



MINUTES
OCONEE COUNTY COUNCIL MEETING
Regular Meeting
September 7, 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, September 7, 2010 at 6:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members, Thomas L. Martin County Attorney, County Administrator Scott Moulder 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 [*upon request*] to the newspapers, radio stations, television stations and concerned citizens.

Member of the press present: Dick Mangrum – WGOG Radio, Ray Chandler – Anderson Independent, 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 [related to specific agenda items]:

Mr. Tom Markovich addressed Council voicing concerns that the public perceives Ordinance #2010-01 as a mandate and not a guideline. In addition, he stated he had concerns with wording of Ordinance #2010-30.

Extended Public Comment Session:

Jail/Volunteering/Indoor Activity Center/Media Attacks on Oconee County: Mr. George Cleveland

Mr. Cleveland addressed Council voicing concerns about increased recidivism and jail populations. He stated he felt it was not appropriate to incarcerate people for failure to pay child support, for bad checks, suspended driver's licenses, etc. Mr. Cleveland tied this to the need or additional recreational activities for our youth noting that these activities keep kids active and out of trouble.

Lastly Mr. Cleveland voiced concerns that the Seneca based newspaper is consistently reporting in a negative and biased manor issues about the county and the counties activities.

PointWest: Mr. C. W. Richards

Mr. Richards addressed Council reading from portions of Ordinances #2010-05 & 2010-06 voicing concerns that the tax payers will be paying for the bond issued for the PointWest project and not the developer.

Public Comment Session [related to non-agenda items]:

Mr. Britt Adams addressed Council requesting “town hall” meeting format where no business so that the public can get more information and have their questions answered.

Mr. Neal Workman addressed Council regarding the public’s concerns regarding the PointWest development. He stated that the new tax revenue generated at HighPointe will currently exceed the debt service needed for the interest only payments for this year and next year. By the time that principal and interest payments come due the new product in place that was currently not on the tax roles prior to Council approving the bond will be sufficient to make all interest and principal payments.

Mr. B. J. Littleton addressed Council regarding his support for tearing down the Brown Building to provide additional parking for the courthouse/museum complex.

County Council Response to Public Comment:

Mr. Corbeil responded to Mr. Richards concerns stating that the \$457,000 in property taxes currently being collected will continue to be set aside for the general fund and not used to repay the bond. Taxes on the new buildings not yet on the tax roles will be used to pay the principal and interest on the bond. In 2012 there is an interest only payment due of approximately \$130,000 and the county will receive \$143,000 in taxes on the applicable property. In subsequent years the \$346,000 payment will be generated by the project in sufficient amounts to cover the payments. The developer is the only one paying property tax to cover the bond payments – no other citizen tax dollars will be used for this project.

Mr. Dexter stated that it had been reported that he said he wanted to “educate the public”. He apologized if that was the impression he left as it was not his intention. Mr. Dexter stated that he wanted to have educated, informative discussions as it relates to the local option sales tax. Lastly, he stated that he was willing to meet with any individual or group for a question and answer session at any time.

Meeting Recess:

Mr. Dexter recessed the meeting to 6:30 p.m.

Meeting Reconvene:

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

Pledge of Allegiance:

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

Minutes:

Mr. Corbeil made a motion, seconded by Mr. Thrift, approved 4 – 0 [Mr. Suarez abstained – form filed with the minutes] that the minutes from the August 17, 2010 regular meeting be adopted as printed.

Mr. Thrift made a motion, seconded by Mr. Corbeil, approved 3 – 0 [Mr. Suarez & Mr. McCall abstained – forms filed with these minutes] that the minutes from the August 24, 2010 workshop meeting with the Oconee Joint Regional Sewer Authority be adopted as printed.

Presentation of Awards to Oconee County:

Mr. Moulder asked for a moment to present two awards to Council which he stated highlights the hard work and dedication of the county staff.

SCAC 2010 Barrett Lawrimore Memorial Regional Cooperation Award presented to the Western Piedmont Regional Emergency Task Force

Mr. Moulder presented a plaque to Mr. Dexter and outlined the highlights of the Western Piedmont Regional Emergency Management Task Force (*Anderson, Abbeville, Greenwood, Oconee, and Pickens counties*) who partnered with the U.S. Army Reserve and hosted a full-scale local disaster exercise in June involving FEMA, SLED, 105 additional local, state and federal agencies and private industries, utilities and volunteer organizations. Called "Red Dragon/Palmetto Shield," the exercise simulated a multiple weapons attack by terrorists. The Western Piedmont Regional Emergency Management Task Force previously won the Barrett Lawrimore Memorial Regional Cooperation Award in 2006 and 2008.

