



MINUTES
OCONEE COUNTY COUNCIL MEETING
Regular Meeting
November 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, November 1, 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: 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 for this meeting.

Public Comment Session [related to specific agenda items]:

Mr. Richard Hughes addressed Council regarding R2011-14 asking Council to table the resolution for further study.

Ms. Susie Cornelius addressed Council regarding Ordinance 2011-30, R2011-14 and R2011-15 requesting additional information and public input. Additionally she voiced concerns with reassessment.

Mr. C. W. Richards addressed Council regarding R2011-14 asking Council to table the resolution for further study.

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

Mr. Richard Marcengill addressed Council voicing concerns regarding reassessment and regarding council member email comments reported in the local newspaper.

Mr. Larry Linsin addressed Council voicing concerns that the Future Land Use Map [FLUM] is being treated as a regulatory document.

Mr. B. J. Littleton addressed Council regarding reassessment and voicing concerns regarding R2011-14.

County Council Response to Public Comment:

Mr. Corbeil stated that Mr. Marcengill's comments related to an ongoing litigation matter, therefore, Council will not comment on the matter.

Mr. Dexter read a statement into the record [copy filed with these minutes] regarding misinformation printed in the local newspaper regarding this opinion of the Oconee Joint Regional Sewer Authority and delegation of the 208 Authority.

Meeting Recess:

Mr. Thrift announced a 10 minute recess at 6:38 p.m.

Meeting Reconvene:

Mr. Thrift reconvened the meeting at 6:48 p.m.

Pledge of Allegiance:

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

Minutes:

Mr. Corbeil made a motion, seconded by Mr. Dexter, approved 5 – 0 to approve the minutes from the October 18, 2011 regular meeting as presented.

Public Hearing Regarding the Following Ordinances:

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]

Mr. Thrift opened the floor for Public Comment.

Mr. Gary Owens addressed Council reading from a prepared statement [copy filed with these minutes] in support of passage of Ordinance 2011-14 as recommended by the Planning Commission and requested that Council strengthen the lake overlay district.

Mr. Ed Card, representative for Keowee Harbors subdivision, addressed Council in support of passage of Ordinance 2011-14 as recommended by the Planning Commission and requested that Council strengthen the lake overlay district.

Mr. Kevin Minton, President, Wynward Pointe Homeowners Association, addressed Council reading from a prepared statement [copy filed with these minutes] in support of passage of Ordinance 2011-14 as recommended by the Planning Commission and requested that Council strengthen the lake overlay district.

Mr. Edna Turnure, Vice President, Keowee Key Property Owners Association, addressed Council reading from a prepared statement [copy filed with these minutes] in support of passage of Ordinance 2011-14 as recommended by the Planning Commission and requested that Council strengthen the lake overlay district.

Mr. Ed Barker addressed Council regarding his 12 acre parcel; requesting that it be classified as agricultural not lake residential as recommended by the Planning Commission.

Mr. C. W. Richards addressed Council regarding an unidentified parcel which he does not own; noting that there is a court order outlining uses and if the proposed zoning classification is enacted and recommended by the Planning Commission that a lawsuit will be filed.

Mr. Eric Newton, on behalf of father-in-law Mr. Michael A. Beeco, addressed Council requesting that this parcel [tax map #099-00-04-001] be classified as community commercial. The Clerk to Council noted that Mr. Beeco submitted a letter to Council [copy filed with these minutes] also outlining this request.

Mr. Thrift opened the floor for any additional comments.

Mr. Tracy Simpson addressed Council voicing concerns that his property adjacent to this rezoning request may be threatened with rezoning in the future.

No additional citizens addressed Council.

Mr. Thrift asked if any citizens wished to submit written comments.

No written comments were submitted.

Mr. Thrift closed the Public Hearing regarding Ordinance 2011-14.

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”

Mr. Thrift opened the floor for Public Comment noting that no citizens signed up to speak. No citizens stepped forward to address Council.

Mr. Thrift asked if any citizens wished to submit written comments.

No written comments were submitted.

Mr. Thrift closed the Public Hearing regarding Ordinance 2011-15.

Consideration of the Following Ordinances:

Ordinance 2011-15

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

Ordinance 2011-32

Mr. Barron made a motion, seconded by Mr. Dexter, approved 5 – 0 to approve **Ordinance 2011-32** “AN ORDINANCE TO AUTHORIZSE THE LEASING OF CERTAIN OCONEE COUNTY SPACE; AND OTHER MATTERS RELATED THERETO” on second reading.

