



MINUTES
OCONEE COUNTY COUNCIL
Regular Meeting
October 20, 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. Paul Corbeil, District I
Mr. Wayne McCall, District II

Oconee County Council met on Tuesday, October 20, 2009 at 7:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members, Gene Klugh, 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, Dick Mangrum – WGOG Radio & Carlos Galarza - Daily Journal.

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.

Welcome to Interim Administrator:

Mr. Dexter welcomed Mr. Gene Klugh, Interim Administrator, to the County on behalf of the Council and citizens.

Minutes:

Mr. Thrift made a motion, seconded by Mr. Corbeil, approved 4 – 0 [Mr. Suarez had not yet arrived] that the minutes from the October 1, 2009 Special Council meeting with the Blue Ribbon Panel be adopted as printed.

Mr. Corbeil made a motion, seconded by Mr. Thrift, approved 4 – 0 [Mr. Suarez had not yet arrived] that the minutes from the October 6, 2009 Regular Council meeting be adopted as printed.

Mr. Thrift made a motion, seconded by Mr. Corbeil, approved 4 – 0 [Mr. Suarez had not yet arrived] that the minutes from the October 8, 2009 Special Council meeting be adopted as printed.

Public Comment Session:

Mr. John Powell addressed Council regarding his request that Council approve funding for the Old School Building in West Union as a way to promote tourism and assist in economic development.

Mr. Jerry Barnett stated that he wished to address Council regarding the Pledge of Allegiance to the Flag however he spoke against zoning in Oconee County. Mr. Dexter requested that he adhere to the item for which he signed up to speak and not venture off to a topic not slated for action at the meeting.

Ms. Susie Cornelius addressed Council regarding Ordinance 2009-22; requesting criteria be published for public review once this ordinance is passed.

Mr. Dexter noted for the record that the purpose of the Public Comment Session is to specifically address agenda items slated for ACTION at the meeting. He stated that there is an appropriate venue [Extended Public Comment] if someone wishes to address any issue not slated for action at a meeting. To sign up for the Extended Public Comment Session all that is needed is to contact the Clerk to Council to be placed on the agenda.

Extended Public Comment Session:

Mr. Randy Simpson did not appear for his time.

Mr. Larry Linsin addressed Council regarding his concerns about the abundance of spec buildings throughout South Carolina. He referenced a handout [filed with these minutes] noting that many buildings are within 2 miles of an interstate, 2-3 years old and empty, and that they have all infrastructure [sewer, water, electric] in place. He cautioned about building a spec building in Oconee County based on the information provided.

Council thanked Mr. Linsin for his input on this matter.

[Mr. Suarez arrived at this point in the meeting]

Consideration of the following Ordinance [prior to Public Hearing]:

Resolution 2009-18:

Mr. Thrift made a motion, seconded by Mr. Suarez, approved 5 – 0 to approve on first and final reading **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.”

Consideration of the following Ordinances:

Ordinance 2009-20:

Mr. Corbeil asked to make a motion to amend this ordinance prior to Public hearing. County Attorney Martin stated that to do so required having the Ordinance slated for a reading noted that you can not amend anything without it being on the table for action.

Mr. Corbeil withdrew his motion to amend.

Mr. Corbeil made a motion, seconded by Mr. Suarez to approve **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” on third reading. No vote took place at this time.

Immediately following this vote, Mr. Corbeil made a motion, seconded by Mr. Suarez, to amend **Ordinance 2009-2009** regarding the furlough policy by reducing from 4 to 2 required furlough days for applicable county employees and to add back into the FY 2009-2010 budget the amount of \$91,472.66. Discussion followed. After discussion the motion to amend passed on a unanimous vote by Council.

Mr. Martin noted that at this time there was an open motion on the table for third reading of **Ordinance 2009-20** and that any vote would include a vote for the ordinance as amended above.

