



**A G E N D A**  
**OCONEE COUNTY COUNCIL MEETING**  
**Tuesday, February 2, 2010**  
**6:00 PM**  
**Council Chambers**  
**Oconee County Administrative Offices**  
**415 South Pine Street, Walhalla, SC**

1. Call to Order
2. Public Comment Session *(Limited to forty (40) minutes, four (4) minutes per person.)*  
Comments MUST be related to a specific agenda item slated for action at this meeting
3. Extended Public Comment Session *(Limited to 2 citizens per meeting, prior scheduling required with Clerk to Council, five [5] minutes per person. Comments not limited to specific agenda item)*  
None Scheduled for this Meeting
4. Meeting Recess *[Meeting will Recess no later than 6:50 p.m.]*

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5. Meeting Reconvenes *[Meeting will Reconvene at 7:00 p.m.]*
6. Moment of Silence
7. Pledge of Allegiance to the Flag of the United States of America
8. Approval of Minutes:
  - January 19, 2010 Regular Council Meeting
  - January 26, 2010 Special Council Meeting
9. Upstate Alliance Business Development Activity Report & Target Industry Update / Mr. Hal Johnson *[30 min. max.]*
10. Public Hearings regarding the Following Ordinances:  
**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.”  
Any citizen wishing to speak at the meeting regarding this ordinance may do so by signing up at the meeting [sign-up sheet available 30 minutes prior to 6:00 p.m. meeting start time]. Written comments may be submitted at any time prior to the hearing for inclusion in the official record of the meeting. Please submit written comments to the Clerk to Council, 415 South Pine Street, Walhalla, South Carolina, 29691.
11. Consideration of the Following Ordinances:
  - [1] Third & Final Reading of **Ordinance 2009-28** *[text above]*
  - [2] First Reading [in title only] of **Ordinance 2010-03** “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” *[Luther Land & Petty Roads]*  
The proposed Ordinance 2010-03 stems from a citizen-initiated rezoning request submitted by Mr. Robert Royer on November 30, 2009. The request was accompanied by the signatures of approximately 62% of the owners of the parcels proposed for rezoning. The proposal will rezone a series of 371 parcels located in the Luther Land Road and Petty Road area, near Lake Keowee, from the Control Free District (CFD). As submitted in the request, 347 parcels would be rezoned as Lake Residential District (LRD), and 24 parcels would be rezoned as Residential District (RD). It should be noted, however, that planning staff consider portions of the submitted proposal to be potentially problematic. The staff’s concerns are:
    - ‘pockets’ of differing zoning classifications would be created along some streets within existing platted developments
    - a small number of individual parcels, most located on Keowee School Road and accessed primarily or exclusively from that road, and proposed for rezoning into the Lake Residential District (RD), would better fit the Residential District (RD)Maps illustrating the [submitted proposal](#) and [staff’s recommendations](#) are attached.  
**It is the staff’s recommendation that council take First Reading [in title only] and refer the ordinance to the Planning Commission for the required review.**

12. Consideration of the Following Resolutions:

- [1] First & Final Reading of [R2010-01](#) ‘A RESOLUTION HONORING JOHN MURRAY AT HIS RETIREMENT’
- [2] First & Final Reading of [R2010-02](#) ‘A RESOLUTION HONORING JOHN HOUSTON AT HIS RETIREMENT’

13. Discussion & Possible Action Items

*[5 min. per Action Item]*

[1] [2010 Census](#) Update & Questionnaire Center Program / Space Requirement

With the census materials scheduled to be mailed to citizens in March, the Census Bureau has asked that Oconee County facilitate the creation of a local information center that will provide direct assistance to citizens seeking information, as well as help in completing the necessary questionnaires. Although important, this “Questionnaire Assistance Center” will require only enough space for a table and chairs, as well as an area where Census Bureau staff can hold private discussions with citizens. To that end, the Census Bureau is requesting the donation of a small easily accessible, highly-visible area at the Pine Street Administrative Complex. The Questionnaire Assistance Center (QAC) program will run from March 19<sup>th</sup> through April 19<sup>th</sup> of this year, with some specialized centers beginning on February 26<sup>th</sup>. A “Conditions for Donation of Services and Space Agreement” will need to be signed should the county agree to donate space.

