



MINUTES
OCONEE COUNTY COUNCIL MEETING
Regular Meeting
March 1, 2011

MEMBERS, OCONEE COUNTY COUNCIL

Mr. Joel Thrift, District IV, Council Chairman
Mr. Paul Corbeil, District I, Vice Chairman
Mr. Wayne McCall, District II, Chairman Pro Tem
Mr. Archie Barron, District III
Mr. Reg Dexter, District V

Oconee County Council met on Tuesday, March 1, 2011 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, 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 start of the meeting Council sent their condolences to the family of Mr. Randy Abbott, Planning Commission, member who passed away recently after a long illness.

Extended Public Comment Session:

Request to Initiate Development Standards in the Lake Overlay District
Mr. Ben Turetzky, FOLKS, Executive Director

Mr. Turetzky addressed Council utilizing several handouts [copies filed with these minutes] outlining FOLKS concerns with the proposed development the of Palmetto Point marina. Mr. Turtezky requested that Council adopt criteria for commercial special exception uses that will protect the public safety and keep residential areas safe from encroachment by commercial activities.

Council took not action on Mr. Turetzky's report.

Pioneer Rural Water District's Expression of Appreciation to Council for offer at GCCP
Mr. Terry Pruitt, General Manager, Pioneer Rural Water

Mr. Pruitt addressed Council noting that he had met previously with the County Administrator who had offered on behalf of the Council property at the Golden Corner Commerce Park [GCCP] for placement of their proposed water treatment plant. Mr. Pruitt stated that he had expressed his opinion to Mr. Moulder that the Board might consider moving the plant if the county would pay for the difference in cost for the additional distance.

Mr. Pruitt stated that the Board met earlier in the day and upon passage of a motion instructed him to evaluate moving the water treatment plant to the GCCP with the following provisos:

[1] The County would need to “validate” their offer of property at the GCCP with either a resolution or other formal document, and

[2] The County would need to identify the size and location of the property within the park for Pioneer’s review noting that location would effect their cost; and

[3] Pioneer would draft a letter to the Edgewater Homeowner’s Association asking if they would allow the intake to remain at the current location traveling through the lot owned by Pioneer.

Mr. Pruitt stated that after these were complete that Pioneer would further evaluate the cost of moving the water treatment plant to the GCCP. Discussion followed.

Public Comment Session [related to specific agenda items]:

None at this meeting.

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

Mr. Glen McPheeters addressed Council in opposition to Pioneer Rural Water Districts plan to place a water treatment plant in his residential community in Fair Play. He utilized an audio recording of a TV interview conducted recently outlining the communities concerns with placement of the water treatment plant in their community.

Mr. Carroll Gambrell addressed Council requesting additional office space for the Veteran’s Affairs office; noting that the doorways are not wide enough for his wheel chair and that the waiting room is not sufficient to meet the needs of the county’s veterans.

Ms. Betina George addressed Council in support of the creation of a Conservation Bank and Conservation Easements in Oconee County

Mr. Blaise Miller addressed Council in opposition to Pioneer Rural Water Districts proposed water treatment plant in his community.

Ms. Donna Linsin addressed Council in opposition to spending \$8.2 million dollars on the broadband project noting that there were more pressing projects that needed to be completed.

Ms. Diane McDaniel addressed Council in opposition to Pioneer Rural Water Districts proposed water treatment plant in her community.

Mr. B. J. Littleton addressed Council regarding his opposition Council addressing issues raised by the public during public comment; noting that it is their time to voice their opinions about current events/issues.

County Council Response to Public Comment:

None at this meeting.

Meeting Recess:

Mr. Thrift recessed the meeting to 6:40 p.m.

Meeting Reconvene:

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

Pledge of Allegiance: Mr. McCall led the Pledge of Allegiance to the United States of America.

Prior to the start of the Moment of Silence Council again sent their condolences to the family of Mr. Randy Abbott, Planning Commission member who passed away recently after a long illness.

