



**MINUTES**  
**OCONEE COUNTY COUNCIL**  
**Regular Meeting**  
**December 1, 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, December 1, 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](http://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 and Carlos Galarza - Daily Journal.

**Call to Order:**

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

**Pledge of Allegiance:**

Mr. Suarez 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 abstained] that the minutes from the November 12, 2009 Regular Council workshop meeting with the OJRSA be approved as printed.

Mr. Thrift made a motion, seconded by Mr. Suarez, approved 5 – 0 that the minutes from the November 17, 2009 regular meeting be approved as printed.

**Oconee Forever Presentation: Conservation Bank:**

Mr. Bubba Land began the presentation utilizing a PowerPoint presentation [filed with these minutes] outlining how the Conservation Bank / Easements work and how they are funded.

Mr. Rex Ramsey, Chairman of the Oconee County Soil & Water Conservation District, addressed Council reviewing growth projections and estimates for loss of land to development.

Mr. J. Harold Thomas concluded the presentation asking Council to consider funding Conservation Bank here in Oconee County and suggested the dedication of up to 1.5 mills to cover funding. The group also provided a potential funding handout [filed with these minutes] giving 11 options to include special districts, taxing, etc.

Council thanked the group for their presentation. Council took no action at this meeting on the request.

### **Public Comment Session:**

Mrs. Donna Linsin addressed Council reading from a handout [filed with these minutes] in opposition to the County approving a Conservation Bank as it will reduce the tax base and put the burden on the remaining tax payers.

Mr. Larry Linsin addressed Council regarding his opposition to the County approving Conservation Bank as it removes property from the tax rolls.

Mr. Berry Nichols addressed Council regarding his concerns that the County not over develop in order to maintain the beauty for future generations.

Mr. Jerry Barnett addressed Council regarding his opposition to the creation of Conservation Bank in Oconee County.

Ms. Margaret Thompson addressed Council regarding concerns regarding the high foreclosure rate, unemployment and need for jobs in the County.

Mr. Jim Codner addressed Council regarding Advocates for Quality Development's support for Conservation Bank in Oconee County.

Mr. Glen McPheeters addressed Council cautioning against quick movement to install sewer in Oconee County and to seek additional citizen input prior to making any decisions.

### **Extended Public Comment Session:**

#### **County Operation Efficiency / Mr. C. W. Richards:**

Mr. C. W. Richards addressed Council regarding concerns he has about the proposed sewer expansion as suggested by the Blue Ribbon Panel and adopted as a capital project priority by Council. Mr. Richards comments centered on operation and maintenance [O&M] expenses that will likely have to be paid using tax payer money.

#### **Sewer / Ms. Susie Cornelius:**

Ms. Susie Cornelius addressed Council utilizing a PowerPoint presentation [filed with these minutes] regarding her concerns with potential development of sewer along the I-85 corridor. Ms. Cornelius requested that Council do two things prior to any final decisions: [1] obtain verifiable economic data for projects, and [2] remove from consideration during the 2010 budget to allow for further study of economic data.

Mr. Dexter responded briefly to some statements made by Ms. Cornelius regarding Council's work with adjoining counties for sewer and reiterated that package plants along the exits on I-85 were known to Council.

## **Consideration of the following Ordinances:**

### **Ordinance 2009-23:**

Mr. Corbeil made a motion, seconded by Mr. Thrift, approved 5 – 0 to approve **Ordinance 2009-23** “AN ORDINANCE TO AMEND THE OCONEE COUNTY ZONING ENABLING ORDINANCE, ORDINANCE 2007-18, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, AS TO REZONE A SERIES OF PARCELS SPECIFIED HEREIN, AND TO RATIFY AND AFFIRM ALL OTHER PROVISIONS OF ORDINANCE 2007-18 NOT AMENDED OR MODIFIED HEREBY; AND OTHER MATTERS RELATING THERETO” on second reading. In addition, the Public Hearing for this ordinance is scheduled for Tuesday, January 19, 2009 at 7:00 p.m.

### **Ordinance 2009-24:**

Mr. McCall made a motion, seconded by Mr. Suarez, approved 5 – 0 to approve **Ordinance 2009-24** “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND GREENFIELD INDUSTRIES, INC.; AND OTHER MATTERS RELATING THERETO INCLUDING, WITHOUT LIMITATION, PAYMENT OF A FEE IN LIEU OF TAXES RELATED TO THE PROJECT” on second reading.

### **Ordinance 2009-26:**

Mr. Thrift made a motion, seconded by Mr. Suarez, approved 4 -1 [Mr. McCall opposed] to approve **Ordinance 2009-26** “AN ORDINANCE TO AMEND THE FISCAL YEAR 2009-2010 BUDGET APPROPRIATIONS ORDINANCE FOR OCONEE COUNTY IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY; AND OTHER MATTERS RELATED THERETO” on first reading in title only.

## **Consideration of the Following Resolution:**

### **Resolution 2009-21:**

Mr. Thrift made a motion, seconded by Mr. McCall, approved 5 – 0 that **Resolution 2009-21** “A RESOLUTION APPROVING THE EXTENSION BY OCONEE COUNTY, SOUTH CAROLINA OF A FEE AGREEMENT BY AND BETWEEN ITRON, INC. AND OCONEE COUNTY, SOUTH CAROLINA (ITRON, INC. PROJECT), PURSUANT TO THE PROVISIONS OF SOUTH CAROLINA CODE ANNOTATED, SECTION 12-44-30(13) (1976), AS AMENDED” & the Extension Agreement were approved first and final reading.

