



A G E N D A

OCONEE COUNTY COUNCIL MEETING

Tuesday, November 23, 2010

6:00 PM

Council Chambers, Oconee County Administrative Offices
415 South Pine Street, Walhalla, SC 29691

1. **Call to Order**
2. **Extended Public Comment Session** *(Limited: 2 citizens per mg. for 5 minutes, prior scheduling required)*
 1. Pioneer Rural Water Expansion Plans / Mr. Glen McPheeters
3. **Public Comment Session/Agenda Items**
Agenda & Non Agenda Items: Combined both are limited to a total of forty (40) minutes, four (4) minutes per person.
4. **Public Comment Session/Non Agenda Items – time permitting**
Agenda & Non Agenda Items: Combined both are limited to a total of forty (40) minutes, four (4) minutes per person.
5. **Council Member Comments**
[Directly following Public/Extended Public Comment Session if applicable & time permits]
6. **Meeting Recess** *[Meeting will Recess no later than 6:50 p.m.]*

7. **Meeting Reconvenes** *[Meeting will Reconvene at 7:00 p.m.]*
8. **Moment of Silence**
9. **Pledge of Allegiance to the Flag of the United States of America**
10. **Approval of Minutes**
 1. November 9, 2010: Regular Meeting
11. **Presentation by Outside Organization**
 1. B.P. Barber / Mr. Dan Esteban regarding Project North/Report on studies/surveys
12. **Public Hearing regarding the following:**
 1. The South Carolina Jobs-Economic Development Authority (SC JEDA) and the Oconee County Council are holding this Public Hearing regarding the **issuance by SC JEDA** [from time to time] of one or more series of its Recovery Zone Facility Revenue Bonds (the “Bonds”) in an aggregate principal amount not to exceed \$13,000,000.
The proceeds of the Bonds will be made available to Keowee Assisted Living, LLC, a South Carolina limited liability company (the “Borrower”), and will be used to finance the acquisition, construction, improvement and equipping of a senior residential and healthcare facility, to be located in the County at the intersection of S.C. Highway 130 and Nimmons Bridge Road, Salem, South Carolina (the “Project”)
The Borrower will be the initial owner of the Project. The Borrower will unconditionally covenant to make payments sufficient to pay the principal of and interest on the Bonds. The Bonds will be payable by the Issuer solely and exclusively out of payments to be made by the Borrower. **The Bonds do not constitute an indebtedness of the County**, the State of South Carolina, the Issuer, or any other political subdivision of the State of South Carolina within the meaning of any state constitutional provision or statutory limitation or constitute or give rise to any pecuniary liability of such entities or a charge against the general credit or taxing powers of any such entity.
Council will consider Resolution R2010-19 later in this meeting.

13. Public Hearings regarding the following Ordinances:

1. [Ordinance #2010-29](#) [400 S. Church Street & Propex Building]
2. [Ordinance #2010-31](#) [Project North Property]

Both Ordinances have the same caption, noted below:

“AN ORDINANCE AUTHORIZING THE PURCHASE OF CERTAIN OCONEE COUNTY REAL PROPERTY, CONTINGENT ON THE SATISFACTORY COMPLETION OF ALL DUE DILIGENCE AND CONTRACTUAL REQUIREMENTS ESTABLISHED BY OCONEE COUNTY, TO THE SATISFACTION OF OCONEE COUNTY COUNCIL; AUTHORIZING THE COMPLETION OF SUCH DUE DILIGENCE AND CONTRACTS; AUTHORIZING THE RECEIPT OF ALL LAWFUL FUNDS AUTHORIZED FOR SUCH PURCHASES; AUTHORIZING THE EXECUTION AND DELIVERY OF ALL CONTRACTS, INTERGOVERNMENTAL AGREEMENTS, AND OTHER DOCUMENTS RELATED TO SUCH PURCHASES; AUTHORIZING THE AMENDMENT OF THE CURRENT OCONEE COUNTY BUDGET ORDINANCE TO PROVIDE ACCOUNTING AND FUNDING FOR THE TOTAL COST OF CONTRACTING FOR AND PURCHASING SUCH PROPERTIES; AND OTHER MATTERS RELATED THERETO”

