



MINUTES
OCONEE COUNTY COUNCIL MEETING
Regular Meeting
April 5 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, April 5, 2011 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: 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]:

Mr. C. W. Richard addressed Council voicing concerns that the county might become involved in litigation regarding any decision related to Doug Hollow Road.

Mr. Steve Kelley addressed Council in opposition to the closure of a portion of and relocation of Doug Hollow Road. Mr. Kelly stated he felt that a majority of the Council were not representing the citizens of the county and voiced concerns that Mr. Thrift had potential personal gain with the project.

Ms. Margaret Thompson addressed Council and provided copies of a Freedom of Information request to all Council members, Clerk to Council and County Administrator.

Ms. Jean Jennings addressed Council in opposition to the closure of a portion of Doug Hollow Road.

Mr. Bo Knapp addressed Council in opposition to the closure of a portion of and relocation of Doug Hollow Road. He stated that he had attempted to contact the developer to work out a compromise but did not receive a telephone call back.

Ms. Susie Cornelius addressed Council voicing concerns about [1] approval of the medical plan for the next fiscal year prior to budget workshop meetings, [2] inclusion of the

PointWest development in a business park, and [3] the proposed RFQ for sewer at the commerce park.

Mr. Scott Maher addressed Council voicing concerns with the increase in full time employees and employee's contribution for their health care costs.

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

Mr. Tom Markovich addressed Council voicing concerns of a disconnect between the Council and Planning Commission.

Mr. B. J. Littleton addressed Council regarding various issues to include his support for the Kelly's access to Lake Keowee and his belief that Council is killing jobs in the county.

County Council Response to Public Comment:

Mr. Thrift noted that the Doug Hollow Road issue discussed at the Transportation Committee was done in accordance with county ordinances. He noted that he has no personal or family involvement with the possible road closure.

Meeting Recess:

Mr. Thrift recessed the meeting to 6:25 p.m.

Meeting Reconvene:

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

Pledge of Allegiance:

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

Minutes:

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 4 – 0 [Mr. Dexter abstained – form filed with these minutes] that the minutes from the March 15, 2011 regular meeting be adopted as printed.

Consideration of the Following Proclamations:

Proclamation P-2011-04

Mr. Thrift noted that **Proclamation P-2011-04** "A PROCLAMATION HONORING THE WEST OAK HIGH SCHOOL WRESTLING TEAM UPON RECEIVING THE STATE CHAMPIONSHIP TITLE" had been approved at the March 15, 2011 meeting but representatives from the team were unable to attend that meeting. He asked Coach Jordan and two members of the team present to step forward and accept the Proclamation on behalf of the team.

Proclamation P-2011-05

Mr. Barron made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve **Proclamation P-2011-05** "NATIONAL LIBRARY WEEK 2011 PROCLAMATION" on first and final reading.

Mr. Thrift asked the Clerk to read the full Proclamation into the record while Mr. Biff Kennedy, Library Board Chair, came forward to accept the Proclamation.

Proclamation P-2011-06

Mr. McCall made a motion, seconded by Mr. Barron, approved 5 – 0 to approve **Proclamation P-2011-06** “A PROCLAMATION HONORING PRIVATE FIRST CLASS BRENT K. SCHIPPER AS THE SOUTH CAROLINA NATIONAL GUARD SOLDIER OF THE YEAR” on first and final reading.

Mr. Thrift thanked PFC Schipper for his service to the country and expressed Council’s pride in having an Oconee County soldier selected for this honor. PFC Schipper stepped forward to accept the framed Proclamation. Mr. Thrift also presented PFC Schipper with a framed South Carolina Resolution, sponsored by Senator Thomas Alexander, also honoring him on his accomplishment. Mr. Thrift noted that Senator Alexander was unable to attend the meeting to present the Resolution in person due to another commitment.

PFC Schipper received a standing ovation from those present.

Public Hearings regarding the Following Ordinances

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”

Mr. Thrift opened the Public Hearing regarding Ordinance 2011-08.

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 2011-08.

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.

Mr. Thrift opened the Public Hearing regarding Ordinance 2011-09.

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 2011-09.

Consideration of the Following Ordinances:

Ordinance 2010-40

Mr. Dexter 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. Dexter made a motion, seconded by Mr. Barron, approved 5 – 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 accept the Planning Commission recommendation as presented.

Mr. Thrift called for the vote on Ordinance 2010-40 as amended with the motion passing 5 – 0 on third and final reading.

Ordinance 2011-08

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 5 – 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 third and final reading.

Mr. Thrift recognized Mr. Berry Rhodes, Altera Polymers President, who thanked the Council stating he was happy to have his company in Oconee County.

Ordinance 2011-09

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 5 – 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 third and final reading.

