



MINUTES
OCONEE COUNTY COUNCIL
Regular Meeting
December 15, 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 15, 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 and 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.

Minutes:

Mr. Thrift made a motion, seconded by Mr. McCall, approved 4 – 0 that the minutes from the December 1, 2009 regular meeting be approved as printed.

ITRON Project Status:

Mr. Ken Ambory, Controller – Manufacturing, Itron North America, thanked Council for the FILOT extension approved at the last council meeting. He noted that ITRON hopes to add 150 new full and part time jobs at the plant within the next 6 months.

Council thanked Mr. Ambory for attending the meeting and the update regarding the creation of new jobs.

“Experience Oconee “ Video Presentation by PRT:

Mr. Phil Shirley, PRT Director, showed Council a 12 minute video “Experience Oconee”. He noted that the video will be used for tourism and should be available within the next few weeks for distribution.

Council thanked Mr. Shirley for his presentation.

Public Comment Session:

Mr. John Little addressed Council regarding his concerns that property taxes are too high and his desire that the county cut spending.

Mr. Frankie Pearson addressed Council regarding his opposition to Ordinance 2009-28 and any restrictions on the Westminster Race Track.

Mr. Lee Brown addressed Council regarding his opposition to Ordinance 2009-28 and any restrictions on the Westminster Race Track.

Ms. Margaret Thompson addressed Council regarding foreclosures in Oconee County.

Mr. Don Massey addressed Council regarding his support for Ordinance 2009-28.

Mr. B.J. Littleton addressed Council regarding his opposition to zoning.

Extended Public Comment Session:

People’s Rights / Mr. Jerry Barnett:

Mr. Barnett addressed Council regarding his concerns that Council listens to special interest groups in the County and his desire that Council spend wisely the citizens tax dollars.

Public Hearing regarding the Following Ordinances:

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” and associated [Fee Agreement](#)

Ms. Susie Cornelius addressed Council regarding her support for job creation by Greenfield and her concerns that this FILOT will decrease the tax base and put the burden on the remainder of the citizens.

Mr. Dexter asked if any other citizens wished to address Council regarding this ordinance. None stepped forward to speak.

Mr. Dexter asked if any citizen wished to submit written comments. None were received.

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

Mr. Dexter closed the Public Hearing regarding Ordinance 2009-24.

Consideration of the following Ordinances:

Ordinance 2009-24:

Mr. Corbeil made a motion, seconded by Mr. Thrift, 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” and associated Fee Agreement be adopted on third and final reading.

Mr. Mark Szonilas, Greenfield Plant Manager, addressed Council after the vote thanking Council for the FILOT noting that with the addition of the 51,000 sq. ft. warehouse they hope to add 30-40 jobs within the next 2-3 months.

Ordinance 2009-27:

Mr. Dexter noted that he resides in Parkview South and that he sought an opinion from the South Carolina Ethics Commission regarding the appropriateness of his voting on this re-zoning request. The opinion received stated that as he had no greater interest than any other member of the group that it was appropriate for him to participate in discussion and voting on this matter.

Mr. Corbeil made a motion, seconded by Mr. Dexter, approved 5 - 0 to approve **Ordinance 2009-27** “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 first reading in title only and to forward the request to the Planning Commission for review and recommendation.

Ordinance 2009-28:

Mr. Martin, County Attorney, outlined the specific amendments to the noise ordinance included in this document.

Mr. Thrift made a motion, seconded by Mr. Suarez, approved 4 – 0 [Mr. McCall abstained] to approve **Ordinance 2009-28** “AN ORDINANCE TO AMEND ARTICLE II (NOISE) OF CHAPTER 12 OF THE OCONEE COUNTY CODE OF ORDINANCES IN CERTAIN LIMITED PARTICULARS, ONLY; AND OTHER MATTERS RELATED THERETO” on first reading.

Items for Consideration by Council:

Discussion of funding options for the Westminster Joint Fire Station:

Ms. Kendra Brown, Assistant Administrator, addressed Council regarding several funding options for the Westminster Joint Fire Station.

Mr. Thrift made a motion, seconded by Mr. Corbeil, approved 4 – 1 [Mr. McCall opposed] to approve up to \$2.5 million from the designated Solid Waste fund balance for the Emergency Services / Westminster Joint Fire Station building.

Change Order #6 / PO #44635 / Ard, Wood, Holcomb & Slate / \$19,375:

Mr. Thrift made a motion, seconded by Mr. McCall, approved 5 – 0 to approve Change Order #6 for PO #44635 in the amount of \$19,375 payable to Ard, Wood, Holcomb & Slate for ongoing work related to ADA compliance issues at the Courthouse.

Road Department / Extension of Off-Road Fuel Procedures through December 2010:

Mr. Thrift made a motion, seconded by Mr. McCall, approved 5 – 0 to authorize the extension of the off-road fuel procedures as outlined in the agenda item summary through December 2010.

Board & Commission Appointments:

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

Commission / Board Reports to Council:

There were no Commission / Board Reports to Council scheduled at this meeting.

Council Committee Reports:

Transportation Committee:

Mr. Thrift requested that this report be deferred to January 2010.

Planning & Economic Development Committee:

Mr. Corbeil stated that the scheduled meeting for December 10, 2009 had moved to Friday, December 18, 2009. No report was made at this meeting.

Administrator's Report:

Mr. Klugh had no report at this meeting.

Old Business:

Public Comment at Council Meetings:

Mr. Dexter opened discussion with Council regarding his concerns that the public during the Public Comment session at meetings are not adhering to policy to address only specific items listed on the agenda for action. He noted that there are ample avenues for citizens to contact Council in addition to Public Comment. Lastly he stated that he hoped that the new Chair in January will strictly enforce the criteria as set forth in Council policy to allow only those citizens who wish to speak on specific action items time at the meeting.

New Business:

Finance Director's Report / 1Q Financial Statement:

Ms. Kendra Brown, Asst. Administrator for Administrative Services & Finance, addressed Council and reviewed the First Quarter Financial Statement.

2010 Census:

Mr. Dexter noted that the Census Bureau is currently hiring citizens to assist with census taking. Jobs are both part and full time and starting pay is \$12.50 per hour. He noted that contact phone numbers will be made available in the Clerk to Council office and Administrator's office for citizens interested in applying.

Executive Session:

Mr. Martin noted that one additional litigation issue needed to be discussed in Executive Session

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

Council entered Executive Session at 8:35 p.m.

Council returned from Executive Session at 9:45 p.m.

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

Mr. Corbeil made a motion, seconded by Mr. Thrift, approved 4 – 0 [Mr. McCall abstained] that Council directs the County Attorney to negotiate an agreement for Phase I sewer at the Golden Corner Commerce Park as recommended by the Blue Ribbon Panel. Mr. Martin stated that he would draft the document and bring back to council for review/approval.

Mr. Corbeil made a motion, seconded by Mr. McCall, approved 5 – 0 to approve from an Economic Development line item the sum of \$7,500 for grading at the Jantzen plant for Economic Development and job creation purposes.

Mr. Corbeil made a motion, seconded by Mr. McCall, approved 5 – 0 to authorize the execution of a settlement agreement related to pending litigation regarding ADA issues with the Courthouse with F. J. Clark in the amount of \$825,000.

Adjourn:

Mr. Thrift made a motion, seconded by Mr. Suarez, approved unanimously to adjourn the meeting at 9:47 p.m.

Respectfully Submitted:

Elizabeth G. Hulse
Clerk to Council