



MINUTES
OCONEE COUNTY COUNCIL MEETING
Regular Meeting
July 6, 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, July 6, 2010 at 6:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members, Administrator Scott Moulder, 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:

Mr. John Daten, Constitution Party candidate for Congress, addressed Council utilizing a political speech not related to a specific agenda item.

Mr. John Adams addressed Council in support for construction of the second shell building.

Mr. C. W. Richards addressed Council in opposition to the construction of a second shell building; stating the need to promote existing empty building in Oconee County first.

Ms. Jean Jennings addressed Council voicing concerns that the County is not providing enough activity for young people as part of our economic development incentive plan.

Mr. B. J. Littleton addressed Council in support of Mr. McCall.

Extended Public Comment Session:

None at this meeting.

County Council Response to Public Comment:

Mr. McCall stated that he is not the only one working for the benefit of the taxpayers. He stated that Council can disagree but they work well together and respect each other.

Mr. Dexter stated that in talks with adjacent counties [Pickens & Anderson] that Oconee County in order to maintain a tax base does not give away to developers and/or industry tax incentives as other counties do.

Meeting Recess:

Mr. Dexter recessed the meeting to 6:28 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 3 – 0 [Mr. Dexter abstained – form filed with these minutes] that the minutes from the June 15, 2010 regular meeting be adopted as printed.

Mr. Corbeil made a motion, seconded by Mr. Thrift, approved 4 – 0 that the minutes from the June 29, 2010 special meeting be adopted as printed.

Mr. Thrift made a motion, seconded by Mr. Corbeil, approved 4 – 0 that the minutes from the June 29, 2010 workshop meeting with the Planning Commission be adopted as printed.

Public Hearings regarding the Following Ordinances:

Ordinance 2010-23 AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND U.S. ENGINE VALVE CORPORATION; AND OTHER MATTERS RELATING THERETO INCLUDING, WITHOUT LIMITATION, PAYMENT OF A FEE IN LIEU OF TAXES

Ordinance 2010-24 “AN ORDINANCE TO AMEND THE AGREEMENT AUTHORIZED BY ORDINANCES NO. 2006-027, 2008-017 AND NO. 2010-04 RELATING TO THE INDUSTRIAL/BUSINESS PARK OF OCONEE AND PICKENS COUNTIES SO AS TO ENLARGE THE PARK”

Mr. Dexter opened the Public Hearing.

Mr. Thrift made a motion, seconded by Mr. McCall, approved 4 – 0 to remove from the public hearing and consideration for third reading **Ordinance 2010-17** and to send the ordinance to the Transportation Committee for review and revision.

Mr. Dexter noted that no citizens signed up to speak. He opened the floor and asked if anyone else 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 R2010-10:

Mr. Corbeil made a motion, seconded by Mr. Thrift, approved 4 – 0 to approve **Resolution R2010-10** “RELATING TO THE DECLARATION OF INTENT BY OCONEE COUNTY, SOUTH CAROLINA, TO REIMBURSE CERTAIN EXPENDITURES INCURRED PRIOR TO THE ISSUANCE OF FEDERALLY TAX-EXEMPT OR TAXABLE OBLIGATIONS BY THE COUNTY” on first and final reading.

Consideration of the Following Ordinances:

Ordinance 2010-17: This ordinance was removed from consideration previously in the meeting.

Ordinance 2010-19:

Mr. McCall made a motion, seconded by Mr. Corbeil, to approve **Ordinance 2010-19** on third and final reading.

Mr. Corbeil made a motion, seconded by Mr. McCall, approved 4 – 0 to amend Ordinance 2010-19 as presented. Discussion followed

Mr. Dexter called for the vote. Council approved 4 – 0 **Ordinance 2010-19** “AN ORDINANCE AUTHORIZING THE TRANSFER AND CONVEYANCE OF CERTAIN REAL PROPERTY LOCATED IN AND OWNED BY OCONEE COUNTY, SOUTH CAROLINA TO THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION AND AUTHORIZING THE EXECUTION AND DELIVERY OF A LIMITED WARRANTY DEED EFFECTING SUCH TRANSFER AND CONVEYANCE, AND RATIFYING AN ACCESS AGREEMENT FOR SUCH REAL PROPERTY; AND OTHER MATTERS RELATED THERETO.” on third and final reading as amended.

