



MINUTES
OCONEE COUNTY COUNCIL MEETING
Regular Meeting
February 16, 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 16, 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]. In addition it was made available to the newspapers, radio stations, television stations and concerned citizens.

Member of the press present: Dick Mangrum – WGOG Radio, Ray Chandler – Anderson Independent & Carlos Galarza - Daily Journal.

Call to Order:

Mr. Dexter called the meeting to order at 6:02 p.m.

Public Comment Session:

Ms. Susie Cornelius addressed Council regarding concerns with the special source revenue bond ordinances.

Mr. Bo Horne addressed Council regarding his opposition to the special source revenue bond ordinances and he asked Council to table the ordinances at this meeting.

Mr. Scott Puffer, representative of the developer for HighPoint / Pointe West, addressed Council regarding misconceptions related to the bond ordinances. He stated that the project will increase the tax base in the county, add jobs and that they had taken a blighted area and turned into tax generating property.

Extended Public Comment Session:

Performance of County Council / Mr. Richard Hughes

Mr. Hughes addressed Council reading from a prepared statement [filed with these minutes] outlining progress made by the current Council in communication with the public and transparency of government.

Commercial Marinas and Palmetto Pointe / Mr. Ben Turetzky

Mr. Turetzky addressed Council reading from a PowerPoint presentation [filed with these minutes] outlining the groups support for a marina development but the need for Council and the Planning Commission to identify appropriate locations for this development.

Additional Public Comment not related to specific agenda items:

Mr. Frank Kieninger Oconee Men’s Outreach addressed Council regarding the groups continued prayers for Council members. Mr. Kieninger also presented Council members with a letter, desk card and wallet card [filed with these minutes].

Ms. Suzanne Peden addressed Council regarding her opposition to outsourcing the 2010 property reassessment.

Mr. Berry Nichols addressed Council regarding the SDOC budget and meeting time conflicts.

Mr. B. J. Littleton addressed Council in opposition to zoning.

Meeting Recess:

Mr. Dexter recessed the meeting to 6:50 p.m.

Meeting Reconvene:

Mr. Dexter reconvened the meeting to 7:03 p.m.

Pledge of Allegiance:

Mr. Suarez led the pledge of allegiance to the United States Flag.

Minutes:

Mr. Thrift made a motion, seconded by Mr. McCall, approved 5 – 0 that the minutes from the February 2, 2010 regular meeting be adopted as printed.

Public Hearing regarding the Following Ordinances:

Ordinance 2009-27 “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”
[Reference: Parkview East / Parkview South]

Mr. Dexter opened the floor for public comment as no citizens signed up to speak prior to the meeting.

Mr. Richard Hyslop, POA President of Parkview, addressed the Council in support of this ordinance.

Mr. B. J. Littleton addressed the Council in opposition to all zoning.

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

Mr. Dexter closed the Public Hearing regarding Ordinance 2009-27.

Consideration of the Following Ordinances:

Ordinance 2009-27:

Mr. Suarez made a motion, seconded by Mr. McCall, approved 5 – 0 to approve **Ordinance 2009-27** “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” on third and final reading.

Ordinance 2009-22:

Mr. Corbeil made a motion, seconded by Mr. Thrift, approved 5 – 0 to approve **Ordinance 2009-22** “AN ORDINANCE OF THE COUNTY COUNCIL OF OCONEE COUNTY, SOUTH CAROLINA DESIGNATING OCONEE COUNTY, SOUTH CAROLINA AS A RECOVERY ZONE FOR PURPOSES OF SECTIONS 1400U-1, 1400U-2 AND 1400U-3 OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED; PROVIDING FINDINGS; PROVIDING FOR ELIGIBLE ACTIVITIES/PROJECTS FOR RECOVERY ZONE ECONOMIC DEVELOPMENT BONDS AND PROVIDING FOR ELIGIBLE ACTIVITIES/PROJECTS FOR RECOVERY ZONE FACILITY BONDS” on second reading.

The Administrator noted during discussion that this ordinance would have no further action until such time as an entity is identified and at that point the ordinance would be modified further.

