



MINUTES
OCONEE COUNTY COUNCIL MEETING
Regular Meeting
October 19, 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, October 19, 2010 at 6:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members [except Mr. Dexter], 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: Ray Chandler – Anderson Independent, Dick Mangrum – WGOG Radio, Ashton Hester – Keowee Courier & Carlos Galarza - Daily Journal.

Call to Order: Mr. Thrift called the meeting to order at 6:00 p.m. Prior to the beginning of Public Comment, Mr. Thrift announced that Mr. Dexter would not be in attendance due to the death of his father and the need to take care of his mother in New York. He asked that all present keep the family in their thoughts and prayers during this difficult time.

Public Comment Session [related to specific agenda items]: None at this meeting.

Extended Public Comment Session: None scheduled at this meeting.

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

Mr. Steve Moore addressed Council voicing concerns that Council did not adequately inform the citizens about the Comprehensive Plan; his opposition to the zoning enabling ordinance, millage reduction and adjusting the value of a mill, and the use of the Project North property for recreation.

Ms. Barbara Robinson addressed Council in support of an expanded spay and neuter program in Oconee County.

Ms. Sunny Hamill addressed Council in support of an expanded spay and neuter program in Oconee County. Ms. Hamill also presented signed petitions [filed with these minutes] showing citizen support for such a program.

Mr. Randy Simpson addressed Council in opposition to using a single vet for the spay/neuter program as citizens may prefer to use their own vet for the surgery.

Mr. B. J. Littleton addressed Council regarding his opposition to adoption of the Comprehensive Plan noting that Oconee County was not required to adopt a plan. In addition he opposes continued funding for the Economic Development department and their use of Anderson County real estate companies.

County Council Response to Public Comment:

Mr. Corbeil noted that Council has in the past been criticized for not engaging in private/public partnerships in Oconee County. The Economic Development Commission is an example of how these partnerships work.

Meeting Recess:

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

Meeting Reconvene:

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

Prior to the beginning the business portion of the meeting, Mr. Thrift again announced for newcomers to the meeting that Mr. Dexter would not be in attendance due to the death of his father and the need to take care of his mother in New York. He asked that all present keep the family in their thoughts and prayers during this difficult time.

Pledge of Allegiance:

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

Minutes:

Mr. Corbeil made a motion, seconded by Mr. McCall, approved 3 – 0 that the minutes from the October 5, 2010 regular meeting be adopted as printed.

Public Hearing regarding the following Ordinances:

Ordinance 2010-01 “AN ORDINANCE TO AMEND THE OCONEE COUNTY COMPREHENSIVE PLAN

Ordinance 2010-28 “AN ORDINANCE CREATING A STANDARD SET OF PROCEDURES AND POLICIES FOR THE CONSENT OF OCONEE COUNTY COUNCIL TO THE PROPOSED ABANDONMENT AND CLOSURE OF PUBLIC ROADS IN OCONEE COUNTY, SOUTH CAROLINA; REQUIRING PHYSICAL NOTICE THEREOF; SETTING THE REQUIREMENTS FOR THE ABANDONMENT AND CLOSURE OF PUBLIC ROADS IN OCONEE COUNTY; AND OTHER MATTERS RELATED THERETO”

Mr. Thrift asked Mr. Art Holbrooks, Planning Director, to provide Council with a brief history regarding the process utilized to amend the Comprehensive Plan. Mr. Holbrooks highlighted the process utilizing a PowerPoint presentation [copy filed with these minutes] covering the following topics:

- 18 month process
- Public Input received at 14 workshops/meetings, Planning Commission meetings, and Planning & Economic Development committee meetings
- Web page created to provide event schedules, draft documents for review and receive input
- News Articles and Reports provided by local media
- Elements, Goals and a sampling of Objectives

Prior to opening the floor for comment, Mr. Thrift announced that as two members of Council were absent and all members of Council wished to consider all comments from this meeting that the third and final reading of Ordinance 2010-01 will be deferred to the next meeting.

Mr. Thrift opened the Public Hearing for Ordinance 2010-01.

Mr. C. W. Richards voiced his concerns that the Comprehensive Plan and Future Land Use Map [FLUM] when adopted with be a regulatory document.

Mr. Martin, County Attorney, addressed these concerns stating that the Comprehensive Plan is a planning device and not regulatory in nature. In addition, he stated that land use regulations

are based on the Comprehensive Plan with zoning be the most restrictive of the land use regulations. Lastly, he noted that the petition process for zoning allows the citizens to provide input to Council regarding their wish to be zoned but only County Council can zone any property in the County and that their decisions are based on the Comprehensive Plan, recommendations from the planning staff and Planning Commission and all zoning ordinances. He stated that the Comprehensive Plan provides guidance for land use planning in the county.

Mr. Moulder also commented that state law does require adoption of a Comprehensive Plan if the county adopts land use regulations such as zoning ordinances.

Mr. Jim Codner, Advocates for Quality Development representative, addressed Council in support of passage of the Comprehensive Plan reading from a prepared statement [copy filed with these minutes].

Ms. Sharon Hamilton, President Mountain Lakes Community Association, addressed Council in support of passage of the Comprehensive Plan.

Ms. Donna Linsin addressed Council reading from a prepared statement [copy filed with these minutes] regarding her opposition to passage of the Comprehensive Plan.

Mr. Larry Linsin addressed Council regarding his opposition to passage of the Comprehensive Plan.

Mr. Thrift opened the floor and asked if anyone else present wished to speak.

Mr. Brit Adams, Concerned Citizens of the Upstate representative, addressed Council voicing his opposition to passage of the Comprehensive Plan. Mr. Adams presented Council with a handout outlining the groups concerns [copy filed with these minutes].

