by Mr. McCall, approved 3 – 0 to [1] terminate the services of Mr. Brad Norton effective immediately, [2] to bid out legal services not covered by the current County Attorney, Mr. Tom Martin, and [3] to instruct staff to make appropriate notification to Mr. Norton.

Adjourn:

Mr. Thrift made a motion, seconded by Mr. McCall, approved unanimously to adjourn the meeting at 9:09 p.m.

Respectfully Submitted:

Elizabeth G. Hulse
Clerk to Council