



MINUTES
OCONEE COUNTY COUNCIL MEETING
Regular Meeting
June 21, 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, June 21, 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.oconeesc.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. Thrift called the meeting to order at 6:00 p.m.

Extended Public Comment Session: None scheduled at this meeting.

Public Comment Session [related to specific agenda items]:

Ms. Susie Cornelius addressed Council regarding Ordinance #2011-01, specifically focusing on the CVB budget, new PRT Commission/ATAX monies and concerns regarding potential lease agreements for long term projects. Ms. Cornelius also presented Council with a written request to hold an additional public hearing on this ordinance.

Ms. Catherine Tuck addressed Council regarding Ordinance #2011-14 requesting that her parcel be removed from consideration in this ordinance.

Ms. Roberta Barton addressed Council regarding Ordinance #2011-14 requesting that her parcel be removed from consideration in this ordinance.

Mr. Tom Markovich addressed council regarding Ordinance #2011-01 voicing concerns regarding the funding plan for the new jail.

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

Mr. John Lake addressed Council utilizing a handout [copy filed with these minutes] in support of the county evaluating commercial projects on the lake and the lake residential zoning district.

Mr. C. W. Richards addressed Council regarding job creation and the Echo Hills development strategy.

County Council Response to Public Comment:

No Council Comments were made.

Meeting Recess:

Mr. Thrift recessed the meeting to 6:20 p.m.

Meeting Reconvene:

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

Pledge of Allegiance:

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

Minutes:

Mr. McCall made a motion, seconded by Mr. Dexter, approved 5 – 0 that the minutes from the June 7, 2011 meeting be adopted as printed.

Presentation by Outside Organizations:

Convention & Visitor's Bureau [CVB] Update / Mr. Ken Sloan

Mr. Ken Sloan, CVB Director, addressed Council utilizing a PowerPoint photo display [copy not filed with these minutes] and a handout [copy filed with these minutes] highlighting accomplishments and future plans.

Consideration of the Following Proclamations:

Proclamation P2011-07

Mr. Barron made a motion, seconded by Mr. McCall, approved 5 – 0 to approve **Proclamation P2011-07** "A PROCLAMATION HONORING MS. AUSTIN ERNST UPON WINNING THE NCAA NATIONAL GOLF CHAMPIONSHIP" on first and final reading.

Mr. Thrift recognized Mr. Barron who asked Ms. Ernst's family to step forward to receive the Proclamation on her behalf as she was unable to attend as she is in summer school.

Public Hearing regarding the Following Ordinances

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" *[Armstrong Retreat Request]*

Mr. Thrift opened the Public Hearing regarding Ordinance 2011-10.

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 2011-10.

Consideration of the Following Resolutions:

Resolution R2011-09

Mr. Corbeil made a motion, seconded by Mr. Dexter, approved 5 – 0 to approve **Resolution R2011-09** “A RESOLUTION PROVIDING FOR A FUND BALANCE POLICY FOR THE OCONEE COUNTY GENERAL FUND AND FOR CERTAIN CAPITAL PROJECTS FUNDS AND SPECIAL REVENUE FUNDS” on first and final reading.

Consideration of the Following Ordinances:

Ordinance 2011-01

Mr. Corbeil made a motion, seconded by Mr. Dexter, to approve **Ordinance 2011-01** “AN ORDINANCE TO ESTABLISH THE BUDGET FOR **OCONEE COUNTY** AND TO PROVIDE FOR THE LEVY OF TAXES FOR ORDINARY COUNTY PURPOSES IN OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2011 AND ENDING JUNE 30, 2012.” on third and final reading.

Mr. Moulder addressed Council utilizing several handouts [Suggested Amendment to Ordinance #2011-01, Evaluation of General Fund Balance, revised Ordinance #2011-01 – copies filed with these minutes]. Discussion followed.

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 5 – 0 to amend **Ordinance 2011-01** “AN ORDINANCE TO ESTABLISH THE BUDGET FOR **OCONEE COUNTY** AND TO PROVIDE FOR THE LEVY OF TAXES FOR ORDINARY COUNTY PURPOSES IN OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2011 AND ENDING JUNE 30, 2012.” as presented.

Mr. Thrift called for the vote on Ordinance #2011-01 as amended. The motion passed 5 – 0 to approve **Ordinance 2011-01** “AN ORDINANCE TO ESTABLISH THE BUDGET FOR **OCONEE COUNTY** AND TO PROVIDE FOR THE LEVY OF TAXES FOR ORDINARY COUNTY PURPOSES IN OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2011 AND ENDING JUNE 30, 2012.” as amended on third and final reading.

NOTE: Please see these minutes after Executive Session related to the reconsideration of this vote.