Minutes:

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 4 – 0 that the minutes from the February 15, 2011 regular meeting be adopted as printed.

Motion to Amend Agenda to add an additional item to Executive Session and consider RFP 10-21 out of order

Mr. Corbeil made a motion, seconded by Mr. Barron, approved unanimously to amend the agenda to add discussion of a contractual matter during Executive Session and to move agenda item #13-4, RFP 10-21 to the end of the meeting after the Executive Session.

Consideration of the Following Proclamations:

Proclamation P-2011-01

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 4 – 0 to approve **Ordinance 2010-40** “A PROCLAMATION ESTABLISHING MARCH 26, 2011 AS VIETNAM-ERA VETERAN’S APPRECIATION DAY IN OCONEE COUNTY” on first and final reading. Mr. Thrift asked Veteran’s Affairs Director, Jerry Dyer, to step forward and accept the Proclamation. Mr. Dyar thank Council and those present.

Mr. Thrift also asked all veterans in the audience to stand and be recognized by those present; applause followed.

Consideration of the Following Ordinances:

Ordinance 2011-06

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 3 – 1 [Mr. McCall opposed] to approve **Ordinance 2011-06** “AN ORDINANCE TO AMEND CHAPTER 32 OF THE OCONEE COUNTY CODE OF ORDINANCES IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, CLARIFYING THE APPOINTMENT PROCEDURE TO THE OCONEE COUNTY PLANNING COMMISSION; AND OTHER MATTERS RELATED THERETO “ on second reading.

Ordinance 2011-07

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 4 – 0 to approve **Ordinance 2011-07** “AN ORDINANCE TO AMEND THE ZONING ENABLING ORDINANCE PURSUANT TO A CITIZEN-INITIATED REQUEST TO REZONE A SERIES OF PARCELS REFERENCED AS THE LONG CREEK HIGHWAY AND ORCHARD ROAD” on first reading in title only and Council referred the matter to the Planning Commission for their required review.

Ordinance 2011-08

Mr. Corbeil made a motion, seconded by Mr. McCall, approved 4 – 0 to approve **Ordinance 2011-08** “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN INFRASTRUCTURE TAX CREDIT AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND ALTERA POLYMERS LLC; AND OTHER MATTERS RELATING THERETO INCLUDING, WITHOUT LIMITATION, AUTHORIZATION OF AN INFRASTRUCTURE TAX CREDIT” on first reading.

Ordinance 2011-09

Mr. Barron made a motion, seconded by Mr. McCall, approved 4 – 0 to approve **Ordinance 2011-09** “AN ORDINANCE TO AMEND THE AGREEMENT AUTHORIZED BY ORDINANCES NO. 2006-027, 2008-017, 2010-04, 2010-24 and 2010-32 RELATING TO THE INDUSTRIAL/BUSINESS PARK OF OCONEE AND PICKENS COUNTIES SO AS TO ENLARGE THE PARK.” and Fifth Amendment of Agreement for Development of Joint County Industrial/Business Park on first reading.

Discussion & Possible Action Items:

RFP 10-12 / Design Build Hangar Construction / Oconee County Airport

Mr. Moulder and Mr. Kevin Short, Airport Director, addressed Council regarding this RFP approval request. Mr. McCall made a motion seconded by Mr. Barron, approved 4 – 0 to award RFP 10-12 to Trehel Corporation of Clemson, SC, as a Design Build contractor for the construction of a pre-engineered metal building of approximately 12,000sf in size to be used for eight nested T-hangars with the proviso that the construction will not exceed the budgeted capital project amount of \$380,000.00.

RFP 10-18 / not to exceed \$832,573 / Architectural Engineering Services / Oconee County Detention Center

Mr. Moulder and Mr. Joe Lee, Carter Gobel Lee, addressed Council regarding this RFP approval request. Mr. McCall made a motion, seconded by Mr. Corbeil, approved 4 – 0 to award of RFP 10-18 to Wakefield Beasley/HOK Associates of Atlanta, GA, in an amount not to exceed \$832,573.00.

