



**MINUTES**  
**OCONEE COUNTY COUNCIL MEETING**  
**Regular Meeting**  
**February 2, 2010**

**MEMBERS, OCONEE COUNTY COUNCIL**  
Mr. Reg Dexter, District V, Council Chairman  
Mr. Joel Thrift, District IV, Vice Chairman  
Mr. Wayne McCall, District II, Chairman Pro Tem  
Mr. Paul Corbeil, District I  
Mr. Mario Suarez, District III

Oconee County Council met on Tuesday, February 2, 2010 at 6:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members, Interim Administrator Gene Klugh, Thomas L. Martin County Attorney and Clerk to Council, Elizabeth G. Hulse 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](http://www.oconeese.com/council)]. In addition it was made available to the newspapers, radio stations, television stations and concerned citizens.

Member of the press present: Ray Chandler – Anderson Independent & Carlos Galarza - Daily Journal.

**Call to Order:**

Mr. Dexter called the meeting to order at 6:00 p.m.

**Public Comment Session:**

Mr. Bo Horne addressed Council regarding items #2 & #9. He stated his opposition to the Public Comment format, his concerns regarding the appropriateness of Executive Sessions and his concern that Council is not listening to the citizens.

Mr. Jimmy Franklin signed up for Public Comment but was not present when called to speak.

Mr. B. J. Littleton addressed Council stating he agreed with Mr. Horne's comments.

**Extended Public Comment Session:**

No citizens signed up for Extended Public Comment at this meeting.

**County Council Comments in response to Public Comment:**

Mr. Dexter addressed concerns from Mr. Horne stating that Executive Sessions are for only the reasons stated and that they are closely monitored for legality by the county attorney. In addition he noted that the movement of the meeting to 6:00 p.m. was to allow for people to attend the meetings and still get home at a reasonable hour. Mr. Dexter reviewed research outlining other counties meeting schedules, public comment, etc. Lastly he noted that he is in favor of public comment and that Council is willing to listen to the public but that the meetings are Council

meeting designed to conduct the business of the people and not town hall meetings where the public control the discussions.

No other Council member addressed the public.

### **Meeting Recess:**

Mr. Corbeil made a motion at 6:16 p.m., seconded by Mr. Thrift, approved 4 – 0 [Mr. Suarez had not yet arrived] to recess the meeting to 7:00 p.m.

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### **Meeting Reconvene:**

Mr. Thrift made a motion, seconded by Mr. McCall, approved 4 – 0 [Mr. Suarez had not yet arrived] to reconvene the meeting to 7:00 p.m.

### **Pledge of Allegiance:**

Mr. Thrift 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 January 19, 2010 regular meeting be adopted as printed.

Mr. Thrift made a motion, seconded by Mr. Corbeil, approved 4 – 0 that the minutes from the January 26, 2010 special called meeting be adopted as printed.

### **Upstate Alliance Business Development Activity Report & Target Industry Update:**

Mr. Hal Johnson addressed Council utilizing a PowerPoint presentation [ a copy filed with these minutes] outlining the objectives, outcomes, collaboration for the study. In addition he discussed Phase I: Targeting and Phase II: Strategy.

Council thanked Mr. Johnson for this presentation. No action was taken at this meeting.

### **Public Hearing 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.”

Mr. Jimmy Franklin, promoter for the Westminster Speedway, addressed Council regarding his opposition to the enactment of Ordinance 2009-28. He stated that he had not read the ordinance but he was opposed to Section 12-34. He stated that he was willing to enforce racing muffler systems and no racing on Sundays but the 11:30 p.m. cut off time for noise was not going to work for his business. Mr. Franklin stated that if the county wanted to buy him out he would sell and move on.

Ms. Tracey Holbrooks read a statement [not filed with these minutes] into the record supporting the racetrack and Mr. Franklin.

At this time, Mr. Dexter asked if any other citizens wished to address Council regarding this ordinance.

Mr. B. J. Littleton stated that he didn't have a comment about the racetrack but wanted to know what it would take to buy them out.

Mr. Berry Nichols addressed Council regarding Ordinance 2009-28 stating that he had made his feelings known at the last meeting but he had concerns about this ordinance.