Ordinance 2011-02

Mr. Dexter made a motion, seconded by Mr. Barron, approved 5 – 0 to approve **Ordinance 2011-02** “AN ORDINANCE TO ESTABLISH THE BUDGET FOR THE **SCHOOL DISTRICT OF OCONEE COUNTY** (the “School District”) AND TO PROVIDE FOR THE LEVY OF TAXES FOR THE OPERATIONS OF THE SCHOOL DISTRICT OF OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2011 AND ENDING JUNE 30, 2012” on third and final reading.

Ordinance 2011-03

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 5 – 0 to approve **Ordinance 2011-03** “AN ORDINANCE TO PROVIDE FOR THE LEVY OF TAXES FOR THE **KEOWEE FIRE SPECIAL TAX DISTRICT** AND TO ESTABLISH THE BUDGET FOR THE **KEOWEE FIRE SPECIAL TAX DISTRICT** FOR THE FISCAL YEAR BEGINNING JULY 1, 2011 AND ENDING JUNE 30, 2012.” on third and final reading.

Ordinance 2011-05

Mr. McCall made a motion, seconded by Mr. Corbeil, 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” *[Hurricane Mountain Request]* on third and final reading.

Ordinance 2011-10

Mr. McCall made a motion, seconded by Mr. Corbeil 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” *[Armstrong Retreat Request]* on third and final reading.

Mr. Barron made a motion, seconded by Mr. Corbeil, approved 5 – 0 to amend **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” as recommended by the Planning Commission.

Mr. Thrift called for the vote on Ordinance 2011-10 as amended. The motion passed 4 – 1 [Mr. Dexter opposed] 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” as amended on third and final reading.

Ordinance 2011-14

Mr. Dexter made a motion, seconded by Mr. Barron to approve **Ordinance 2011-14** “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” *[Keowee Key & Stamp Creek Request]* on first reading in title only.

Mr. Corbeil and Mr. McCall both stated for the record that they owned property included in this rezoning request. Mr. McCall stated that based on this he would recuse himself. Mr. Martin reminded Council of a ruling received by the South Carolina Ethics Commission previously stating that as a member of a large class a member does not need to remove himself from any action regarding that zoning ordinance. Mr. McCall stated he would not recuse himself based on this SC Ethics Commission opinion.

It was noted that Mr. Corbeil, as a previous board member for Keowee Key, had been listed on the initial petition as the contact person. Mr. Corbeil stated that once he was elected to public office that he resigned from the Keowee Key board and has had no further involvement with the petition. Mr. Corbeil stated that he would recuse himself at the present time and would ask for an advisory opinion from the South Carolina Ethics Commission on the advisability of his participation in discussions/voting on this rezoning matter.

Mr. Thrift called for the vote on Ordinance 2011-14. The motion passed 4 – 0 – 1 [Mr. Corbeil recusing himself as stated above] to approve **Ordinance 2011-14** “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” [Keowee Key & Stamp Creek Request] on first reading in title only and to refer the matter to the Planning Commission for their required review.

Ordinance 2011-15

Mr. McCall made a motion, seconded by Mr. Dexter, approved 5 – 0 to approve **Ordinance 2011-15** “AN ORDINANCE TO AMEND THE AGREEMENT AUTHORIZED BY ORDINANCES NO. 2006-027, 2008-017, 2010-04, 2010-24, 2010-32, 2011-09 RELATING TO THE INDUSTRIAL/BUSINESS PARK OF OCONEE AND PICKENS COUNTIES SO AS TO ENLARGE THE PARK.” on first reading.

Discussion & Possible Action Items:

Bid #10-16 / \$410,000 / ~~\$ 588,821.33~~ / Airport / Aviation Fuel

Mr. Moulder and Ms. Robyn Courtright, Procurement Director, addressed Council noting that the request is being amended to reflect the approved budget amount for Fiscal Year 2012, in the amount of \$410,000. Discussion followed

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 5 – 0 to [1] award ITB 10-16 Aviation Fuels for Oconee County Regional Airport to Eastern Aviation Fuels, Inc., of New Bern, NC, in an estimated amount of \$410,000 for Avgas and JetA fuels delivered to the Oconee County Regional Airport, and [2] to authorize the County Administrator to renew the bid for up to four one-year periods, provided their service is satisfactory.

\$95,714.33 / Video Conferencing & Security System / DSS Building & Walhalla Magistrate’s Office

Mr. Moulder and Ms. Courtright addressed Council regarding this item.

Mr. McCall made a motion, seconded by Mr. Dexter, approved 5 – 0 to award the purchase and installation of a Video Conferencing and Video Security System for the DSS Building and the Walhalla Magistrate’s office to Computer Software Innovations, Inc., of Easley, SC, in the amount of \$95,714.33 per State Contract.

Board & Commission Appointments:

Parks, Recreation & Tourism Commission Appointments / 1 Seat

It was noted that an Attorney General opinion regarding dual office holding [issue arose at the June 7, 2011 meeting] has not yet been received. Council deferred appointment to a future meeting.

Anderson-Oconee Behavioral Health Services Commission

Mr. McCall made a motion, seconded by Mr. Dexter, approved 5 – 0 to reappoint Mr. Harold Alley, Ms. Wanda Long and Mr. Fred Hamilton to this commission for three year terms.

