



MINUTES
OCONEE COUNTY COUNCIL MEETING
Regular Meeting
March 15 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 15, 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, Dick Mangrum – WGOG Radio & Carlos Galarza - Daily Journal.

Call to Order: Mr. Thrift called the meeting to order at 6:00 p.m.

Extended Public Comment Session: None scheduled for this meeting.

Public Comment Session [related to specific agenda items]:

Ms. Susie Cornelius addressed Council voicing concerns about [1] tax payer money being used for purchase fiber optic cable that will be given to a private company, [2] outsourcing bids for road paving and her statement that the departmental budget should be reduced, and [3] discussion during the Planning Retreat around the stability of the hospital.

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

Mr. Steve Moore addressed Council suggesting the creation an Agriculture Commission and the development and adoption by Council of an approved evacuation procedure after the earthquake/tsunami in Japan.

Mr. Steve Kelley addressed Council in opposition to the closure of a portion of and relocation of Doug Hollow Road. Mr. Kelly voiced concerns regarding lake access and provided Council with a copy of an easement [copy filed with these minutes].

Mr. Bo Knapp addressed Council in opposition to the closure of a portion of and relocation of Doug Hollow Road.

Mr. Frankie Pearson addressed Council and Mr. McCall specifically thanking him for his donation to allow the Westminster Recreation girls basketball team members to participate in the All Stars game. Mr. Pearson presented Mr. McCall with a framed photo and thank you notes from the girls.

Ms. Edaylene Kelley addressed Council in opposition to the closure of a portion of and relocation of Doug Hollow Road.

Ms. Nancy Porter addressed Council in opposition to the closure of a portion of and relocation of Doug Hollow Road.

Mr. Tom Markovich addressed Council voicing concerns that the Planning Commission's recommendation to Council for the Capital Projects Committee would constitute dual office holding for Mr. Honea, and concerns with the proposed mission statement language.

Mr. B. J. Littleton addressed Council regarding various issues to include his opposition to Council's passage of Ordinance 2010-16 with the agriculture residential designation, his support for the equine industry in the County and concerns about the hospital.

County Council Response to Public Comment:

Mr. McCall thanked the Kelley families for their input at this meeting.

Mr. Corbeil stated that the discussion during the Transportation Committee regarding Doug Hollow Road included the committee's approval with the proviso that the ingress/egress issue needs to be addressed by the County Attorney prior to full Council action.

Meeting Recess:

Mr. Thrift recessed the meeting to 6:31 p.m.

Meeting Reconvene:

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

Motion to Amend Agenda to add an Executive Session for the purpose of discussion a contractual matter related to a potential property acquisition

Mr. Corbeil made a motion, seconded by Mr. Barron, approved unanimously to amend the agenda to add an Executive Session for the reason stated above at the end of this meeting.

Pledge of Allegiance:

Mr. Corbeil led the Pledge of Allegiance to the United States of America.

Minutes:

Mr. Barron made a motion, seconded by Mr. Corbeil, approved 4 – 0 that the minutes from the March 1, 2011 regular meeting be adopted as printed.

Public Hearings regarding the Following Ordinances

Ordinance 2010-40 “AN ORDINANCE TO AMEND THE OCONEE COUNTY ZONING ENABLING ORDINANCE, ORDINANCE 2007-18, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, AS TO REZONE A SERIES OF PARCELS SPECIFIED HEREIN, AND TO RATIFY AND AFFIRM ALL OTHER PROVISIONS OF ORDINANCE 2007-18 NOT AMENDED OR MODIFIED HEREBY; AND OTHER MATTERS RELATING THERETO”
[Rock Creek Request]

Mr. Thrift opened the Public Hearing regarding Ordinance 2010-40 noting that Council would consider Ms. Wald's written request [copy filed with these minutes] to add two parcels to this rezoning request.

Mr. Thrift opened the floor for oral comments. None were received.

Mr. Thrift opened the floor for written comments. None were received.

Mr. Thrift closed the Public Hearing on Ordinance 2010-40.

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”

Mr. Thrift opened the Public Hearing regarding Ordinance 2010-40.

Ms. Susie Cornelius addressed Council suggesting that Planning Commission members be elected instead of appointed.

Mr. C. W. Richards addressed Council voicing concerns regarding the proposed change regarding the Planning Commission’s recommendation for membership to Council.

Mr. Thrift opened the floor for additional oral comments. None were received.

Mr. Thrift opened the floor for written comments. None were received.

Mr. Thrift closed the Public Hearing on Ordinance 2011-06.

Consideration of the Following Proclamations:

Proclamation P-2011-02

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 4 – 0 to approve

Proclamation P-2011-02 “A PROCLAMATION HONORING MR. JULIAN RANDOLPH ‘RANDY’ ABBOTT, SR.” on first and final reading.

Mr. Thrift asked the Clerk to read the full Proclamation into the record while Mr. Abbott’s family came forward to accept the Proclamation. The family received a standing ovation.