Mr. Corbeil made a motion, seconded by Mr. Suarez, approved 5 – 0 to table the vote on **Ordinance 2009-20** at this time and schedule third and final reading for the November 3, 2009 meeting. It was noted that this ordinance will have additional public input at this meeting.

Public Hearing regarding the Following Ordinances:

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

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.

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”.

Mr. Dexter noted that no citizen signed up to speak at these public hearings. He then opened the floor to anyone arriving late to speak.

Mr. Richard Hughes questioned briefly some of the notations on the PowerPoint presentation. His issue was clarified by the Assistant Administrator/Director of Finance, Kendra Brown.

No written comments were submitted for inclusion with these minutes.

Mr. Dexter closed the public hearings regarding Ordinance 2009-18, 2009-19 and 2009-20.

Consideration of the Following Ordinances:

Ordinance 2009-18:

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 5 – 0 that **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 be approved on third and final reading.

Ordinance 2009-19:

Mr. Corbeil made a motion, seconded by Mr. Thrift, approved 5 – 0 that **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 be approved on third and final reading.

Ordinance 2009-21:

Mr. Thrift made a motion, seconded by Mr. Corbeil, approved 5 – 0 that **Ordinance 2009-21** “AN ORDINANCE TO AUTHORIZE THE TRANSFER OF CERTAIN INTERESTS IN REAL PROPERTY; AND OTHER MATTERS RELATED THERETO” be approved on first reading [in title only].

Ordinance 2009-22:

Mr. Thrift made a motion, seconded by Mr. Suarez, approved 5 – 0 that **Ordinance 2009-22** “OCONEE COUNTY RECOVERY ZONE DESIGNATION ORDINANCE” be approved on first reading [in title only].

Consideration of the Following Proclamation:

Proclamation 2009-01:

Mr. Thrift made a motion, seconded by Mr. Corbeil, approved 5 – 0 that **Proclamation 2009-01** “PROCLAMAING OCTOBER 18-24, 2009 AS FRIENDS OF THE LIBRARY WEEK IN OCONEE COUNTY” be approved first and final reading. Ms. Barbara Askew, Chairperson of the Friend’s Board, was present to accept this Proclamation.

Items for Consideration by Council:

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

Mayor Sharon Nunnery addressed Council outlining the need for \$100,000 for roof repairs, replacement of windows and repair of a porch for the historic Old School on Highway 11 in West Union. She outlined potential uses and the current rapidly deteriorating condition of the structure. Lengthy discussion followed.

Mr. Thrift made a motion, seconded by Mr. Suarez, approved 5 – 0 to move this request to the Real Estate, Facilities & Land Management Committee for review of specific contractor quotes/pricing and to make a recommendation to full council at a future meeting.

Bid #09-06 / Road Department / Tri-axle 6x4 Truck w/ Gravel Spreader / \$117,700

Mr. Thrift made a motion, seconded by Mr. McCall, approved 5 – 0 to award Bid #09-06 to Carolina International Trucks, Inc. of Greer in the amount of \$117,700 for a Tri-Axle 6x4 Truck with Gravel Spreader for the Road Department as outlined on the agenda item summary.

Bid #09-12 / DSS/DHHS / Audio Visual Equipment / \$30,146.84

Mr. Corbeil made a motion, seconded by Mr. Thrift, approved 5 – 0 to award Bid #09-12 to Multi-Media Services of Greenville, SC in the amount of \$30,146.84 for audio visual equipment for the DSS/DHHS building as outlined on the agenda item summary.

Board & Commission Appointments:

There were no Board or Commission appointments scheduled for action at this meeting.

South Carolina National Heritage Corridor Board:

Mr. Dexter noted that an unscheduled appointment should be addressed based on a request from the South Carolina National Heritage Corridor. Discussion followed.

Mr. Dexter made a motion, seconded by Mr. Thrift, approved 5 – 0 to appoint Mr. Phil Shirley, PRT Director, as the Council Representative to this board.