Council deferred action regarding Ms. Jan Black and Ms. Jere Dubois pending information regarding their desire to either serve again or to be replaced.

Council also deferred appointment for the existing open seat.

Commission & Board Reports to Council:

Emergency Services Commission

Mr. Ronnie Williams, Emergency Services Commission Chair, addressed Council utilizing a handout [copy filed with these minutes] highlighting the previous years activities and awards/recognition.

Council Committee Reports:

Real Estate, Facilities & Land Management / Mr. Barron

Mr. Barron read from a prepared statement [copy filed with these minutes] highlighting the meeting that took place on June 13, 2011.

Council concurred with the committees actions.

Budget, Finance & Administration Committee / Mr. Dexter

Mr. Dexter read from a prepared statement [copy filed with these minutes] highlighting the meeting that took place on June 14, 2011.

Council concurred with the committees actions.

Transportation Committee / Mr. Thrift

Mr. Thrift read from a prepared statement [copy filed with these minutes] highlighting the meeting that took place on June 16, 2011.

Council concurred with the committees actions.

Law Enforcement, Public Safety, Health & Welfare / Mr. McCall

Mr. McCall read from a prepared statement [copy filed with these minutes] highlighting the meeting that took place on June 16, 2011.

Council concurred with the committees actions.

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, General Fund Revenue Budget Report [through May 31, 2011] and Budget Report by Department [through May 31, 2011].

Long Creek Fire Department Tanker Truck

Mr. Moulder also requested that Council consider a funding request from Fiscal Year 2011 for the Long Creek Fire Department to replace a tanker truck. Mr. Moulder noted that Pierce was willing to allow the county to purchase a "demo" tanker directly off the production line at a reduced cost. In addition, Mr. Moulder addressed funding for this item from the HR Contingency account. Council concurred that this was a good price for a replacement tanker. Discussion followed.

Mr. McCall made a motion, seconded by Mr. Corbeil to approve purchase from Fiscal Year 2011 a "demo" tanker for Long Creek Fire Department from Pierce Manufacturing, Inc., in Chicago, IL. [who agreed to a reduced price for the demo] utilizing funds available in the HR Contingency account in a not to exceed amount of \$155,000.

Old Business:

No Old Business was discussed at this meeting.

New Business:

No New Business was discussed at this meeting.

Executive Session:

Mr. Barron made a motion, seconded by Mr. Dexter, approved 5 – 0 to enter into Executive Session for the purpose of discussing a personnel matter and an Economic Development issue.

Council entered Executive Session at 8:25 p.m.

Council returned from Executive Session at 9:28 p.m. on a motion by Mr. McCall, seconded by Mr. Dexter, approved unanimously.

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

Mr. Thrift noted that Council discussed with the Administrator his annual appraisal and upon his receiving a successful review that his contractual salary adjustment would take place effective June 1, 2011.

Ordinance 2011-01

NOTE: Please see the ordinance portion of these minutes related to the initial vote on Ordinance 2011-01.

As a matter of precaution after receiving public comment the County Attorney recommended that Council reconsider their vote on Ordinance #2011-01 to include the reading of Section #1 of the ordinance into the record.

Mr. Corbeil made a motion, seconded by Mr. Barron to reconsider Ordinance 2011-01 as amended.

An open motion stood on the table after this action.

Discussion followed.

Mr. Dexter read the following into the record:

Ordinance 2011-01 "AN ORDINANCE TO ESTABLISH THE BUDGET FOR OCONEE COUNTY AND TO PROVIDE FOR THE LEVY OF TAXES FOR ORDINARY COUNTY PURPOSES IN OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2011 AND ENDING JUNE 30, 2012."

SECTION 1.

Pursuant to Section 4-9-140 of the South Carolina Code of Laws, 1976, as amended, the following amounts are hereby appropriated for the 2011-2012 fiscal year for Oconee County (the "County") for ordinary county purposes:


General Fund	\$ 43,143,640
Special Revenue Funds	
Victim Services Sheriff's Office	126,521
Victim Services Solicitor's Office	54,359
911 Fund	302,667
Enterprise Fund:	2,829,248
Debt Service Fund:	<u>3,382,212</u>
TOTAL:	\$49,838,647

Mr. Thrift called for the vote on amended **Ordinance 2011-01 "AN ORDINANCE TO ESTABLISH THE BUDGET FOR OCONEE COUNTY AND TO PROVIDE FOR THE LEVY OF TAXES FOR ORDINARY COUNTY PURPOSES IN OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2011 AND ENDING JUNE 30, 2012"**. Council voted 5 – 0 to approve Ordinance 2011-01 as amended.

Adjourn:

Mr. McCall made a motion, seconded by Mr. Dexter, approved 5 – 0 to adjourn at 9:41 p.m.

Respectfully Submitted:


Elizabeth G. Hulse
Clerk to Council