



A G E N D A

OCONEE COUNTY COUNCIL MEETING

Tuesday, July 20, 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.)*
3. Extended Public Comment Session *(Limited: 2 citizens per meeting for 5 minutes, prior scheduling required)*
 - No Citizens Signed up for Public Comment at this meeting.
4. Meeting Recess *[Meeting will Recess no later than 6:50 p.m.]*

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
 - July 6, 2010: Regular Meeting

9. Presentation by Outside Organization *[Presentation not to exceed 10 minutes]*
[1] Project Lifesavers / Pilot Club of Walhalla / Ms. Mary Ann Smith

10. Public Hearing regarding the Following Ordinances:

Ordinance 2010-10 “AN ORDINANCE OF OCONEE COUNTY, SOUTH CAROLINA APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF A DEVELOPMENT AGREEMENT BY AND BETWEEN OCONEE COUNTY AND KEOWEE RIVER PRESERVATION GROUP, LLC, WHEREBY CERTAIN PROPERTY WILL BE SUBJECT TO CERTAIN DEVELOPMENT STANDARDS; AND OTHER MATTERS RELATED THERETO” and **Development Standards**

Ordinance 2010-25 “AN ORDINANCE TO AMEND THE OCONEE COUNTY FLOOD DAMAGE PREVENTION ORDINANCE, ORDINANCE 2008-21 (CHAPTER 16, ARTICLE II OF THE OCONEE COUNTY CODE OF ORDINANCES), IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, AND TO RATIFY AND AFFIRM ALL OTHER PROVISIONS OF ORDINANCE 2008-21 NOT AMENDED OR MODIFIED HEREBY; AND OTHER MATTERS RELATED THERETO.”

11. Consideration of the Following Ordinances:

[1] Third & Final Reading of **Ordinance 2010-10** *[Text Above]* and **Development Standards**

Keowee River Preservation Group, LLC, has requested Council consider entering into a development agreement that would vest the developer under a set of standards governing the development of the proposed Keowee River project, a 774 acre mixed-use development in Oconee County, for the life of the agreement. This would provide the developer greater certainty in designing the various phases of the development, which is projected to require up to 20 years. If approved, the agreement would negate the need to obtain a series of variances related to road design, as well as impose design standards on a number of elements of the project, some of which are currently not regulated by Oconee County. Staff have reviewed the proposed standards, and have identified no obvious safety issues resulting from the requested variances. It should be noted that the agreement would not waive any fire or building codes, and all plans would be reviewed for strict compliance with the standards established.

It is the staff's recommendation that Council take third and final reading of Ordinance 2010-10.

[2] Third & Final Reading of **Ordinance 2010-25** *[Text Above]*

Oconee County recently reviewed and amended the Flood Damage Prevention Ordinance as part of the ongoing effort to address concerns identified by the Federal Emergency Management Agency (FEMA). As required, a copy of the document was submitted to FEMA, who notified the County that additional changes to the ordinance are required. The County Attorney drafted the necessary amendments. FEMA instructed us to amend the ordinance by the end of July 2010.

It is the staff's recommendation that Council take third and final reading of Ordinance 2010-25.

[3] First Reading [in title only] of **Ordinance 2010-27** “AN ORDINANCE TO AUTHORIZE THE LEASING OF CERTAIN OCONEE COUNTY SPACES; AND OTHER MATTERS RELATED THERETO.”

Oconee County owns certain properties and buildings that are leased. State law requires that the lease of County owned real property be authorized by County Council through an ordinance.

It is the staff's recommendation that Council approve for first reading in title only of Ordinance 2010-27.

12. Consideration of the Following Resolutions:

[1] First & Final Reading of **Resolution R2010-11** “A RESOLUTION ACKNOWLEDGING AND ACCEPTING THE BID TO PURCHASE REAL PROPERTY KNOWN AS THE TRI-COUNTY LANDFILL PROPERTY; AND OTHER MATTERS RELATED THERETO.”