Ordinance 2011-04

Mr. Corbeil made a motion, seconded by Mr. Dexter, to approve **Ordinance 2011-04** “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 second reading.

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 5 – 0 to amend Ordinance 2011-04 to [1] accept the Planning Commission recommendation, [2] to add back one parcel as traditional rural, and [3] refer the ordinance back to the Planning Commission for their review and recommendation as amended.

Mr. Thrift called for the vote on Ordinance 2011-04 as amended with the motion passing 5 – 0. It was noted that the public hearing will not be scheduled until such time as the Planning Commission has had an opportunity to review and make recommendation regarding the amendment.

Ordinance 2011-05

Mr. McCall made a motion, seconded by Mr. Dexter, approved 5 – 0 to approve **Ordinance 2011-05** “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 second reading and to schedule the public hearing on or after May 17, 2011.

Ordinance 2011-07

Mr. Corbeil made a motion, seconded by Mr. Dexter to approve **Ordinance 2011-07** “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 second reading.

Mr. Barron made a motion, seconded by Mr. Dexter, approved 5 – 0 to amend Ordinance 2011-07 to include requests for inclusion of parcels received by the Planning Department made after the Planning Commission meeting and to refer the ordinance back to the Planning Commission for their review and recommendation as amended.

Mr. Thrift called for the vote on Ordinance 2011-07 as amended with the motion passing 5 – 0. It was noted that the public hearing will not be scheduled until such time as the Planning Commission has had an opportunity to review and make recommendation regarding the amendment.

Ordinance 2011-10

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve **Ordinance 2011-10** “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 first reading in title only and refer the matter to the Planning Commission for the required review.

Consideration of the Following Resolutions:

Resolution R2011-05

Mr. Dexter made a motion, seconded by Mr. Barron, to approve **Resolution R2011-05** “A RESOLUTION AUTHORIZING A USE AND MAINTENANCE AGREEMENT WITH THE SOUTH CAROLINA FOOTHILLS HERITAGE FAIR, ALL WITH REGARDS TO THAT CERTAIN OCONEE COUNTY PROPERTY LOCATED, GENERALLY, AT 1220 HIGHWAY 59, FAIR PLAY, SOUTH CAROLINA; AND OTHER MATTERS RELATED THERETO” on first and final reading and to direct the Administrator to execute the Use & Maintenance Agreement provided.

Mr. Thrift suggested that the Administrator and Economic Development Director work with Fair organizers to identify a parcel [approximately 20-25 acres] as a potential long term location for this annual event.

Resolution R2011-06

Mr. Moulder informed Council that the vehicles under consideration were vehicles rotated out of service by the county. He noted that this request by the City of Walhalla for donation of surplus vehicles is not intended to set a prescient and is being considered as a one time request; noting that GovDeals will continue to be used to dispose of surplus equipment and vehicles.

Mr. McCall made a motion, seconded by Mr. Barron, approved 5 – 0 to approve **Resolution R2011-06** “A RESOLUTION OF THE OCONEE COUNTY COUNCIL AUTHORIZING THE DONATATION OF THREE FORD CROWN VICTORIA VEHICLES TO THE CITY OF WALHALLA” on first and final reading.

Discussion & Possible Action Items:

ITB 10-20 / \$1,595,802.43 / Pre-Engineered, Pre-Fabricated Steel Detention Cells

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

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 5 – 0 [1] award Bid #10-20 to Steel Cell of North America, of Baldwin, GA, to provide pre-engineered, pre-fabricated steel detention cells, not to exceed \$1,595,802.43, and [2] approve assignment of Detention Cell Manufacturer (Steel Cell of North America) contract to Construction Manager at Risk (New South Construction).

ITB 10-23 / estimated cost \$66,000 / Tire Dumpsite Remediation

This agenda item was removed from consideration at this meeting at the request of the Procurement Department.

Consent Agenda Item / Local & State ATAX Requests

1. Local ATAX / AAA Magazine / \$1,700 / 1/6 page avertissement
2. Local ATAX / Atlanta Magazine / \$1,350 / ½ page advertisement
3. State ATAX / Oconee Preservation Unlimited Stewardship Trust / \$2,960 / B4 Appalachian Roots Festival / Ads: Bluegrass Unlimited Magazine, Radio & TV
4. State ATAX / Seneca Fest/ \$5,000 / TV Advertising
5. State ATAX / Walhalla Merchants / \$3,302 / May Fest

Mr. Barron made a motion, seconded by Mr. McCall, approved 5 – 0 to approve the five Local & State ATAX requests listed above as presented.

Doug Hollow Road Abandonment / Relocation Discussion / Action by Council

Mr. Thrift asked for a motion to amend the agenda to include discussion and possible action regarding Resolution R2011-07.

