



MINUTES
OCONEE COUNTY COUNCIL MEETING
Regular Meeting
May 4, 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, May 4, 2010 at 6:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members [except Mr. Suarez], 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: Ray Chandler – Anderson Independent, Dick Mangrum – WGOG Radio, Ashton Hester – Keowee Courier & Carlos Galarza - Daily Journal.

Call to Order:

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

Public Comment Session:

Ms. Rebecca Gaetz, South Carolina Policy Council, addressed Council in opposition to Ordinance 2010-06.

Mr. Geoff Pallay, South Carolina Policy Council, addressed Council in opposition to Ordinance 2010-06. Mr. Pallay read portions from a policy statement [filed with these minutes].

Mr. Brit Adams addressed Council in opposition to Ordinance 2010-06.

Mr. Randy Simpson addressed Council in opposition to Ordinance 2010-06. Mr. Simpson read portions from a South Carolina Policy Council fact sheet [filed with these minutes].

Mr. Joseph Jones addressed Council in opposition to Ordinance 2010-06.

Mr. Larry Linsin addressed Council in opposition to Ordinance 2010-06.

Mr. Tom Sitton addressed Council in opposition to Ordinance 2010-06 utilizing a single slide PowerPoint presentation [filed with these minutes].

Mr. B. J. Littleton addressed Council in opposition to the Zoning Enabling Ordinance.

Extended Public Comment Session:

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

County Council Response to Public Comment:

No Council members spoke at this time.

Meeting Recess:

Mr. Dexter recessed the meeting to 6:34 p.m.

Meeting Reconvene:

Mr. Dexter reconvened the meeting to 7:00 p.m.

Pledge of Allegiance:

Mr. McCall 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 April 20, 2010 regular meeting be adopted as printed.

Public Hearings regarding the Following Ordinances:

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.

Mr. Dexter opened the Public Hearing.

Mr. Dexter noted that nobody signed up for comment during the Public Hearing. He asked if anyone present wished to speak. No citizens came forward to address Council.

Mr. Dexter asked for any written comments for inclusion in the record. No written comments were submitted.

Mr. Dexter closed the Public Hearing.

Consideration of the Following Resolutions:

Resolution R2010-05:

Mr. Martin noted that the wording on the agenda was inaccurate; it is not a Lease Agreement but a Use & Maintenance Agreement.

Mr. Thrift made a motion, seconded by Mr. McCall, to approve **Resolution R2010-05** A RESOLUTION AUTHORIZING THE TERMINATION OF AN EXISTING AGREEMENT, DATED JULY 18, 2006, AND TO AUTHORIZE A USE AND MAINTENANCE AGREEMENT WITH THE SOUTH CAROLINA FOOTHILLS HERITAGE FAIR, ALL WITH REGARDS TO THAT CERTAIN OCONEE COUNTY PROPERTY LOCATED, GENERALLY, AT 1220 HIGHWAY 59, FAIR PLAY, SOUTH CAROLINA; AND OTHER MATTERS RELATED THERETO” along with the Use & Maintenance Agreement on first and final reading.

Consideration of the Following Ordinances:

Ordinance 2010-02:

Mr. McCall made a motion, seconded by Mr. Dexter, to approve **Ordinance 2010-02** “AN ORDINANCE TO ESTABLISH CENTRALIZED PROCUREMENT REGULATIONS FOR OCONEE COUNTY, REPLACING ORDINANCE 2001-15 AND AMENDMENT ORDINANCE 2002-12” on third and final reading.

Mr. McCall made a motion, seconded by Mr. Thrift, approved 4 – 0 to amend **Ordinance 2010-02** “AN ORDINANCE TO ESTABLISH CENTRALIZED PROCUREMENT REGULATIONS FOR OCONEE COUNTY, REPLACING ORDINANCE 2001-15 AND AMENDMENT ORDINANCE 2002-12”to include the local vendor preference using the wording as outlined on the agenda item summary. Discussion followed.

Mr. Dexter called for the vote for third and final reading of the ordinance as amended. **Ordinance 2010-02** “AN ORDINANCE TO ESTABLISH CENTRALIZED PROCUREMENT REGULATIONS FOR OCONEE COUNTY, REPLACING ORDINANCE 2001-15 AND AMENDMENT ORDINANCE 2002-12” as amended was approved 4 – 0 on third and final reading.

Ordinance 2010-04:

Mr. Thrift made a motion, seconded by Mr. Corbeil, approved 4 – 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 third and final reading.

~ ~ ~ ~ ~

Mr. McCall absented himself from the meeting at this time due to a documented potential conflict [filed with April 13, 2010 minutes] regarding Ordinances 2010-05, 2010-06 and 2010-07.

Ordinance 2010-05:

Mr. Corbeil made a brief statement noting that he understood the concerns of come citizens but assured those present that Council has done the research needed on this and the next two ordinances. He noted that approximately 70% of the emails and phone calls received have been favorable after he had an opportunity to review all the facts with the citizens.

Mr. Dexter noted that Council did do their “homework” regarding these three ordinances and that there had been two workshops and four council meetings were they were discussed and the issues addressed fully.

Mr. Corbeil made a motion, seconded by Mr. Thrift, approved 3 – 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 third and final reading.