Mr. George Cleveland addressed Council stating that the residents and promoter should try to work together to work out these issues without government having to become involved and legislate this issue. He asked that Council table action on this ordinance to allow for more time for the parties to try to work out a compromise.

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

Mr. Dexter closed the Public Hearing regarding Ordinance 2009-28.

### **Consideration of the Following Ordinances:**

#### **Ordinance 2009-28:**

Mr. Thrift made a motion, seconded by Mr. Corbeil that 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" be adopted on third and final reading.

Mr. McCall stated that he felt that Council was being drawn into a Probate matter and that he felt that the citizens should work things out without Council's intervention.

Mr. Dexter called for the vote. The motion passed 3 – 0 [Mr. McCall abstained] that Ordinance 2009-28 be approved on third and final reading.

#### **Ordinance 2010-03:**

Mr. Corbeil made a motion, seconded by Mr. Dexter, approved 4 – 0 to approve **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*] on first reading [in title only] and to forward the ordinance to the Planning Commission for the required review.

### **Consideration of the Following Resolutions:**

#### **Resolution 2010-01:**

Mr. McCall made a motion, seconded by Mr. Thrift, approved 4 – 0 that Resolution 2010-01 'A RESOLUTION HONORING JOHN MURRAY AT HIS RETIREMENT' be adopted on first and final reading. Mr. Dexter presented the Resolution to Mr. Murray who was in attendance and Mr. Murray made a brief statement of thanks.

#### **Resolution 2010-02:**

Mr. Thrift made a motion, seconded by Mr. Corbeil, approved 4 – 0 that Resolution 2010-02 'A RESOLUTION HONORING JOHN HOUSTON AT HIS RETIREMENT' be adopted

on first and final reading. As Mr. Houston was not present, Mr. Dexter requested the Clerk to Council to ensure that Mr. Houston received the Resolution.

### **Discussion & Possible Action Items:**

#### **2010 Census Update & Questionnaire Center Program / Space Requirement:**

Mr. Bill Whitney, US Census Bureau, addressed Council outlining their request for space at the Pine Street office complex so that they may provide direct assistance to citizens needing assistance or information related to the 2010 census forms. He reviewed with Council estimates that as many as 5,000 citizens or more were missed just in Oconee County in the 2000 census.

Mr. McCall made a motion, seconded by Mr. Thrift, approved 4 – 0 to [1] agree to donate space at the Pine Street Complex for use as a Questionnaire Assistance Center 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.

#### **Emergency Services / USDA National Resources Conservation Service Grant on behalf of Whitewater Lake Association / \$0 County Match:**

Mr. Rodney Burdette, Emergency Services Director, addressed Council outlining the request as stated in the Agenda Item Summary. Discussion also centered on questions related to driving on the spillway and other issues related to the dam project.

Mr. McCall made a motion, seconded by Mr. Thrift, approved 4 – 0 to approve Emergency Services applying for the USDA NRCS Grant on behalf of the Whitewater Lake Association as outlined in the agenda item summary 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.

#### **Road Department / not to exceed \$1,199,427.17 / Bid 09-10: Road Paving 2009-2010:**

This agenda item was removed at the request of the Procurement Director from consideration at this meeting.

#### **IT / \$71,092.50 / Pictometry International Corporation: 2<sup>nd</sup> Year Contract Fee Approval:**

Mr. Thrift made a motion, seconded by Mr. Corbeil, approved 4 – 0 to approve payment for the second half of the license agreement with Pictometry International Corporation in the amount of \$71,092.50.

#### **Adoption of FY 2010-2011 Budget Workshop/Reading Calendar:**

Mr. Corbeil made a motion, seconded by Mr. Thrift, approved 4 – 0 to formally adopt the FY 2010-2011 Budget Workshop/Reading Calendar as presented.

### **Board & Commission Appointments:**

#### **Economic Development Commission / District V Seat:**

Mr. Dexter made a motion, seconded by Mr. Corbeil, approved 4 – 0 to appoint Mr. Gene Blair to the District V seat on the Economic Development Commission for a four year term ending November 2014.