Mr. Randy Simpson, Seneca Tea Party representative, addressed Council voicing his opposition to the passage of the Comprehensive Plan.

Mr. Ballis Morgan addressed Council regarding his concerns that the Comprehensive Plan could box in Council as they make decisions for Oconee County.

Mr. Harry Kibbler addressed Council regarding his opposition to passage of the Comprehensive Plan.

Mr. Tom Markovich addressed Council in support of passage of the Comprehensive Plan noting that the economy of a county is directly affected by the county's land use planning which includes utility infrastructure planning.

Mr. Corbeil, District I Council Representative, addressed those present noting that Council listened to all input during the 18 month process and that Council's decision to delay third reading is to allow all Council members to reflect on comments provided during this meeting. Lastly, he noted that the Comprehensive Plan and FLUM are roadmaps and a plan not regulatory documents.

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

Mr. Thrift closed the Public Hearing regarding Ordinance 2010-01.

Mr. Thrift opened the Public Hearing for Ordinance 2010-28.

Mr. B. J. Littleton addressed Council requesting a change to the caption of the ordinance to remove the word “closure”.

Mr. Thrift opened the floor and asked if anyone else present wished to speak. No additional citizens addressed Council regarding this ordinance.

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

Mr. Thrift closed the Public Hearing regarding Ordinance 2010-28.

Consideration of the Following Ordinances:

Ordinance 2010-01

As noted earlier in the meeting third and final reading of **Ordinance 2010-01** “AN ORDINANCE TO AMEND THE OCONEE COUNTY COMPREHENSIVE PLAN” has been deferred to the next Council meeting scheduled for Tuesday, November 9, 2010.

Ordinance 2010-28

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 4 – 0 to approve **Ordinance 2010-28** “AN ORDINANCE CREATING A STANDARD SET OF PROCEDURES AND POLICIES FOR THE CONSENT OF OCONEE COUNTY COUNCIL TO THE PROPOSED ABANDONMENT AND CLOSURE OF PUBLIC ROADS IN OCONEE COUNTY, SOUTH CAROLINA; REQUIRING PHYSICAL NOTICE THEREOF; SETTING THE REQUIREMENTS FOR THE ABANDONMENT AND CLOSURE OF PUBLIC ROADS IN OCONEE COUNTY; AND OTHER MATTERS RELATED THERETO” on third and final reading.

Discussion & Possible Action Items:

Consent Agenda / ATAX Grants / Blue Ridge Arts Council

- \$5,000.00 / Advertising the “2011 Pickens, Oconee and Pendleton (POP) Open Studio” Tour
- \$ 800.00 / Printing/Programs/Postcards/Advertising the “20th Annual Juried Art” Show

Mr. Phil Shirley, PRT Director, addressed Council providing a brief outline regarding the two ATAX Grant requests.

Mr. Suarez made a motion, seconded by Mr. McCall, approved 4 – 0 to approve the two ATAX Grant requests for Blue Ridge Arts Council as outlined above.

\$198,458 / (8) eight 2010 Ford Crown Victoria sedans with pursuit packages and (1) one F-150, 4x4, Extended Cab Truck / Oconee County Sheriff’s Department / per State Contracts

Mr. Moulder and Ms. Robyn Courtright, Procurement Director, addressed Council providing a brief outline regarding the purchase of these vehicles for the Sheriff’s Department noting that local dealerships could not meet the state contract pricing. Discussion followed.

Mr. McCall made a motion, seconded by Mr. Suarez, approved 4 – 0 to award the purchase of (8) eight 2010 Ford Crown Victoria sedans with pursuit packages and (1) one F-150, 4x4, Extended Cab Truck for the Oconee County Sheriff’s Department, in the amount of \$198,458.00, to Vic Bailey Ford of Spartanburg, SC, per State Contract number 4400000369 and 4400001699.

\$163,353.71 / Sole Source Award / Viper 911 Telephony System Upgrade

Mr. Moulder and Ms. Robyn Courtright, Procurement Director, addressed Council providing a brief outline regarding the sole source award of the Viper 911 Telephony System Upgrade. Discussion followed.

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 4 – 0 to award the purchase of the Viper 911 Telephony System Upgrade, including hardware and software, in the amount of \$163,629.00, to Positron Public Safety Systems Corporation of Montreal, Canada, as a sole source.

Highway 11 / Scenic Designation Highway / Growth Plans/Goals

Mr. Corbeil asked that this issue be deferred to a future meeting for discussion. Council concurred.

Board & Commission Appointments:

None scheduled for this meeting.

Commission & Board Reports to Council:

Infrastructure Advisory Commission

Mr. Bob Winchester, Chair, addressed Council utilizing a handout [copy filed with these minutes] outlining the Commission activities during the previous year and goals for the future.

Council Committee Reports:

None scheduled for this meeting.

Administrator's Report:

No report provided at this meeting.

Old Business:

None discussed at this meeting.

New Business:

None discussed at this meeting.

Executive Session:

Mr. Suarez made a motion, seconded by Mr. Corbeil, approved 4 – 0 to enter into Executive Session for the purpose of receiving legal advice regarding a litigation matter and to discuss an economic development issue related to a contractual matter.

Council entered into Executive Session at 8:28 p.m.

Council returned from Executive Session at 8:46 p.m.

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

Mr. Corbeil made a motion, seconded by Mr. McCall, approved 4 – 0 to authorize staff to proceed on matters discussed in Executive Session.

Adjourn:

Mr. McCall made a motion at 8:47 p.m. to adjourn the meeting. The motion was approved unanimously.

Respectfully Submitted:

Elizabeth G. Hulse
Clerk to Council