Proclamation P-2011-03

Mr. Corbeil made a motion, seconded by Mr. McCall, approved 4 – 0 to approve

Proclamation P-2011-03 “A PROCLAMATION HONORING THE WESTMINSTER RECREATION DEPARTMENT’S TEN AND UNDER GIRLS BASKETBALL TEAM UPON RECEIVING THE STATE CHAMPIONSHIP TITLE” on first and final reading.

Mr. Thrift asked the Clerk to read the full Proclamation into the record while the team and coaches came forward to accept the Proclamation. The team received a standing ovation.

Proclamation P-2011-04

Mr. Barron made a motion, seconded by Mr. McCall, approved 4 – 0 to approve

Proclamation P-2011-04 “A PROCLAMATION HONORING THE WEST OAK HIGH SCHOOL WRESTLING TEAM UPON RECEIVING THE STATE CHAMPIONSHIP TITLE” on first and final reading.

Mr. Thrift asked the Clerk to read the full Proclamation into the record. Representatives of the team were unable to attend the meeting.

Consideration of the Following Ordinances:

Ordinance 2010-40

Mr. Barron made a motion, seconded by Mr. Corbeil, to approve **Ordinance 2010-40** “AN ORDINANCE TO AMEND THE OCONEE COUNTY ZONING ENABLING ORDINANCE, ORDINANCE 2007-18, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, AS TO REZONE A SERIES OF PARCELS SPECIFIED HEREIN, AND TO RATIFY AND AFFIRM ALL OTHER PROVISIONS OF ORDINANCE 2007-18 NOT AMENDED OR MODIFIED HEREBY; AND OTHER MATTERS RELATING THERETO” on third and final reading.

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 4 – 0 to amend **Ordinance 2010-40** “AN ORDINANCE TO AMEND THE OCONEE COUNTY ZONING ENABLING ORDINANCE, ORDINANCE 2007-18, IN CERTAIN LIMITED REGARDS AND

PARTICULARS, ONLY, AS TO REZONE A SERIES OF PARCELS SPECIFIED HEREIN, AND TO RATIFY AND AFFIRM ALL OTHER PROVISIONS OF ORDINANCE 2007-18 NOT AMENDED OR MODIFIED HEREBY; AND OTHER MATTERS RELATING THERETO” to add two parcels per Ms. Wald’s request.

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 4 – 0 to send the revised Ordinance 2010-40 to the Planning Commission for review/recommendation. It was noted that an open motion for third reading remains on the floor for action at an upcoming meeting.

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 third and final reading.

Ordinance 2011-08

Mr. Barron made a motion, seconded by Mr. Corbeil, 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 second reading and to schedule the public hearing and third and final reading for April 5, 2011.

Ordinance 2011-09

Mr. Corbeil made a motion, seconded by Mr. Barron, 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 second reading and to schedule the public hearing and third and final reading for April 5, 2011.

Discussion & Possible Action Items:

Acceptance of Oconee County Council Retreat Report and Adoption of Vision & Mission Statements for Oconee County

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 4 – 0 to accept the retreat report as written and to adopt the facilitator recommended Mission and Vision Statements [listed below].

VISION STATEMENT: Oconee County – A diverse, growing, safe, vibrant community guided by rural traditions and shaped by natural beauty; where employment, education and recreation offer a rich quality of life for all generations, both today and tomorrow

MISSION STATEMENT: It is the mission of Oconee County to provide our current and future citizens and visitors quality services and to protect our neighborhoods, heritage and environment by managing growth and change through smart, inclusive planning.

Bid 10-01 / not to exceed \$929,446.30 including 10% Contingency / Road Improvements

Prior to discussion of this agenda item, Mr. Thrift stated that he was recusing himself [form filed with these minutes] from discussions and voting on this matter. He noted that the company recommended to be awarded the bid is owned by a family member. He stated that he has no financial interest in that company but he chose to recuse himself to avoid any appearance that his family is being given preference.

Mr. Thrift left Chambers and Mr. Corbeil led discussion and action on this matter.

Mr. Moulder, and Mr. Mack Kelly, County Engineer, addressed Council regarding this Bid approval request.

Mr. McCall made a motion, seconded by Mr. Barron, approved 3 – 0 – 1 to [1] award Bid 10-01, 2011 Road Improvements – Cartee Rd, Edgewood Dr and Wisteria Dr to Thrift Brothers, Inc of Seneca, SC in the amount of \$844,951.18, [2] authorize staff to spend an additional \$84,495.12; a 10% contingency if needed, to account for fluctuating asphalt prices, any variances in quantities, and the possibility of additional roadway testing (i.e. if rock or unsuitable material is encountered). The total not to exceed price is \$929,446.30, and [3] authorize the County Administrator to execute the contract and sign/approve any change orders up to the contingency amount.

Mr. Thrift returned to Chambers after the vote.

ATAX / \$4,790 / Westminster Chamber of Commerce / Advertisement of Mayberry Fest

Mr. Moulder and Mr. Phil Shirley, PRT Director, addressed Council regarding this request.

Mr. Barron made a motion, seconded by Mr. Corbeil, approved 4 – 0 to approve \$4,790 for television and radio advertising/marketing for Mayberry Fest for the Westminster Chamber of Commerce.