RFP 10-19 / not to exceed \$14,000,000 / Construction Manager at Risk Services / Oconee County Detention Center

Mr. Moulder and Mr. Lee addressed Council regarding this RFP approval request. Mr. Lee introduced representatives from New South Construction; Mr. Doug Davis, Owner/President, Mr. David Goodhead, Owner, and Mr. Steve Langdon. Lengthy discussion followed. Mr. Lee noted that additional workshop meetings would be scheduled to review costs and plans in depth with Council. Mr. Corbeil made a motion, seconded by Mr. Barron, approved 4 – 0 to award of RFP 10-19 to New South Construction Company of Atlanta, GA, in an amount not to exceed \$14,000,000.

ATAX / \$1,500 / Host Fishing Tournament / South Cove / March 2011

Mr. Moulder and Mr. Phil Shirley, PRT Director addressed Council regarding this request. Mr. Barron made a motion, seconded by Mr. McCall, approved 4 – 0 to approve the Local ATAX request for \$1,500 to co-sponsor the FLW High School Fishing Championship to be held at South Cove County Park.

Commission & Board Reports to Council:

Arts & Historical Commission

Mr. Luther Lyle, Arts & Historical Commission Chair, addressed Council utilizing a PowerPoint presentation [copy filed with these minutes] highlighting activities over the last year and the Commissions accomplishments. Lastly, Mr. Lyle asked for consideration for a \$5,000 funding request in the fiscal year 2012 budget.

Council Committee Reports:

Budget, Finance & Administration Committee

Mr. Dexter was absent from the meeting and asked the Clerk to Council to read into the record [copy of the report filed with these minutes] notes from the meeting held on February 17, 2011.

Transportation Committee

Mr. Thrift read into the record [copy of the report filed with these minutes] notes from the meeting held on February 17, 2011.

Administrator's Report:

None at this meeting.

Old Business:

None discussed at this meeting.

New Business:

Request for Proclamation

Mr. Barron recognized the West Oak High School wrestling team upon winning the 3A Championship and asked the Clerk to Council to draft a proclamation for the next meeting recognizing the team's accomplishment.

Mountain Lakes Chamber Alliance \$5,000 Funding Request to Council

Mr. Corbeil noted that the Mountain Lakes Chamber Alliance, made up of the Walhalla, Westminster and Oconee County Chambers of Commerce, are making a request for \$5,000 to assist with their hosting the "State of Oconee" luncheon and town hall meetings to be scheduled during the next 15 months. Discussion followed. Mr. Thrift deferred action on this matter to a future meeting.

Executive Session:

Mr. McCall made a motion, seconded by Mr. Barron, approved 4 – 0 to enter into Executive Session for the purpose of receiving a legal advice regarding a pending legal matter & to receive legal advice regarding a contractual matter.

Council entered into Executive Session at 8:04 p.m.

Council returned from Executive Session at 9:57 p.m.

Mr. Thrift stated that no action was taken during Executive Session.

Mr. Martin noted that the first issue slated for discussion [*receiving legal advice regarding a pending legal matter*] was not discussed as advertised. He stated that only the contractual matter was discussed in Executive Session.

Discussion & Possible Action Items [deferred from earlier in meeting]:

RFP 10-21 / \$8,197,200 / Fiber Optic Cabling / Broadband Project FOCUS

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 3 – 1 [Mr. McCall opposed] to authorize the Council Chairman and County Administrator to execute the contract with Southern Pipeline Utility of Young Harris, GA [RFP 10-21], to install buried fiber optic cabling throughout Oconee County for approximately 270 miles at the price of \$5.75 per foot for a total of \$8,197,200 subject to questions / issues raised during the Executive Session being satisfactorily answered.

Adjourn:

Mr. McCall made a motion at 9:59 p.m. to adjourn the meeting. The motion was approved unanimously.

Respectfully Submitted:

Elizabeth G. Hulse, Clerk to Council