



MINUTES
OCONEE COUNTY COUNCIL
Regular Meeting
November 3, 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, November 3, 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, Ashton Hester – Keowee Courier & Carlos Galarza - Daily Journal.

Call to Order:

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

Pledge of Allegiance:

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

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 20, 2009 Regular Council meeting be adopted as amended.

Mr. Corbeil made a motion, seconded by Mr. McCall, approved 4 – 0 [Mr. Suarez had not yet arrived] that the minutes from the October 27, 2009 Special Council meeting be adopted as printed. Mr. Dexter made note that as follow up to the Special Meeting that Mosely Architect had been retained by the County to only do the study and that we are not locked into utilizing their services for either the design or build of a new jail facility.

Public Comment Session:

Mr. Gary Owen addressed Council regarding his support for Council's careful review of monies on hand and the need for a detailed analysis of needed projects in the county.

Ms. B. J. Littleton addressed Council regarding his opposition to the Council's public comment session format.

Extended Public Comment Session:

Council Government / Mr. Berry Nichols:

Mr. Berry Nichols addressed Council regarding his concerns about the county's finances; asking Council to save for the future, not overtax the citizens and to not spend money on unnecessary projects. Council thanked Mr. Nichols for his input on this matter.

[Mr. Suarez arrived during this presentation]

Presentation by Mercer Group / Mr. Jim Mercer:

Mr. Jim Mercer addressed Council regarding his company's experience in the executive search field. He provided Council with a brochure [filed with these minutes] outlining his services, qualifications and an example of a recent search advertisement.

Executive Session:

Prior to entering into Executive Session, Mr. Klugh noted that he wished Council to include in the upcoming motion a second contractual issue related to the School District of Oconee [SDOC]. Mr. Martin added that he was needed to provide Council with a briefing on pending courthouse litigation.

Mr. Thrift made a motion, seconded by Mr. Corbeil, approved 5 – 0 to enter into Executive Session to [1] conduct a confidential interview/discuss a contract with the Mercer Group, [2] discuss a contractual matter related to the SDOC, and [3] to receive a briefing from council on pending courthouse litigation.

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

Council returned from Executive Session at 8:21 p.m.

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

Mr. Thrift made a motion, seconded by Mr. Corbeil, approved 5 – 0 to retain the Mercer Group to assist in the search for a permanent County Administrator.

Consideration of the following Ordinances:

Ordinance 2009-20:

Mr. Corbeil made a motion, seconded by Mr. Suarez, approved 5 – 0 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 and final reading.

Ordinance 2009-21:

Mr. Thrift made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve **Ordinance 2009-21** "AN ORDINANCE TO AUTHORIZE THE TRANSFER OF CERTAIN INTERESTS IN REAL PROPERTY; AND OTHER MATTERS RELATED THERETO" on second reading.

Ordinance 2009-23:

Mr. Corbeil made a motion, seconded by Mr. Suarez, approved 5 – 0 to approve **Ordinance 2009-23** [in title only] "AN ORDINANCE TO AMEND THE ZONING ENABLING ORDINANCE PURSUANT TO A CITIZEN-INITIATED REZONING REQUEST" on first reading and to refer the re-zoning request to the Planning Commission for review and recommendation.

Consideration of the Following Resolution:

Resolution 2009-19:

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

Items for Consideration by Council:

Discussion regarding Preliminary Status of Oconee County Capital Projects:

Ms. Brown reviewed with Council from a PowerPoint presentation [filed with these minutes] the proposed plan for identifying capital project priorities in Oconee County.

Board & Commission Appointments:

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

Commission / Board Reports to Council:

Parks, Recreation & Tourism Commission:

Ms. Mildred Spearman, Chairwoman, addressed Council and read from a PowerPoint presentation [filed with these minutes] outlining the Commissions goals and accomplishments. Council thanked Ms. Spearman for her report and the work of the Commission.

Council Committee Reports:

Transportation Committee: Mr. Thrift read from a prepared statement regarding activities of the committee [filed with these minutes].

Mr. McCall made a motion, seconded by Mr. Corbeil,, approved 5 – 0 to approve the tentative road paving listing as presented in Committee [copy filed with these minutes] to include Valley Farm road which was added as an in-house project.

Mr. Thrift announced a committee meeting to be held on Monday, November 9, 2009 at 6:00 p.m. in the Conference Room to discuss the CAT bus system.

Real Estate, Facilities & Land Management Committee: Mr. Suarez announced a committee meeting for Saturday, November 14, 2009 at 9:30 a.m. to discuss various issues.

Administrator’s Report:

Property Tax Notice Update:

Mr. Klugh read updated those present regarding issues related to the data conversion that was done in October 2009. He noted that errors have been detected in the conversion data only and that the Assessor’s files are complete and accurate. The Assessor and Auditor’s offices are working closely on this to ensure that all data is accurate. Mr. Klugh finished by noting that we hope to have the tax notices out to the public by the end of the month.

Old Business:

Discussion of Administrator's Position Job Description:

Some discussion took place regarding the existing job description. Council noted that they will continue to discuss this with the Mercer Group for finalization.

New Business:

Compliance Audit Request:

Mr. McCall stated that he still has concerns regarding monies on hand in the county and now those monies were collected. He noted that some of the media had been critical of some council members and that this was not deserved. He stated that his concerns were why things happened the way they did.

Mr. McCall made a motion, seconded by Mr. Thrift, to hire an outside auditing company to conduct a compliance/efficiency audit to review specific departments spending and efficiency. Questions arose regarding the specifics of such an audit, the need for such an audit, anticipated costs and what is desired to be gained by such an audit. Lengthy discussion followed.

Mr. Corbeil read from a handout [filed with these minutes] describing in detail line by line where monies are, how they are designated and the reason for the designation; noting that there is actually only approximately \$601,966. Lengthy discussion followed.

Mr. Dexter at this point asked the Clerk to read the Motion again and called for a vote. The motion failed 1 – 4 with only Mr. McCall voting in favor of a compliance audit.

Help to Needy Family

Mr. McCall commended Mr. Thrift for his recent charitable assistance to a local family in need; noting that he did this with his own money.

Taxpayer Relief

Mr. Thrift asked the County Attorney to look for ways to assist the taxpayers who are in jeopardy of loosing their homes.

Mr. Martin noted that he had done research after the last meeting regarding the SC Resolution to allow county governments to waive or reduce late tax penalties. Mr. Martin stated that this Resolution passed by the General Assembly does not have the authority to override state law. He noted that this Resolution would not forgive the tax which is mandated by state law but was only to defer late fees and/or penalties. Mr. Martin stated he would research further.

Adjourn:

Mr. Suarez made a motion, seconded by Mr. McCall, approved unanimously to adjourn the meeting at 9:57 p.m.

Respectfully Submitted:

Elizabeth G. Hulse, Clerk to Council