Ordinance 2010-04:

Mr. Thrift made a motion, seconded by Mr. McCall, approved 5 – 0 to approve **Ordinance 2010-04** “AN ORDINANCE TO AMEND THE AGREEMENT AUTHORIZED BY ORDINANCES 2006-27 AND 2008-17 RELATING TO THE INDUSTRIAL/BUSINESS PARK OF OCONEE AND PICKENS COUNTIES SO AS TO ENLARGE THE PARK” along with the Second Amendment of Agreement for Development for Joint Industrial Park on first reading.

Ordinance 2010-05:

Mr. Thrift made a motion, seconded by Mr. Suarez, approved 5 – 0 to approve **Ordinance 2010-05** “AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF SPECIAL SOURCE REVENUE BONDS OF OCONEE COUNTY, SOUTH CAROLINA; PRESCRIBING THE FORM OF BONDS; LIMITING THE PAYMENT OF THE BONDS SOLELY TO THE PLEDGED REVENUES RECEIVED AND RETAINED BY THE COUNTY FROM THE PAYMENT OF FEES IN LIEU OF TAXES FROM CERTAIN JOINT COUNTY INDUSTRIAL AND BUSINESS PARKS AND PLEDGING THE PLEDGED REVENUES TO SUCH PAYMENT; CREATING CERTAIN FUNDS AND PROVIDING FOR PAYMENTS INTO SUCH FUNDS; AND MAKING OTHER COVENANTS AND AGREEMENTS IN CONNECTION WITH THE FOREGOING” on first reading.

Mr. Martin noted that work is still required to fine tune the language to ensure that Council’s priorities are included in the language.

Ordinance 2010-06:

Mr. Corbeil made a motion, seconded by Mr. Suarez, approved 5 – 0 to approve **Ordinance 2010-06** “A FIRST SUPPLEMENTAL ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF A NOT EXCEEDING \$4,000,000 SPECIAL SOURCE REVENUE BOND, SERIES 2010, OF OCONEE COUNTY, SOUTH CAROLINA; PRESCRIBING THE FORM AND DETAILS OF SUCH BOND; AUTHORIZING THE CHAIRMAN OR VICE-CHAIRMAN AND THE COUNTY ADMINISTRATOR TO DETERMINE CERTAIN MATTERS RELATING TO THE BOND; PROVIDING FOR THE PAYMENT OF THE BOND AND THE DISPOSITION OF THE PROCEEDS THEREOF; AND OTHER MATTERS RELATING THERETO” on first reading.

Ordinance 2010-07:

Mr. Thrift made a motion, seconded by Mr. McCall, approved 5 – 0 to approve **Ordinance 2010-07** AN ORDINANCE TO DEVELOP A JOINT COUNTY BUSINESS PARK IN CONJUNCTION WITH PICKENS COUNTY, SOUTH CAROLINA (“PICKENS COUNTY”), SUCH BUSINESS PARK TO BE GEOGRAPHICALLY LOCATED IN OCONEE COUNTY, SOUTH CAROLINA (“OCONEE COUNTY”) AND ESTABLISHED PURSUANT TO ARTICLE VIII, SECTION 13 OF THE SOUTH CAROLINA CONSTITUTION, AND SOUTH CAROLINA CODE OF LAWS OF 1976 §4-1-170, ET SEQUITUR, AS AMENDED; TO PROVIDE FOR A WRITTEN AGREEMENT WITH PICKENS COUNTY PROVIDING FOR THE PAYMENT OF EXPENSES OF THE PARK, THE PERCENTAGE OF REVENUE APPLICATION, AND THE DISTRIBUTION OF FEES-IN-LIEU OF *AD VALOREM* TAXES TO OCONEE COUNTY, PICKENS COUNTY AND RELEVANT TAXING ENTITIES; TO PROVIDE THAT JOBS TAX CREDITS ALLOWED BY LAW BE PROVIDED FOR BUSINESSES LOCATING IN SAID PARK; TO PERMIT A USER FEE-IN-LIEU OF *AD VALOREM* TAXATION WITHIN SAID PARK; AND OTHER MATTERS RELATED THERETO” and Agreement for Development of Joint Industrial Park on first reading.

Discussion & Possible Action Items:

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

Ms. Robyn Courtright, Procurement Director, addressed Council regarding this agenda item outlining the process for the award, review of two protests and the recommendation of staff regarding specifics to award the bid.