ITB 10-04 / \$128 373.50 + Contingency/ HVAC Upgrade at Seneca, Walhalla & Westminster Library

Mr. Moulder and Ms. Robyn Courtright, Procurement Director, addressed Council regarding this request.

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 4 – 0 to (1) Award Bid #10-04 to McG Mechanical of Anderson, SC, in the amount of \$128,373.50, for HVAC upgrade at Seneca, Walhalla and Westminster Library Branches, (2) Approve contingency funding, in the amount of \$7,000 (approximately 5.5%), to be reserved for change orders if any are required, and (3) Approval for Administrator's authorization to sign change orders within the contingency amount stated.

ITB 10-05, Lighting Upgrade at Seneca, Walhalla & Westminster Library

Mr. Moulder and Ms. Robyn Courtright, Procurement Director, addressed Council regarding this request.

Mr. Barron made a motion, seconded by Mr. Corbeil, approved 4 – 0 to (1) Award Bid #10-05 to Network Controls and Electric, Inc. of Greenville, SC, in the amount of \$51,244, for lighting modifications at Seneca, Walhalla and Westminster Library Branches, (2) Approve contingency funding, in the amount of \$2,000 (approximately 4%), to be reserved for change orders if any are required, and (3) Approval for Administrator's authorization to sign change orders within the contingency amount stated.

ITB 10-24 / \$2,068,395.15 / Fiber Optic Cabling / Broadband Project FOCUS

Mr. Moulder and Ms. Robyn Courtright, Procurement Director, addressed Council regarding this request. It was noted that the cabling will be purchased incrementally and not all at the beginning of the project.

Mr. Barron made a motion, seconded by Mr. Corbeil, approved 4 – 0 to award ITB 10-24, for Fiber Optic Cabling for Broadband Project FOCUS to OFS Fitel, LLC of Carrollton, GA for \$2,068,395.15.

Board & Commission Appointments:

Board of Zoning Appeals:

District IV: No appointment made at this meeting – issue deferred to next meeting.

Emergency Services Commission

District II: Mr. McCall made a motion seconded by Mr. Corbeil, approved 4 – 0 to appoint Mr. Doug Kelley as the District II representative on this Commission with his term being co-terminus with the District II Council seat.

Aeronautics Commission

District V: No appointment made at this meeting – issue deferred to next meeting.

Commission & Board Reports to Council:

None scheduled for this meeting.

Council Committee Reports:

Transportation Committee

Mr. Thrift read into the record [copy of the report filed with these minutes] notes from the meeting held on March 8, 2011.

Doug Hollow Road Issues: Mr. Martin addressed questions that arose from the meeting regarding the Kelly's document. He stated that the matter can only be decided by the courts and that Council does not have jurisdiction to make a ruling. Mr. Martin recommended that Council approve a statement of intent if they choose to accept the road from the state; agreeing to abandon a portion of the road and its relocation by the developer. Mr. Corbeil made a motion, seconded by Mr. McCall, approved 4 – 0 to table any action on this matter and schedule it for discussion/action at the April 5, 2011 Council meeting.

Mr. Moulder and Mr. Kelly updated the Council regarding two community meetings to be held on Saturday, March 26, 2011 from 10A-12P and on Tuesday, March 29, 2011 from 6P-8P both in Council Chambers [copy of **DRAFT** news release filed with these minutes]. The Roads and Bridges Department staff will collect information from the public regarding road improvement projects on county maintained/owned roads. A web site is being developed to facilitate this program.

Administrator's Report:

Mr. Moulder provided several reports to Council for review and discussion [copies filed with these minutes] to include the Administrator's Report and Budget Report by Department [through February 28, 2011].

Old Business:

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

Mr. Corbeil requested that Council reconsider the Mountain Lakes Chamber Alliance [made up of the Walhalla, Westminster and Oconee County Chambers of Commerce], 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. Corbeil made a motion, seconded by Mr. Barron, approved 4 – 0 to authorize the Administrator to identify \$2,500 in funding for this request.

Capital Project Committee

Mr. Corbeil noted Council is still accepting Questionnaires from interested citizens wishing to be considered for service on this Committee. Questionnaire will be accepted through March 18, 2011 and Council will take action on appointments at their April 5, 2011 meeting.

Thank You Letter to Chambers

Mr. Barron asked the Clerk to Council to draft thank you letter to the three Chambers that hosted the “State of Oconee” meeting held last week.

New Business:

None was addressed at this meeting.

Executive Session:

Mr. Barron made a motion, seconded by Mr. Corbeil, approved 4 – 0 to enter into Executive Session for the purpose of discussing contractual matter related to a potential property acquisition.

Council entered into Executive Session at 8:31 p.m.

Council returned from Executive Session at 9:17 p.m.

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

Mr. Barron made a motion, seconded by Mr. Corbeil, approved 3 – 1 [Mr. McCall opposed] to instruct the Administrator and staff to research the real estate opportunity discussed in Executive Session.

Adjourn:

Mr. McCall made a motion at 9:18 p.m. to adjourn the meeting. The motion was approved unanimously.

Respectfully Submitted:

Elizabeth G. Hulse
Clerk to Council