2010 Census Appreciation

Mr. Moulder presented a plaque from the US Census Bureau to Mr. Dexter and highlighted the activities of the Planning Department in making the 2010 Census a success noting that the county set response records showing a dramatic improvement in the count. He also stated that the importance of accurate Census data impacts everyone in Oconee County as federal funding is based on population. If the numbers are sufficient we could also get an additional seat in Congress. Mr. Moulder specifically recognized Mr. Art Holbrooks, Planning Director, and the Planning Department staff for a job well done.

Consideration of the Following Proclamations:

Proclamation P2010-04

Mr. Dexter asked Mr. Michael Grey, Chickasaw Point Property Owner's [POA] President, to step forward to accept Proclamation P2010-04. Mr. Dexter read the proclamation into the record. Mr. Grey thanked Council and asked members of the POA to stand to be recognized.

Mr. Thrift made a motion, seconded by Mr. Suarez, approved 5 – 0 to approve Proclamation P2010-04 "A PROCLAMATION HONORING THE CHICKASAW PROPERTY OWNERS ASSOCIATION" on first and final reading.

Consideration of the Following Ordinances:

Ordinance 2010-01

Mr. Moulder and Mr. Holbrooks addressed Council regarding second reading of Ordinance 2010-01 noting that first reading was by title only. It was noted that a Public Hearing was required for this ordinance and that a minimum of 30 days notice was required. Mr. Suarez asked that additional photographs of historic sites be included in the document.

Mr. Corbeil made a motion, seconded by Mr. Suarez, approved 5 – 0 to approve Ordinance 2010-01 "AN ORDINANCE TO AMEND THE OCONEE COUNTY COMPREHENSIVE PLAN" on second reading and to schedule the Public Hearing for Tuesday, October 19, 2010.

Ordinance 2010-30

Mr. Dexter noted that **Ordinance 2010-30** “AN ORDINANCE ESTABLISHING AN OCONEE COUNTY CONSERVATION BANK TO FUND THE PROTECTION OF LANDS WITH SIGNIFICANT NATURAL, CULTURAL AND/OR HISTORIC RESOURCES IN OCONEE COUNTY” was being removed from consideration at this meeting so additional work could be done prior to first reading.

Ordinance 2010-31

Mr. Thrift prior to discussion or voting noted that he was going to recuse himself from discussion and voting on his matter. He stated that he had sought a SC Ethics Commission opinion regarding his personal friendship with the owner of the property the county is considering purchasing. The Ethics Commission stated that there was no conflict but if he wished to avoid the appearance of impropriety, therefore he could recuse himself from the matter. Mr. Thrift at this time left the meeting so discussion and voting could take place.

Mr. Corbeil made a motion, seconded by Mr. Suarez, approved 3 – 1 - 1 [Mr. McCall opposed & Mr. Thrift abstaining] to approve **Ordinance 2010-31** “AN ORDINANCE AUTHORIZING THE PURCHASE OF CERTAIN OCONEE COUNTY REAL PROPERTY, CONTINGENT ON THE SATISFACTORY COMPLETION OF ALL DUE DILIGENCE AND CONTRACTUAL REQUIREMENTS ESTABLISHED BY OCONEE COUNTY, TO THE SATISFACTION OF OCONEE COUNTY COUNCIL; AUTHORIZING THE COMPLETION OF SUCH DUE DILIGENCE AND CONTRACTS; AUTHORIZING THE RECEIPT OF ALL LAWFUL FUNDS AUTHORIZED FOR SUCH PURCHASE; AUTHORIZING THE EXECUTION AND DELIVERY OF ALL CONTRACTS, INTERGOVERNMENTAL AGREEMENTS, AND OTHER DOCUMENTS RELATED TO SUCH PURCHASE; AUTHORIZING THE AMENDMENT OF THE CURRENT OCONEE COUNTY BUDGET ORDINANCE TO PROVIDE ACCOUNTING AND FUNDING FOR THE TOTAL COST OF CONTRACTING FOR AND PURCHASING SUCH PROPERTY; AND OTHER MATTERS RELATED THERETO” on first reading.

Mr. Thrift returned to the meeting after the vote on this matter.

Discussion & Possible Action Items:

Consent ATAX Agenda Items

Mr. Moulder and Mr. Phil Shirley, PRT Director, addressed Council regarding the Local and State ATAX requests.