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

### **Acceptance of Credit Cards / All County Departments Collecting Fees:**

Mr. Gregorie Nowell, Treasurer, addressed Council regarding this request to initiate acceptance of credit cards by all county departments that accept fees. He outlined the contract and discussed the fee schedule noting that there is a 1.7% fee and a \$1 service charge for each transaction. Mr. Nowell stated that the citizens would be notified prior to utilizing a credit card of any fees applicable to the transaction. In addition, each department will be required to purchase the credit card swiper to accept the credit card. Discussion followed.

Mr. Corbeil made a motion, seconded by Mr. Thrift, approved 5 – 0 to approve the initiation of acceptance of credit cards in all county departments that accept fees. The 1.7% fee and \$1 handling charge will be incurred by the citizen [upon prior notification and acceptance for the transaction by the citizen]. In addition, the motion includes administration to conduct an internal study to ensure consistent to all departments to include the Treasurer office.

**Emergency Services / Hazardous Material Disposal Invoice / \$3,578:**

Mr. Thrift made a motion, seconded by Mr. McCall, approved 5 – 0 to authorize payment of \$3,578 from the Council Contingency Account to Phillips Recoveries for the removal of hazardous materials that were found at Chau Ram County Park. It was also agreed that further attempts by staff to obtain restitution from the owner of the barrels at this time was not required.

**PRT / Direction re: Suspension of Parking Fees for Fundraising / Charitable Events to be held in Oconee County Parks:**

Mr. Phil Shirley addressed Council and outlined his request to have the ability to waive parking fees for specific fundraising and charitable events as they occur throughout the year. He noted that approximately 6-8 times per year events are held in county parks that would meet the criteria. Discussion followed regarding the enactment of fees and the appropriateness of approval by Council as an action item. Discussion followed.

Mr. Thrift made a motion, seconded by Mr. Suarez, approved 5 – 0 to authorize the PRT Director to waive parking fees for fundraising / charitable events as he deems appropriate.

**Board & Commission Appointments:**

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

**Commission / Board Reports to Council:**

**Keowee Fire Tax District Commission:**

Mr. Don Chamberlain, Chair, and Chief Richie Caudill addressed Council referencing a handout provided [filed with these minutes] outlining activities of the Commission and highlighting achievements of the Commission. They noted that the ISO rating was reduced from 5.9 to 4; ongoing work with the “fire wise” program, and many other.

**Council Committee Reports:**

There were no Committee reports scheduled for this meeting.

**Administrator’s Report:**

Ms. Klugh had no report at this meeting.

**Old Business:**

There was no Old Business discussed at this meeting.

**Executive Session:**

Mr. Dexter noted that in addition to those issue advertised that a personnel matter needs to be addressed in Executive Session and asked for a motion to include this also.

Mr. McCall made a motion, seconded by Mr. Thrift, approved 5 – 0 to enter into Executive Session for the purpose of discussing confidential/pending contractual matters and a personnel matter.

Council entered Executive Session at 8:50 p.m.  
Council returned from Executive Session at 9:34 p.m.  
Mr. Dexter noted that no action was taken in Executive Session.

## **New Business:**

### **Finance Director's Report / 1Q Financial Statement:**

As Ms. Brown was unable to attend the meeting this report was deferred to the December 15, 2009 meeting.

### **Appointment of PRT Director to YMCA Board:**

Mr. Phil Shirley addressed Council outlining the YMCA request that Council nominate an appointee to their Board. Mr. Martin noted that as the YMCA was requesting a nominee that Council's recommendation was appropriate with the proviso that it is understood that Mr. Shirley would be a county employee appointed to the Board and not a representative of Council and that he had no authority to act on Council behalf.

Mr. Thrift made a motion, seconded by Mr. Suarez, approved 5 – 0 to nominate Mr. Phil Shirley to serve on the YMCA Board of Directors.

### **Council tour of York County Detention Center:**

Mr. Dexter announced that members of Council along with staff will tour the York County Detention Center on Tuesday, December 8, 2009 beginning at 10:00 a.m.

### **Council Member request for Noise Ordinance [#1998-02] Amendment:**

Mr. Thrift made a motion, seconded by Mr. Suarez, approved 5 – 0 to direct the County Attorney to prepare an amendment to the county Noise Ordinance, #1998-02, to include the following: [1] all race cars in the county must have installed a certified racing muffler system to reduce sound, [2] racing must stop and the race track property vacated by midnight on race nights, and [3] prohibit racing on Sundays.

### **Employee Appreciation Luncheon:**

Mr. Suarez noted that the Employee Appreciation Luncheon held earlier in the day was a huge success and that he felt privileged to be able to meet and serve the employee. Other members of Council concurred.

## **Adjourn:**

Mr. Thrift made a motion, seconded by Mr. Suarez, approved unanimously to adjourn the meeting at 9:50 p.m.

Respectfully Submitted:

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Elizabeth G. Hulse, Clerk to Council