14. Consideration of the Following Resolutions:

1. **First & Final Reading of [Resolution R2010-17](#)**
“A RESOLUTION HONORING MR. JACK BRYAN LYLES”
Resolution R2010-17 along with a South Carolina Senate Resolution will be read into the record and presented to Mr. Lyles family.
2. **First & Final Reading of [Resolution R2010-19](#)**
“IN SUPPORT OF THE ISSUANCE BY THE SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY OF ITS RECOVERY ZONE FACILITY REVENUE BONDS (THE RETREAT AT KEOWEE KEY PROJECT), SERIES 2010, PURSUANT TO THE PROVISIONS OF TITLE 41, CHAPTER 43, OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED, IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING \$13,000,000 AND, IN CONNECTION THEREWITH, DESIGNATING A RECOVERY ZONE IN OCONEE COUNTY PURSUANT TO THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009”

15. Consideration of the Following Ordinances:

1. **Third & Final Reading of [Ordinance 2010-29](#)** [text above]
2. **Third & Final Reading of [Ordinance 2010-31](#)** [text above]
3. **Second Reading of [Ordinance 2010-32](#)**
“AN ORDINANCE TO AMEND THE AGREEMENT AUTHORIZED BY ORDINANCES NO. 2006-027, 2008-017, 2010-04 and 2010-24 RELATING TO THE INDUSTRIAL/BUSINESS PARK OF OCONEE AND PICKENS COUNTIES SO AS TO ENLARGE THE PARK.
This would place Project LSSSD into the multi-county industrial park. A Cost Benefit Analysis to include job creation information will be provided prior to 3rd & Final Reading.
4. **Second Reading of [Ordinance 2010-33](#)**
“AN ORDINANCE AMENDING THE OCONEE COUNTY CODE OF ORDINANCES, SECTION 34-1 RELATING TO THE OCONEE COUNTY INFRASTRUCTURE ADVISORY COMMISSION”

5. **Second Reading of [Ordinance 2010-34](#)**

“AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND PROJECT LSSSD; AND OTHER MATTERS RELATING THERETO INCLUDING, WITHOUT LIMITATION, PAYMENT OF A FEE IN LIEU OF TAXES RELATED TO THE PROJECT”.

This would place Project LSSSD into the multi-county industrial park. A Cost Benefit Analysis to include job creation information will be provided prior to 3rd & Final Reading.

6. **Second Reading of [Ordinance 2010-36](#)**

“AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF GENERAL OBLIGATION BONDS, SERIES 2011, OF OCONEE COUNTY, SOUTH CAROLINA, IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING \$17,000,000; FIXING THE FORM AND CERTAIN DETAILS OF THE BONDS; AUTHORIZING THE CHAIRMAN OF COUNTY COUNCIL TO DETERMINE CERTAIN MATTERS RELATING TO THE BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS AND THE DISPOSITION OF THE PROCEEDS THEREOF; AND OTHER MATTERS RELATING THERETO”

This general obligation bond will be utilized for funding the Detention Center project.

7. **Second Reading of [Ordinance 2010-37](#)**

“AN ORDINANCE AUTHORIZING THE TRANSFER OF AN EASEMENT FOR INGRESS, EGRESS AND UTILITIES ACROSS CERTAIN OCONEE COUNTY REAL PROPERTY AND AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGREEMENT RELATED TO THE SAME; AND OTHER MATTERS RELATED THERETO.” and [Easement Agreement](#)

For over 25 years Blue Ridge Electric Coop (BREC) has had two power utility lines traversing across the Oconee County Airport. One line services the Airports Non-directional Beacon (NDB) navaid. The other line is a main service line providing electric power to much of the southeastern population of Oconee County including High Pointe of Clemson. The main service line traverses directly across the “borrow “ site for the runway extension project. The easement agreement will allow Blue Ridge Electric Coop to use county property to provide electric power to the FAA aeronautical navaid AND provide electric power to the citizens of SE Oconee County. Mc Nair Law firm has drafted a new easement agreement protecting the county’s interests while allowing BREC to provide power to SE Oconee County.