### **Aeronautics Commission:**

Mr. Dexter made a motion, seconded by Mr. McCall to appoint Mr. Dan Schmeidt upon the recommendation of the Aeronautics Commission to the open seat.

Mr. Thrift made a motion, seconded by Mr. Dexter to appoint Mr. Marion Lyles to the Aeronautics Commission open seat.

Discussion followed.

Mr. Dexter called for the vote with a show of hands. The vote is as follows:

Mr. Dan Schmeidt received 3 votes. Mr. Marion Lyles received 1 vote.

Mr. Dan Schmeidt was appointed to the open seat on the Aeronautics Commission with his 4 year term ending February 2014.

### **Library Board:**

Mr. Dexter made a motion, seconded by Mr. Thrift, approved 4 – 0 to appoint Mr. Lee Barrett upon the recommendation of the Library Board to the open seat.

### **Commission & Board Reports to Council:**

There were no reports made at this meeting. It was noted that the Aeronautics Commission is schedule to make a presentation at the February 16, 2010 meeting.

### **Council Committee Reports:**

#### **Real Estate, Facilities & Land Management Committee:**

Mr. Suarez reported that Mr. Workman gave a presentation at the January 23, 2010 meeting showing possible options for design-build for the Jail and other Oconee County capital building projects. He noted that Mr. Workman discussed the key difference in the way government proceeds for a building project versus the way private industry proceeds.

Mr. Corbeil asked after this report for the administrator to provide Council for their next meeting with a summary or outline listing all options related to a new jail to include building options [design/build, bids, etc] and structural options [# of cells, type of cells, core facility requirements, etc.]. He noted that these key areas are required to be addressed before the budget process is begun. Lengthy discussion followed.

#### **Budget, Finance & Administration Committee:**

Mr. Dexter reported that various issues related to the upcoming FY 2010-2011 budget process were discussed to include various forms designed by Finance to streamline the budget process and year to date revenues & expenditures.

Mr. Dexter also noted that the Committee took a hard look at the County and asked the following questions:

1. Are we doing the right things
2. Are we doing those things well
3. Are we doing those things in a cost effective manner

Mr. Dexter also stated that budget priorities were given to the Administrator for distribution to the staff.

Lastly, he noted that the hiring of a consultant to work with Council, Administration, Department Heads and staff to do an examination to determine what we are doing well and identify areas for improvement was discussed.

**Law Enforcement, Public Safety, Health & Welfare Committee:**

Mr. McCall reported plans were reviewed with the architect for the joint fire station with the City of Westminster. He noted that it was the committee's recommendation to Council that no additional items be added and no items be deducted from the cost budget.

**Mr. McCall made a motion, seconded by Mr. Thrift, approved 5 – 0 that plan A101, Rev N be adopted as the final plan for the joint fire station with the City of Westminster.**

Mr. McCall also noted that a request was made for the Administrator to also look into the County potentially auditing the Sheriff's drug seizure accounts in the future.

**Administrator's Report:**

Mr. Klugh stated that he has a Department Head meeting scheduled for Wednesday, February 3, 2010 at 10:00 a.m. to review with department heads and elected officials the Council's guidelines for budget preparation for the FY 2010-2011 budget.

**Old Business:**

No Old Business was discussed at this meeting.

**New Business:**

**Budget Finance & Administration Committee:**

Mr. Dexter noted that Mr. Jack Beam is available to have a conference call workshop meeting with the Committee to discuss retire employee benefits. Dates were discussed but no date set.

The Budget, Finance & Administration Committee will meet on Thursday, March 25, 2010 at 12:00 noon at the Hamilton Career Center to receive Tri County Technical College's budget presentation for FY 2010-2011.

**County Recycling:**

Mr. McCall asked the Administrator to look into expanding and enhancing the recycling program in Oconee County. He noted that with increased costs for waste disposal that we need to look at what we can do as a county to help reduce our trash being trucked out of the county. Lastly, he asked that the Administrator also look into a full recycling program in all county offices and facilities.

**Adjourn:**

Mr. Thrift made a motion at 9:13 p.m. to adjourn the meeting. The motion was approved unanimously.

Respectfully Submitted:

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Elizabeth G. Hulse  
Clerk to Council