**It is the staff’s recommendation that Oconee County [1] agree to donate space at the Pine Street Complex for use as a QAC between the dates of March 19, 2010 through April 19, 2010, and [2] authorize the County Administrator to execute the “Conditions for Donation of Services and Space Agreement” as provided.**

[2] [Emergency Services](#) / USDA National Resources Conservation Service Grant on behalf of Whitewater Lake Association / \$0 County Match

The Whitewater Lake Association requested from the USDA Natural Resources Conservation Service technical and financial assistance through the Emergency Watershed Protection Program. Assistance is needed to repair damage to the exit slope of the emergency spillway of their 86 acre lake. The September 20, 2009 rains, an approximate 50 year storm event, caused damage to the emergency spillway including severe erosion at the upper end of the exit slope and total failure at the point of outlet into the stream. Previous attempts to stabilize the outlet with concrete and rip rap were destroyed, leaving a tremendous cut 50’ by 20’.

The Emergency Watershed Protection Program requires a local sponsor [governmental entity] who will provide a minimum of 25% of the total cost of repairs through either cash or in-kind services. The sponsor must also provide a design for the repair by a SC Licensed Professional Engineer. The sponsor may choose to contract with another entity to carry out their responsibilities through a separate contract or Memorandum of Understanding. A Memorandum of Understanding will need to be drawn up by the County Attorney to define the responsibilities of Oconee County as the pass through agency and the Whitewater Lake Association as the party responsible for the matching grant funds as well as any overage charges related to engineering or construction.

**It is the staffs recommendation that Council approve Emergency Services to apply for the USDA NRCS Grant on behalf of the Whitewater Lake Association as outlined above and if the grant is awarded to have the County Attorney draft a Memorandum of Understanding that clearly defines the responsibilities of Oconee County as the pass through agency and the Whitewater Lake Association as the party responsible for any attorney fees related to the drafting of the Memorandum of Understanding, the matching grant funds as well as any overage charges related to engineering or construction.**

[3] [Road Department](#) / not to exceed \$1,199,427.17 / Bid 09-10: Road Paving 2009-2010

Staff requests the following:

- 1) Amount of
  - 2) Amount of asphalt paving
  - 3) Amount to exceed annual
  - 4) Excess
- The amount of asphalt paving along with the cost of asphalt to determine the amount of asphalt paving opportunity. Asphalt paving on the Roads prior to the requirements.

It is recommended that the total amount is not exceed \$1,199,427.17, and [4] execute the contract.



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[4] IT / \$71,092.50 / [Pictometry International Corporation](#): 2<sup>nd</sup> Year Contract Fee Approval

On November 6, 2008, County Council approved the first year only of the two year license agreement with Pictometry for a total cost of \$145,990.00 broken down into two yearly payments. The first year total was paid on PO 45770 in the total amount of \$74,897.50 from account number 012-711-82014. The second year's payment is due March 9, 2010. This license fee includes the licensed images (resulting from a fly over of the County), licensed software and documentation. At the end of the two years, the County owns the images and is granted a perpetual license for the images and software and should continue to pay 5% of this amount for annual support and maintenance.

**It is the staff's recommendation that Council approve payment for the second half of the license agreement with Pictometry International Corporation in the amount of \$71,092.50.**

[5] Adoption of [FY 2010-2011 Budget Workshop/Reading Calendar](#)

At the Budget, Finance & Administration Committee meeting on Saturday, January 23, 2010, the Budget Workshop/Reading Calendar was proposed and discussed.

**It is the Administrator's recommendation that Council formally adopt the FY 2010-2011 Budget Workshop/Reading Calendar as presented.**

14. Board & Commission Appointments

[1] Economic Development Commission/District V Vacant Seat

[2] Aeronautics Commission

[3] Library Board

15. Commission / Board Reports to Council [**ten minute maximum**]

*None at the Meeting*

*[Aeronautics Commission will present their report at the February 16, 2010 meeting.]*

16. Council Committee Reports

- Real Estate, Facilities & Land Management Committee / Mr. Suarez
- Budget, Finance & Administration Committee / Mr. Dexter
- Law Enforcement, Public Safety, Health & Welfare Committee / Mr. McCall

17. Administrator Report

18. Old Business

19. New Business

20. Adjourn

[This agenda is not inclusive of all issues which Council may bring up for discussion at this meeting.]

**Oconee County Council & Committee meeting schedules and agendas are posted at the Oconee County Administration Building and are available on the County Council Website [www.oconeesc.com/council.html](http://www.oconeesc.com/council.html)**

[All upcoming meetings will be held in Council Chambers unless otherwise noted]