The relocation of the powerlines in the borrow area of the Airport construction site will lower the height of the relocated poles keeping them below the FAA approach surfaces for runway 7. The relocation of the powerline to the NDB will allow this navaid to be re-powered for use by all pilots. FAA will pay 95% of cost of power line relocation. FAA AIP Grant #17 has \$37,835 allocated for utility relocation.

It is the staff’s recommendation that Council approve the easement agreement between Oconee County and Blue Ridge Electric Coop.

16. Discussion & Possible Action Items

[5 min. per Action Item]

1. \$25,000 / [Library Board Request](#) / Property Acquisition / Westminster Branch

After the Library Board special called meeting on October 21, 2010, the member unanimously voted to requests of County Council and/or staff that they negotiate the purchase of the Davis property adjoining the Westminster Library for fair market value. The acquisition of this property will allow planned expansion of the Oconee County Public Library’s Westminster Branch.

The Library Board attempted to negotiate a three-way exchange with the City of Westminster to include a portion of the Davis property. The property is now on the market for \$45,000. There is \$20,000 budgeted for land acquisition. The Board is requesting that Council fund the difference of \$25,000.

2. ATAX / \$1,400 / [2011 Visitor's Guide](#) to the Upcountry South Carolina Magazine
- The Visitors Guide to the Upcountry South Carolina Magazine is a tourism marketing publication published annually by the Discover Upcountry Carolina Association. 70,000 of these publications are produced annually and distributed throughout the State of South Carolina in Welcome Centers, Chambers of Commerce and other visitors' centers through the region, area parks, campgrounds and attractions, and at national and international travel and trade shows. The guide is also mailed to approximately 20,000 individuals responding to advertising and marketing campaigns.
- Topics of Interest covered in the annual publication include attractions, scenic points of interest, recreation, arts & entertainment, festivals & special events, visitor information, shopping, accommodations, restaurants, real estate & relocation, conventions and maps.
- This project will not exceed \$1,400 with funds coming from the 75% portion of the Local Accommodations Tax Fund, with no matching requirement and no impact to the general fund budget. Current fund balance in the 75% Local Accommodations tax is \$24,706.
- It is the staff's recommendation that Council approve up to \$1,400.00 of local ATAX monies for a full page advertisement on the inside front cover in the 2011 Visitors Guide to the Upcountry South Carolina Magazine.**

3. PRT / up to \$6,000 / [2011 Atlanta Boat Show](#)
- The PRT Department requests the use of up to \$6,000 from the 75% fund of the local accommodations tax for all costs associated with having an Oconee County booth at the upcoming Atlanta Boat Show. These funds will cover booth expenses, marketing materials, as well as travel, lodging and per diem for staff and PRT commission members to work the 4 day show from January 13-16, 2011. The CVB will also assist with personnel to manage the booth. This show averages 50,000 in attendance annually and provides an opportunity to showcase Oconee County and the surrounding lakes to the Atlanta region. Using funds to promote Oconee County in a way to generate publicity is an acceptable expenditure of local accommodations tax funds. This will be our fourth year as an exhibitor at the Atlanta Boat Show. It is great exposure to the Atlanta Market for Oconee County.
- It is the staff's recommendation that Council approve the use of up to \$6,000 of local accommodations tax funds for operating an Oconee County trade show booth at the 49th Atlanta Boat Show January 13-16, 2011.**

18. Board & Commission Appointments

1. Economic Development Commission [Dist. II: Harold Gibson, and Dist. IV: Sam Dickson]

- 18. Commission / Board Reports to Council** [ten minute maximum] *[None at this meeting]*
[Keowee Fire Tax District Commission will report at the December 7th meeting]

- 19. Council Committee Reports** *[None at this meeting]*

- 20. Administrator Report** *[None at this meeting]*

- 21. Old Business**

- 22. New Business**

- 23. Executive Session** *[for the purpose of discussing a contractual matter]*
 • Vote/Action on matters discussed in Executive Session *[if required]*

- 23. Adjourn**

[This agenda is not inclusive of all issues which Council may bring up for discussion at this meeting.]
 Assisted Listening Devices [ALD] are available to accommodate the special needs of citizens attending meetings held in Council Chambers. ALD requests should be made to the Clerk to Council at least 30 minutes prior to the meeting start time.

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]