Ordinance 2010-23:

Mr. Corbeil made a motion, seconded by Mr. Thrift, to approve **Ordinance 2010-23** on third and final reading.

Mr. Corbeil made a motion, seconded by Mr. Thrift, approved 4 – 0 to amend Ordinance 2010-23 as presented. Discussion followed.

Mr. Robert Griffin, Plant Manager US Engine Valve, gave a brief presentation to Council utilizing a PowerPoint presentation [filed with these minutes] outlining their activities and community involvement.

Mr. Dexter called for the vote. Council approved 4 – 0 to approve **Ordinance 2010-23** ‘AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND PROJECT GOLD DUST; AND OTHER MATTERS RELATING THERETO INCLUDING, WITHOUT LIMITATION, PAYMENT OF A FEE IN LIEU OF TAXES” on third and final reading as amended.

Ordinance 2010-24

Mr. Corbeil made a motion, seconded by Mr. Thrift, to approve **Ordinance 2010-24** on third and final reading.

Mr. Corbeil made a motion, seconded by Mr. Thrift, approved 4 – 0 to amend Ordinance 2010-24 as presented. Discussion followed.

Mr. Dexter called for the vote. Council approved 4 – 0 **Ordinance 2010-24** “AN ORDINANCE TO AMEND THE AGREEMENT AUTHORIZED BY ORDINANCES NO. 2006-027, 2008-017 AND NO. 2010-04 RELATING TO THE INDUSTRIAL/BUSINESS PARK OF OCONEE AND PICKENS COUNTIES SO AS TO ENLARGE THE PARK” on third and final reading as amended.

Ordinance 2010-10

Mr. Corbeil made a motion, seconded by Mr. Thrift, approved 4 – 0 to remove from the table for discussion and action Ordinance 2010-10. Discussion followed.

Mr. Dexter called for the vote. Council approved 4 – 0 **Ordinance 2010-10** “AN ORDINANCE OF OCONEE COUNTY, SOUTH CAROLINA APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF A DEVELOPMENT AGREEMENT BY AND BETWEEN OCONEE COUNTY AND KEOWEE RIVER PRESERVATION GROUP, LLC, WHEREBY CERTAIN PROPERTY WILL BE SUBJECT TO CERTAIN DEVELOPMENT STANDARDS; AND OTHER MATTERS RELATED THERETO” on second reading and announced the public hearing for July 20, 2010.

Ordinance 2010-25

Mr. Thrift made a motion, seconded by Mr. Corbeil, approved 4 – 0 to approve **Ordinance 2010-25** “AN ORDINANCE TO AMEND THE OCONEE COUNTY FLOOD DAMAGE PREVENTION ORDINANCE, ORDINANCE 2008-21, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, AND TO RATIFY AND AFFIRM ALL OTHER PROVISIONS OF ORIDNANCE 2008-21 NOT AMENDED OR MODIFIED HEEREBY; AND OTHER MATTERS RELATED THERETO” on second reading and announced the public hearing for July 20, 2010.

Ordinance 2010-14

Mr. Thrift made a motion, seconded by Mr. Corbeil, approved 4 – 0 to approve **Ordinance 2010-14** “AN ORDINANCE TO REQUEST DEFERRAL OF THE FORMULATION OF A REFERENDUM BALLOT QUESTION BY THE CAPITAL PROJECTS SALES TAX COMMISSION OF OCONEE COUNTY, SOUTH CAROLINA; TO AMEND CHAPTER 2, ARTICLE IV OF THE CODE OF ORDINANCES OF OCONEE COUNTY PERTAINING TO COMMITTEES IN ORDER TO ESTABLISH THE CAPITAL PROJECTS COMMITTEE; AND OTHER MATTERS RELATED THERETO” on first reading in title only.