Mr. McCall made a motion, seconded by Mr. Thrift, approved 5 – 0 to [1] award Bid 09-10, Road Paving 2009-2010 to Venesky Asphalt Paving & Grading, LLC of Easley, SC in the amount of \$1,068,281.81, and [2] authorize staff to spend an additional \$96,145.36, a 9% contingency if needed, to account for fluctuating asphalt prices and variations in unit quantities, and [3] authorize an additional \$35,000 to purchase stone from the Oconee County Rock Quarry [with the understanding that the total amount is not exceed \$1,199,427.17], and [4] execute the contract.

IT / ITB 09-17 / Cisco branded network hardware, software and services:

Mr. Corbeil made a motion, seconded by Mr. Thrift, approved 5 – 0 to award ITB #09-17 to Pomery It of Hebron, KY, Thomas Glover and Associates of Inman, SC and VC3 of Columbia, SC for a period of one year with the option to renew for four additional one-year periods. It should be noted that the request to grant Procurement a waiver from the requirement that all future Cisco purchase be brought back to Council for approval was denied.

Emergency Services / Sole Source / Extrication Tools / \$50,775.60:

Mr. McCall made a motion, seconded by Mr. Thrift, approved 5 – 0 to award purchase of extrication tools to equip two new pumper trucks, for the Emergency Services department, to Henry Schein/Matrx Medical of Irmo, SC, as the sole authorized dealer in the amount of \$50,775.60 including taxes and delivery.

Board & Commission Appointments:

None at this meeting.

Commission & Board Reports to Council:

Aeronautics Commission:

Mr. Kevin Short, Airport Director, gave the Commission presentation to Council utilizing a PowerPoint presentation [filed with these minutes] highlighting the groups goals and accomplishments.

Council Committee Reports:

None at this meeting.

Administrator's Report:

Mr. Klugh stated that he had no report at this time.

Old Business:

Administrator Follow-up Report: Jail Options:

Mr. Klugh, Sheriff Singleton and Maj. Steve Pruitt utilizing a PowerPoint presentation [filed with these minutes] summarized and highlighted for Council regarding previous reports and options related to the design and construction of a new jail facility.

Mr. Klugh's recommendation to Council was to develop an RFQ for an independent Program Management company to assist with the process at all stages from plan development through the construction completion. Discussion followed.

Mr. Corbeil made a motion, seconded by Mr. Suarez, approved 5 – 0 to authorize staff to draft an RFQ to procure Program Management services.

Review & Update regarding Administrator Search Schedule:

Mr. Klugh presented to Council for discussion a reviewed timeline for the Administrator Search Process. Council concurred with the timeline.

Mr. Dexter announced that as part of this timeline two Executive Session Council Meetings will be scheduled for 7:00 p.m. on Tuesday, March 9, 2010 and Tuesday, March 23, 2010.

School District of Oconee [SDOC] Meeting Schedule:

Mr. Thrift asked that the Council Chair again approach the SDOC to identify a way in which we will not have meeting conflicts. Mr. Dexter stated that he has met and will continue to work toward obtaining this goal.

New Business:

Meeting Announcements:

Mr. Dexter stated that Council will hold a joint workshop meeting with the Planning Commission on Monday, February 22, 2010 at 6:30 p.m. in Council Chambers to review the revised Comprehensive Plan.

Building Codes:

Mr. McCall asked the Administrator to investigate concerns report to him regarding a lack of consistency in the way rules are applied by building codes officials.

Oconee Tea Party letter to Council Members:

Mr. Thrift noted that he and other council members had received anonymous letters regarding attendance at the annual SCAC conference held in Hilton Head. He informed those present that allegations were made about lavish accommodations, poolside drinking, golf and partying. He clearly stated that the allegations were untrue and that he and his fellow council members do attend continuing educational opportunities and do not abuse the travel policy of the county. Mr. Corbeil noted that members routinely do not request reimbursement for either food or gas for travel to these out of town conferences and seminars. Lastly, the Clerk affirmed that any lodging at the Hilton Head conference was procured at the lowest rate available with rooms that overlook the parking lot not the beach.

Adjourn:

Mr. Thrift made a motion at 9:09 p.m. to adjourn the meeting. The motion was approved unanimously.

Respectfully Submitted:

Elizabeth G. Hulse
Clerk to Council