Mr Dexter made a motion, seconded by Mr. Corbeil, approved 5 – 0 to amend the agenda to consider Resolution R2011-07. Lengthy discussion followed

Mr. Corbeil made a motion, seconded by Mr. Dexter, approved 3 – 2 [Mr. Dexter and McCall opposed] to approve **Resolution R2011-07** “A RESOLUTION AUTHORIZING THE INITIATION OF A DECLARATORY JUDGMENT ACTION TO DETERMINE LEGAL INTERESTS IN CERTAIN REAL PROPERTY; CONDITIONALLY ACCEPTING TRANSFER OF CERTAIN RIGHT-OF-WAY FROM THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION; AND OTHER MATTERS RELATED THERETO” on first and final reading.

Oconee County Medical Plan Renewal for FY 2011-2012 / estimate \$4,308,215.90

Mr. Moulder and Ms. Kay Olbon, Human Resources Director, addressed Council regarding this request.

Mr. Barron made a motion, seconded by Mr. McCall, approved 5 – 0 to [1] award the renewal for 2011/20012 plan year with Berkley Life (Option 1), with no change to current level of benefits or premiums, [2] maintain the Nurse Practitioner program and authorizing the administrator to execute renewal of the Service agreement as outlined above, [3] set the retiree medical premium at the levels as stated on the agenda item summary, and [4] approve the health plan.

Board & Commission Appointments:

Board of Zoning Appeals:

Mr. Thrift made a motion, seconded by Mr. Corbeil, approved 5 – 0 to appoint Mr. Marty McKee to the Board of Zoning Appeals, District IV seat.

Aeronautics Commission:

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

Anderson/Oconee Behavioral Health Services Commission:

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 5 – 0 to appoint upon recommendation of the Commission, Mr. Steve Jenkins.

Capital Project Advisory Committee:

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 5 – 0 to appoint Mr. John Rau to one of the two at large seats on this committee.

Mr. Barron made a motion, seconded by Mr. Corbeil, approved 5 – 0 to appoint Mr. David Mead to one of the two at large seats on this committee.

Mr. Thrift made a motion, seconded by Mr. Barron, approved 5 – 0 to appoint Mr. Paul Corbeil as the Council representative on this committee.

Mr. Corbeil made a motion, seconded by Mr. Dexter, approved 5 – 0 to appoint upon recommendation of the Planning Commission Mr. Ryan Honea as their representative on this committee.

Planning Commission:

At Large Seat: No appointment made at this meeting – issue deferred to next meeting.

Worklink Board:

Mr. Thrift made a motion, seconded by Mr. Dexter, approved 5 – 0 to appoint upon recommendation of the Board Mr. Butch Harris as a representative of Oconee County on this board.

Commission & Board Reports to Council:

None scheduled for this meeting.

Council Committee Reports:

None scheduled for this meeting.

Administrator's Report:

Mr. Moulder provided a single update related to the ongoing Airport Runway Extension project noting that an asphalt test is scheduled for Wednesday, April 6, 2011, and paving is expected to be complete [pending weather conditions] by end of next week.

Old Business:

Administrator's Request for Approval of New Position / Asst. Administrator for Emergency & External Services

Mr. Moulder outlined the request for this new position as part of the approved implementation of Phase I of the Fire Plan. Discussion followed.

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 4 – 0 – 1 [Mr. McCall abstained – form filed with these minutes] to approve a new position for an Assistant Administrator for Emergency & External Services.

Administrator's Request for Approval to Issue an RFQ for Sewer Services at the Golden Corner Commerce Park

Mr. Moulder outlined the benefits of an RFQ noting that it allows the County to obtain information about not only their qualifications but other projects completed and operation history. Discussion followed.

Mr. McCall made a motion, seconded by Mr. Dexter, approved 5 – 0 to approve the Administrator's request to issue and RFQ for sewer services at the Golden Corner Commerce Park.

New Business:

Oconee County Chamber of Commerce Town Hall Meeting

Mr. Dexter reminded those present that several members of Council will appear at the Oconee County Chamber of Commerce Town Hall Meeting, 6:30 p.m., Thursday, April 7, 2011, at the Fair Play Community Center.

Executive Session:

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 5 – 0 to enter into Executive Session for the purpose of discussing a contractual matter related to a possible real estate transaction.

Council entered into Executive Session at 9:13 p.m.

Council returned from Executive Session at 9:30 p.m. upon a motion by Mr. McCall, seconded by Mr. Corbeil, approved 5 - 0.

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

Adjourn:

Mr. McCall made a motion at 9:31 p.m. to adjourn the meeting. The motion was approved unanimously.

Respectfully Submitted:

Elizabeth G. Hulse
Clerk to Council