Discussion & Possible Action Items:

Consent Agenda Items / State & Local ATAX Grants

- \$ 1,352 / Downtown Seneca Merchant’s Assn / Advertising “Your Day” radio program / **State Grant**
- \$ 275 / Walhalla Civic Auditorium / Advertising / **State Grant**
- \$ 3,980 / Cherokee Bear Clan of SC / New Roof “SC Museum of the Cherokee” on Short Street / **State Grant**
- \$10,000 / Mountain Lakes CVB Visitor’s Guide [30,000 copies] / **Local Grant**
- \$ 4,800 / Upcountry Brochure Service to display “Waterfalls of Upstate SC”, “Camping”, etc. / **Local grant**

Mr. McCall made a motion, seconded by Mr. Thrift, approved 4 – 0 to award the State and Local ATAX Grants listed above.

SC Department of Juvenile Justice [DJJ] / Memorandum of Agreement

Mr. McCall made a motion, seconded by Mr. Thrift, approved 4 – 0 to authorize the Administrator to execute the SC DJJ Memorandum of Agreement as outlined on the agenda item.

RFP 08-11 / \$1,500,000 Oconee County Shell Building II

Mr. Corbeil made a motion, seconded by Mr. Thrift, approved 3 – 1 [Mr. McCall opposed] to award RFP #08-11, Oconee County Shell Building II, which includes the building and a retention pond that serves a 19.2 acre industrial site in the Oconee County Commerce Center, to Roebuck Buildings, in a not to exceed amount of \$1,500,000.00.

Blue Ridge Arts Council [BRAC] Funding Request / up to \$20,000

Ms. Bess Ciupak, Interim Grants Administration for BRAC, addressed Council regarding their request for funding to cover approximately 3 months of operating expenses. She outlined briefly the group’s reorganization and cost cutting measures to try to keep their doors open. Mr. Corbeil suggested a potential short term loan scenario. Mr. Martin voiced concerns and stated he would research this option and report back to Council as he was not sure that public monies could be used for this purpose. Council consensus was that they would want to review the reorganization plans prior to any approval of a loan or other direct aid money. Lengthy discussion followed. Mr. Suarez arrived during discussion of this agenda item.

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve a letter from the Council Chairman voicing Council’s support for the organization and their role in the community.

Board & Commission Appointments:

ATAX Committee: Mr. Thrift made a motion, seconded by Mr. Suarez, approved 5 – 0 to reappoint Mr. Glenn Abbott and Mr. Gerald Foster to the ATAX Committee each for an additional three year term.

Worklink: Mr. Dexter made a motion, seconded by Mr. Thrift, approved 5 – 0 to reappoint Mr. Russ Karpick for an additional three year term ending June 30, 2013.

Commission & Board Reports to Council:

None scheduled for this meeting.

Council Committee Reports:

Transportation Committee

Mr. Thrift read from a prepared statement [filed with these minutes] highlighting the actions taken at the July 1, 2010 Transportation Committee meeting.

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve acceptance of the Right-of-Way deeds for the Waterford Point Subdivision as discussed in the Transportation Committee meeting.

Mr. Corbeil made a motion, seconded by Mr. McCall, approved 5 – 0 to approve making the pilot program for in-house asphalt purchases a permanent policy for Procurement.

Mr. Thrift requested the County to draft an ordinance stating that after Transportation Committee review and approval of a citizen initiated road closure matter that it is the responsibility of the citizen[s] to pursue in court the road closure action and all expenses related to the action are the sole responsibility of the citizen[s] initiating the matter.

Administrator's Report:

Mr. Moulder stated he had no report for this meeting.

Old Business:

No Old Business was discussed at this meeting.

New Business:

Mr. Dexter asked the Administrator to contact the Oconee Joint Regional Sewer Authority [OJRSA] Director, Bob Winchester, to schedule a joint workshop with Council to be held in Council Chambers the week of July 12-16, 2010 at 6:00 p.m.

Executive Session:

Mr. Suarez made a motion, seconded by Mr. Corbeil, approved 5 – 0, to enter into Executive Session for the purpose of discussing a personnel and contractual matter. Council entered Executive Session at 8:43 p.m. Council returned from Executive Session on a motion by Mr. McCall, seconded by Mr. Thrift approved unanimously at 9:48 p.m. Mr. Dexter noted that no action was taken in Executive Session.

Adjourn:

Mr. McCall made a motion at 9:50 p.m. to adjourn the meeting. The motion was approved unanimously.

Respectfully Submitted:

Elizabeth G. Hulse, Clerk to Council