Ordinance 2010-06:

Mr. Corbeil made a motion, seconded by Mr. Thrift, approved 3 – 0 to approve **Ordinance 2010-06** “A FIRST SUPPLEMENTAL ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF A NOT EXCEEDING \$3,500,000 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 third and final reading.

Ordinance 2010-07:

Mr. Corbeil made a motion, seconded by Mr. Thrift, approved 3 – 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” & Agreement for Development of Joint Industrial Park on third and final reading.

Mr. McCall returned to the meeting at this time.

Ordinance 2010-18:

Mr. Martin noted that the lease for this Ordinance was not ready for this meeting but that first reading of the ordinance alone was proper.

Mr. Corbeil made a motion, seconded by Mr. Thrift, approved 4 – 0 to approve **Ordinance 2010-18** “AN ORDINANCE TO AUTHORIZE THE LEASING OF CERTAIN OCONEE COUNTY SPACE; AND OTHER MATTERS RELATED THERETO on first reading.

Discussion & Possible Action Items:

Solid Waste / Professional Engineering Services / \$82,000 / Methane Extraction Wells

Mr. McCall made a motion, seconded by Mr. Thrift, approved 4 – 0 to award the contract for professional engineering services to B. P. Barber and Associates of Columbia, SC, in the amount of \$82,000.00 for the installation of methane extraction wells for the Solid Waste department noting that this amount includes a \$2,000 contingency.

RFP 09-16 / \$479,342 / Workers’ Compensation Insurance

Mr. Thrift made a motion, seconded by Mr. McCall, approved 4 – 0 to approve the award of RFP 09-16, Workers’ Compensation Insurance to the South Carolina Counties Workers’ Compensation Trust (SCCWCT) of Columbia, SC in the amount of \$479,342.00 for the annual premium amount for FY 2010-2011 and also approve the renewal of this contract for four additional one year periods.

Public Works / Bid #09-13 / \$140,290 / Pre-Engineered Metal Building (PEMB)

Mr. Thrift made a motion, seconded by Mr. McCall, approved 4 – 0 to award Bid #09-13, Pre-Engineered Metal Building (PEMB) for Oconee County Public Works Facility to Able Constructors, Inc. of Greenville, SC in the amount of \$140,290.00.

Council Discussion regarding New Oconee County Library Branch / Seneca

Mr. Thrift made a motion, seconded by Mr. Dexter, approved 4 – 0, to approve the Library Board to move forward and apply for the \$2.8 million grant while at the same time the County will pursue a General Obligation Bond in the amount of \$5.6 million with the proviso that if either the grant or bond are denied that the process halts.

Board & Commission Appointments:

None scheduled for this meeting.

Commission & Board Reports to Council:

None scheduled for this meeting.

Council Committee Reports:

Budget, Finance & Administration

Mr. Dexter briefly summarized the work done at the budget meetings held on April 21, 2010, April 22, 2010 and April 27, 2010 [copy of statement filed with these minutes].

Law Enforcement, Public Safety, Health & Welfare

Mr. McCall briefly summarized the work done at the April 26, 2010 meeting.

Mr. Thrift made a motion, seconded by Mr. Corbeil, approved 4 – 0 to approve the Committee’s recommendation that the County Administrator begin negotiations for a fire service contract with the City of Seneca.

Administrator’s Report:

ACOG Letter re: Jointly Owned Property with Anderson & Pickens Counties:

Mr. Klugh reviewed with Council the April 30, 2010 ACOG letter [filed with these minutes] outlining the process for the bid on the jointly owned property. Discussion followed.

Mr. Dexter made a motion, seconded by Mr. Corbeil, approved 4 – 0 to direct the Administrator to move forward with ACOG as outlined in the April 30, 2010 letter.

Customer Service Training by SDOC personnel:

Mr. Klugh advised Council that Ms. Kay Powell, SDOC, had conducted 5 Customer Service Training meetings with county staff. He noted that the training was well received and wanted to thank Ms. Powell and the SDOC for their cooperative effort in this training.

Broad Band IT Grant Update:

Mr. Klugh advised Council that he had received notice that the county’s broad band grant application had been approved on the first level and has been moved to the “due diligence” phase for approval. He noted that final notice regarding outcome is expected in September, 2010.

Old Business:

No Old Business was discussed at this meeting.

New Business:

Rock Quarry – Three Years without Accident

Mr. McCall wanted Council and those present to be aware that the management and staff at the Rock Quarry had attained three years without a report of accident. Mr. McCall and Council commended Mr. Martin and his staff for a job well done.

Leadership Oconee Graduate – Ms. Kendra Brown

Mr. Thrift advised Council that Assistant Administrator, Ms. Kendra Brown, graduated along with other classmates the previous evening from Leadership Oconee. He stated that it required dedication and hard work by the class and that it was a very worthwhile program. Mr. Thrift invited those present to consider enrolling in the 2011 class. Council commended Ms. Brown and the other county employees on their graduation from Leadership Oconee.

Adjourn:

Mr. Thrift made a motion at 8:02 p.m. to adjourn the meeting. The motion was approved unanimously.

Respectfully Submitted:

Elizabeth G. Hulse
Clerk to Council