Local ATAX to include:

- [1] up to \$6,000 / South Carolina State Visitors Guide / Advertising [*balance from CVB*],
- [2] up to \$2,428 / Reprint 20,000 PRT Camping Brochures, and
- [3] \$4,630 / Walhalla Merchants Association / Advertising to promote 2010 Oktoberfest

State ATAX to include:

- [1] \$12,500 / Carolina Heritage Fair / Advertising, and
- [2] \$22,630 / Oconee Tourism Commission / Advertising 2 Events & Greater Chamber Web Design

Mr. Suarez made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve the Local and State ATAX requests as outlined above and on the agenda item summaries.

Roads & Bridges / \$101,628 / Four (4) 2011 Ford F-250 ¾ ton pick-up trucks per State Contract #4400001705 & Approve Budget Revision

Mr. Moulder and Ms. Robyn Courtright, Procurement Director, addressed Council regarding the purchase of the four trucks for the Road Department.

Mr. Thrift made a motion, seconded by Mr. Corbeil, approved 5 – 0 to [1] award the purchase of four (4) 2011 Ford F-250 ¾ ton pick-up trucks in the amount of \$101,628.00 to Benson Ford Mercury of Easley, SC, per State Contract #4400001705 for Oconee County Roads and Bridges Department, and [2] Approve the Administrator to execute the appropriate Budget Revision Form.

Motion to Amend Agenda to Consider Bid 09-24

Mr. Thrift made a motion, seconded by Mr. McCall, approved 5 – 0 to amend the agenda to include discussion and action on Bid 09-24; a one year contract for boring of fiber optic cabling in an amount not to exceed of \$1,800,000.

Bid 09-24 / One year contract for boring of fiber optic cabling / in the amount not to exceed of \$1,800,000.00

Mr. Moulder and Ms. Courtright addressed Council outlining the bid procedures for Bid-09-24 noting that this company had successfully completed a job for the Library system. Ms. Courtright read from the bid form [page 15, copy filed with these minutes] outlining the specifics of the bid for two projects. Discussion followed.

Mr. Thrift made a motion, seconded by Mr. Corbeil, approved 5 – 0 to award Bid 09-24 for a one year contract for boring of fiber optic cabling to Southern Pipeline Utility, Inc., of Hayesville, NC, in an amount not to exceed \$1,800,000.00.

Board & Commission Appointments:

None scheduled for this meeting.

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 discussion at the September 2, 2010 meeting.

Mr. Corbeil made a motion, seconded by Mr. Dexter, approved 5 – 0 to approve a correction to the approved road listing [changing Concord Industrial to Industrial Park Place] for the paving contract.

Council concurred with the Committee recommendation to not accept Mary Sue Lane into the county road system for maintenance or paving.

Council concurred with all other recommendations from the Committee as outlined on the Note Summary filed with these minutes.

Administrator's Report:

Oconee County Bond Refinancing Savings for Taxpayers

Mr. Moulder reviewed with Council the estimated savings to county taxpayers with the recent bond refinancing [copy filed with these minutes]. He stated that over seven [7] years the county will save \$491,440. As this is part of the debt millage and not the millage assessed for general operations it will be reflected in direct savings for the taxpayers.

Old Business:

District III Representative's Concerns with Necessity for Recusal

Mr. Suarez stated that he supported Mr. Thrift's decision to recuse himself regarding Ordinance #2010-31 but he was concerned how and why this issue arose.

New Business:

Ten at the Top Meeting

Mr. Corbeil noted that the Ten at the Top group would be holding a dinner meeting on Monday, October 11, 2010 at 5:00 p.m. at the Gignilliat Center in Seneca. The meeting will be a briefing for the public and solicit additional input from citizens.

Executive Session:

Mr. Thrift made a motion, seconded by Mr. McCall, approved 5 – 0 to enter into Executive Session for the purpose of discussion of a contractual matter related to the acquisition of land. Council entered into Executive Session at 8:03 p.m.

Council returned from Executive Session at 8:37 p.m.

Mr. Dexter stated that no actions were taken in Executive Session.

Mr. Dexter also noted that the Executive Session also included discussion of three personnel issues related to three specific employees.

No action was taken on matters discussed in Executive Session.

Adjourn:

Mr. McCall made a motion at 8:39 p.m. to adjourn the meeting. The motion was approved unanimously.

Respectfully Submitted:

Elizabeth G. Hulse
Clerk to Council