



A G E N D A
OCONEE COUNTY COUNCIL MEETING
Tuesday, December 7, 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)*
[None scheduled at this meeting]
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 23, 2010: Regular Meeting
11. **Public Hearings regarding the following Ordinances:**
 1. **[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.”
 2. **[Ordinance 2010-33](#)**
“AN ORDINANCE AMENDING THE OCONEE COUNTY CODE OF ORDINANCES, SECTION 34-1 RELATING TO THE OCONEE COUNTY INFRASTRUCTURE ADVISORY COMMISSION”
 3. **[Ordinance 2010-34](#)**
“AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND SCHNEIDER ELECTRIC USA, INC.; AND OTHER MATTERS RELATING THERETO INCLUDING, WITHOUT LIMITATION, PAYMENT OF A FEE IN LIEU OF TAXES RELATED TO THE PROJECT”
 4. **[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.

5. **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](#)

12. Consideration of the Following Resolutions:

1. **First & Final Reading of Resolution R2010-18**

“ A RESOLUTION INITIATING A COUNTY WAYFINDING SIGN PROGRAM”

13. Consideration of the Following Ordinances:

1. **Third & Final Reading of Ordinance 2010-32** *[text above]*

This would place Schneider Electric into the multi-county industrial park.

2. **Third & Final Reading of Ordinance 2010-33** *[text above]*

3. **Third & Final Reading of Ordinance 2010-34** *[text above]*

A [Cost Benefit Analysis](#) is included for reference.

4. **Third & Final Reading of Ordinance 2010-36** *[text above]*

5. **Third & Final Reading of Ordinance 2010-37** *[text above]*

6. **Second Reading of Ordinance 2010-15**

“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” [\[North Cane Creek\]](#)

The proposed Ordinance 2010-15 stems from a citizen-initiated rezoning request submitted by Mr. Jim Codner. It should be noted that the area delineated in this request constitutes the first phase of the overall rezoning proposal, and contains slightly less than 1/3 of the total parcels to be considered (the balance of the proposal is planned to be presented in 2 additional requests in the near future). The submitted request included 253 parcels located north of Cane Creek, near Ebenezer Road, and was accompanied by the signatures of approximately 68% of the parcel owners. It should be noted that a number of parcels included in the boundaries of the North Cane Creek Request were also part of the North Fairview Community Request, which was presented to Council during the same meeting; Council took First Reading in Title Only on both requests on April 13, 2010, and referred both to the Planning Commission for review. The Planning Commission originally took up the request at a special meeting on May 11, 2010, at which time they voted to recommend Council amend the submitted request; the request was again reviewed, and the recommendation reaffirmed, on November 16, 2010.

Planning Commission Recommendation: Amends submitted boundaries by removing parcels included in the North Fairview Request (Ordinance #2010-16).

Staff Recommendation: Includes the elimination of Control Free District ‘islands’ created by submitted boundaries, as well as the rezoning of all parcels within existing subdivisions. Also, a series of parcels are recommended to be rezoned into the proposed Agricultural Residential District. Please Note: Due to the fact that the proposed rezoning includes parcels included in the North Fairview Request, staff’s recommendation for both proposals is shown together—see attached map.

Draft Ordinance 2010-15 (attached) is written to reflect request as presented to Council at First Reading; will be amended to reflect Council’s decisions prior to the public hearing.

It is the staff’s recommendation that Council take Second Reading of Ordinance 2010-15, and schedule the required public hearing on or after December 14, 2010.

7. **Second Reading of Ordinance 2010-16**

“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” [\[North Fairfield\]](#)

The proposed Ordinance 2010-16 stems from a citizen-initiated rezoning request submitted by Ms. Jean Jennings. The submitted request consisted of 56 parcels in the Control Free District, located near Ebenezer Road in the Fairview Community, near Lake Keowee. Petitions containing the signatures of approximately 83% of the owners of the parcels in the request area were submitted in support of the proposal. It should be noted that a number of parcels included in the boundaries of the North Fairview Community Request were also part of the North Cane Creek Request, which was presented to Council during the same meeting; Council took First Reading in Title Only on both requests on April 13, 2010, and referred both to the Planning Commission for review. The Planning Commission reviewed the request at a special meeting on May 11, 2010, and voted to recommend Council approve the North Fairview Community rezoning request as submitted. On September 7, 2010, at the request of the Planning Commission Chairman, Council referred Ordinance 2010-16 back to the Commission for further study and consideration; and on October 4, 2010, the Commission voted to recommend Council consider the request as originally submitted.