Commission / Board Reports to Council:

None were scheduled at this meeting.

Council Committee Reports:

Budget, Finance & Administration Committee: Mr. Dexter read from a prepared statement regarding activities of the committee [filed with these minutes]. It was agreed to table review by McNair attorney's regarding bonding until a future meeting.

Administrator's Report:

Salem Lions Club Letter of Appreciation:

Ms. Klugh read from a letter from the Salem Lion's Club thanking the County for the donation of old computer equipment that they refurbished and provided to elementary students.

MOTION TO AMEND AGENDA:

Mr. Corbeil made a motion, seconded by Mr. Suarez, approved 5 – 0 to amend the agenda to enter into Executive Session for the purpose of discussion a contractual matter.

Executive Session:

Mr. Corbeil made a motion, seconded by Mr. Thrift, approved 5 – 0 to enter into Executive Session for the purpose of discussing a contractual matter.

Council entered Executive Session at 8:41 p.m.

Council returned from Executive Session at 8:56 p.m. on a motion by Mr. Corbeil, seconded by Mr. McCall, approved 5 – 0.

Mr. Dexter stated that no action was taken in Executive Session.

Mr. Thrift made a motion, seconded by Mr. Corbeil, approved 5 – 0 to invite a representative from the Mercer Group [an Executive Search firm] for a face to face interview at a date and time to be announced.

Old Business:

No Old Business was addressed at this meeting.

New Business:

\$6 Million Dollar Rebate to Taxpayers:

Mr. McCall opened discussion regarding a tax rebate for the taxpayers by rebating/refunding \$6 million dollars. He suggested taking the money from the general fund; putting the money toward the current budget; and reducing the tax burden for the citizens.

Mr. Martin noted that the greatest issues would be the process by which this rebate/refund would be handled. He noted that it would have to be done proportionally.

Mr. Thrift noted that the citizens need assistance but that a rebate/refund would hamper the Council from completing needed projects. He stated that the number one priority of Council should be the creation of jobs in these difficult economic times.

Lengthy discussion followed.

Mr. Thrift asked the County Attorney to look into legislation passed within the last year that was sponsored by the county's delegation that addressed deferment of penalties and fees. Mr. Martin was unfamiliar with this legislation but stated that he would provide feedback to Council members prior to the next meeting.

Mr. McCall made a motion to take \$6 million dollars from the General Fund to apply to the fiscal year 2009-2010 budget and to use this reduction to reduce the tax bills for the citizens. This motion died for lack of a second.

Discussion regarding Administrator Position Job Description:

This issue was deferred to a future meeting.

Discussion regarding Scheduling Council Meetings/Workshops:

Special Council Meeting to Receive Jail Study: Mr. Dexter announced that Council will hold a special meeting to receive the Jail Study on Tuesday, October 27, 2009 at 7:00 p.m. in Council Chambers.

Council Workshop with OJRSA Commissioners: Mr. Dexter announced that a Workshop Meeting has been scheduled with the OJRSA on Thursday, November 12, 2009 at 7:00 p.m. in Council chambers.

Employee Appreciation Luncheon:

Mr. Dexter announced that Council will be hosting and serving the county employees at an Appreciation Luncheon to be held on Tuesday, December 1, 2009 at 12:00 noon in Council Chambers.

Mr. Dexter clearly stated that this luncheon will not involve the expenditure of any tax dollars – the Council members are either raising funds through donations or paying for this function themselves.

Additionally, Mr. Dexter noted that the Council recognizes that 2009 has been a difficult year for the employees. He stated that the Council values the County Employees and want to show their appreciation to all for their hard work this year.

Adjourn:

Mr. McCall made a motion, seconded by Mr. Suarez, approved unanimously to adjourn the meeting at 9:22 p.m.

Respectfully Submitted:

Elizabeth G. Hulse
Clerk to Council