13. Discussion & Possible Action Items

[5 min. per Action Item]

[1] Request Council adopt [Oconee County Tourism Action Plan](#) / Dr. Robert Brookover

Oconee County and the Mountain Lakes CVB received a matching grant from the South Carolina National Heritage Corridor to complete a Tourism Action Plan by Clemson University. Clemson University has developed a successful model to build Tourism Action Plans and has assisted many counties across SC. These plans provide direction in areas of organization and structure, product development, marketing and measurement, and are required for Product Development grants from the State. The PRT Commission and Oconee Alliance after review recommend that County Council adopt this plan and allow the PRT department to begin working on recommendations presented. There is no financial impact for adoption. **It is the staff's requests that Council adopt the Tourism Action Plan so that work may begin on specific proposals detailed within the recommendations.**

[2] \$199,500 / One Year Intergovernmental Agreement for Fire Protection Services / Town of Salem

The Town of Salem has executed their portion of a one-year Intergovernmental Agreement for Fire Protection Services which is before Council for review and approval. Funding were allocated in the Oconee County FY 2010-2011 budget for the Town of Salem's fire protection as follows: Fund 20 = \$179,500, Direct Aid = \$ 20,000, Total funding = \$199,500

[3] Goodyear Tires / As Needed / Not to Exceed \$90,000 / State Contract #4400001934.

Vehicle Maintenance and the Rock Quarry purchase tires as needed for County vehicles such as, Sheriff's Office pursuit vehicles; passenger vehicles; and trucks.

SC Materials Management Office solicited bids for tires and awarded State Contract #4400001934 for Goodyear tires. This State Contract offers a discount of 48-50% off of list prices. Super Service Tire & Alignment is the only vendor located in Oconee County for this contract.

It is the staff's recommendation that Council award the purchase of Goodyear tires as needed to Super Service Tire & Alignment of Walhalla, SC, not to exceed \$90,000 for fiscal year 2010-2011, per State Contract #4400001934.

[4] a. Award Bid #10-03 / \$1,738,009.08 / Road Paving 2010-2011 [not to exceed total of \$2,052,379]

b. Authorize additional \$156,420, a 9% Contingency [if needed]

c. Authorize additional \$157,948 for purchase of stone from Oconee County Rock Quarry

d. Authorize execution of the contract

The bid document for Road Paving listed specific requirements that the contractor must meet. Specific roads along with the type of paving work required were listed with estimated quantities. Also, the bid allowed for the cost of asphalt materials to be indexed to the SCDOT liquid asphalt index and this cost to be reviewed once a month to determine the price of the asphalt mix.

On July 7, 2010, formal sealed bids were opened. Twenty-eight companies were originally notified of the bid opportunity; three companies submitted bids, and two no bids were received. King Asphalt, Inc. of Liberty SC submitted the lowest bid of \$1,738,009.90.

Funds were moved from FY 09-10 to the Road Paving Capital Projects fund in the amount of \$1,300,000. The balance of funding will come from C-funds. If C-funds are not received, roads will be deleted from the contract.

It is the staff's recommendation that Council [1] award Bid #10-03, Road Paving 2010-2011 to King Asphalt, Inc. of Liberty, SC in the amount of \$1,738,009.90, [2] authorize staff to spend an additional \$157,948, a 9% contingency if needed to account for fluctuating asphalt prices and variations in unit quantities, [3] authorize an additional \$157,948 to purchase stone from the Oconee County Rock Quarry, and [4] execute contract.

[5] Local ATAX / \$4,500 / Advertising in IPTAY Communications

This would include [1] half page ad in 8 editions of "Orange: The Experience", [2] presence in over 37 e-newsletters to all 16,000 members of IPTAY, [3] half page in "College Gameday" magazine, and [4] presence on the "Orange Update" Clemson Information website

14. Board & Commission Appointments

[None at this meeting]

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

- Board of Zoning Appeals [[Written summary report](#) only] [Planning Commission to present August 17, 2010]

16. Council Committee Reports

- Real Estate, Facilities & Land Management Committee / Mr. Suarez or Mr. Thrift

17. Administrator Report

18. Old Business

19. New Business

20. Executive Session

[for the purpose of receiving legal advice on a contractual matter related to the purchase of real estate]

- Vote/Action on matters discussed in Executive Session

[if required]

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