Planning Commission Recommendation: North Fairview Rezoning Proposal recommended for adoption as submitted—see attached map.

Staff Recommendation: Staff recommends rezoning a series of parcels into the recently adopted Agricultural Residential District to better provide for future compatibility of land uses; an alternative recommendation utilizing only those districts existing at time of original submission is also included to address concerns raised during initial Council review—see attached maps.

Draft Ordinance 2010-16 (attached) is written to reflect request as presented to Council at First Reading.

It is the staff’s recommendation that Council take Second Reading of Ordinance 2010-16, and schedule the required public hearing on or after December 14, 2010.

8. **Second Reading of Ordinance 2010-35**

“AN ORDINANCE TO AMEND THE ZONING ENABLING ORDINANCE PURSUANT TO A CITIZEN-INITIATED REQUEST TO REZONE A SERIES OF PARCELS REFERENCED AS **HERITAGE SHORES SUBDIVISION**”

Planning Commission is slated to take action and make recommendation regarding this ordinance at their December 6, 2010 meeting.

9. **Second Reading of Ordinance 2010-38**

“AN ORDINANCE ACKNOWLEDGING THE ACCEPTANCE OF CERTAIN ROADS INTO THE OCONEE COUNTY ROAD SYSTEM; AUTHORIZING THE EXECUTION AND DELIVERY OF AN ACCESS EASEMENT AGREEMENT RELATED TO THE SAME; AND OTHER MATTERS RELATED THERETO”

Hammock Ridge Drive is part of Hammock Ridge Subdivision, a new subdivision created between Poplar Springs Road and Winding Lane. Hammock Ridge Drive is a new road in the subdivision that has been constructed and inspected according to Oconee County standards and regulations. The right-of-way deeds have been offered for acceptance; however, the County is unwilling to accept the responsibility for maintenance of “common areas” within the road right-of-way. The specific concern is the landscaped island and entrance sign as the subdivision is accessed off of Poplar Springs Road. The Developer and Staff have worked together to protect the interest of the County and preserve the desired aesthetic appeal of the development. To accomplish this balance the County Attorney is developing an ordinance, resolution and supplemental agreements to achieve this goal.

10. **First Reading [in title only] of Ordinance 2010-39**

“AN ORDINANCE AUTHORIZING THE CREATION OF AND PARTIAL FUNDING OF A NEW WORTHLESS CHECK UNIT IN THE OFFICE OF THE TENTH CIRCUIT SOLICITOR, IN OCONEE COUNTY; AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN OCONEE COUNTY AND THE TENTH CIRCUIT SOLICITORS OFFICE REGARDING THE CREATION OF AND FUNDING FOR SUCH WORTHLESS CHECK UNIT; AND OTHER MATTERS RELATED THERETO.”

11. **First Reading [in title only] of Ordinance 2010-40**
“AN ORDINANCE TO AMEND THE ZONING ENABLING ORDINANCE PURSUANT TO A CITIZEN-INITIATED REQUEST TO REZONE A SERIES OF PARCELS REFERENCED AS **ROCK CREEK**”

14. Discussion & Possible Action Items *[5 min. per Action Item]*

1. [Memorandum of Understanding](#) between the Town of Salem, OCPL and the County.

15. Board & Commission Appointments *[None at this meeting]*

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

1. Keowee Fire Tax District Commission

17. Council Committee Reports *[None at this meeting]*

18. Administrator Report *[None at this meeting]*

19. Old Business

20. New Business

21. Executive Session *[for the purpose of discussing a contractual matter]*

- Vote/Action on matters discussed in Executive Session *[if required]*

22. 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]