Ordinance 2011-30

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve **Ordinance 2011-30** “AN ORDINANCE AUTHORIZING THE TRANSFER OF CERTAIN OCONEE COUNTY REAL PROPERTY; AUTHORIZING THE EXECUTION AND DELIVERY OF A PURCHASE AND SALE AGREEMENT, LIMITED WARRANTY DEED, AND OTHER DOCUMENTS RELATED TO THE TRANSFER OF THE PROPERTY; AND OTHER MATTERS RELATED THERETO” on first reading.

Ordinance 2011-31

Mr. Dexter made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve **Ordinance 2011-31** “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” *[Bayshore Request]* on first reading in title only and to forward the Ordinance to the Planning Commission for the required review.

MOTION TO AMEND AGENDA

Mr. Dexter made a motion, seconded by Mr. Corbeil, approved 5 – 0 to amend the agenda to include discussion of Ordinance 2011-33.

Ordinance 2011-33

Mr. Corbeil made a motion, seconded by Mr. McCall, approved 5 – 0 to approve **Ordinance 2011-33** “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND PROJECT FL5; THE GRANTING OF SPECIAL SOURCE REVENUE CREDITS; AND OTHER MATTERS RELATING THERETO INCLUDING, WITHOUT LIMITATION, PAYMENT OF A FEE IN LIEU OF TAXES” on first reading in title only.

Consideration of the Following Resolutions:

Resolution R2011-14

Mr. Corbeil made a motion, seconded by Mr. Barron, to bring **Resolution R2011-14** “A RESOLUTION AUTHORIZING THE CREATION OF THE ECHO HILLS BUSINESS AND INDUSTRIAL PARK; APPROVING AND AUTHORIZING THE EXECUTION AND RECORDATION OF RESTRICTIVE COVENANTS GOVERNING THE OPERATION OF THE PARK AND THE USE AND DEVELOPMENT OF PROPERTY LOCATED WITHIN THE PARK; DESIGNATING THE OCONEE COUNTY ADMINISTRATOR AS THE COUNTY’S AGENT WITH REGARD TO CERTAIN TERMS OF THE RESTRICTIVE COVENANTS; AND OTHER MATTERS RELATED THERETO” to the floor for discussion. Lengthy discussion followed.

Mr. McCall made a motion, seconded by Mr. Dexter, approved 5 – 0 to table Resolution R2011-14 indefinitely to allow for further study and recommendation from the County Administrator, County Attorney and staff.

Resolution R2011-15

Mr. Barron made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve **Resolution R2011-15** “A RESOLUTION BY THE OCONEE COUNTY COUNCIL TO SUPPORT AND JOIN THE SOUTH CAROLINA ASSOCIATION OF COUNTIES IN FILING AN AMICUS CURIE BRIEF IN SUPPORT OF THE COMPLAINT FILED BY GREENVILLE, SPARTANBURG, BEAUFORT AND CHESTER COUNTIES IN A CIVIL ACTION CAPTIONED BEAUFORT COUNTY ET AL, PETITIONERS, VS THE SOUTH CAROLINA ELECTION COMMISSION ET AL, RESPONDENTS” on first and final reading.

Discussion & Possible Action Items

IT / Disk Storage System / \$110,717.65 / State Contract

Mr. Moulder along with Ms. Robyn Courtright, Procurement Director, addressed Council regarding this award.

Mr. McCall made a motion, seconded by Mr. Dexter, approved 5 – 0 to award purchase of SAN – NetApp 3210A Disk Storage Space System, to Data Network Solutions of Chapin, SC; in the amount of \$110,717.65, per SC State Contract #4400004168.

Board & Commission Appointments

Oconee County Conservation Bank Board

Mr. McCall nominated Mr. Andy Lee from District II.

Mr. Dexter nominated Mr. Richard Harwell from District V.

Mr. McCall made a motion, seconded by Mr. Dexter, approved 5 – 0 to approve Mr. Andy Lee and Mr. Richard Harwell to seats on the Oconee Conservation Bank Board.

Mr. Thrift nominated Mr. Ed Land for an At Large Seat.

Mr. McCall nominated Mr. Luther Lyle for an At Large Seat.

Mr. Corbeil nominated Mr. Bob Hill for an At Large Seat.

No other nominations were received from the floor.

Discussion followed. The County Attorney recommended a hand vote for each nominee; noting that the nominees with the two highest votes could be proposed for appointment to the two At Large Seats. Council concurred with this voting method. Mr. Thrift called for a hand vote for each of the three nominees; results to follow.

Mr. Ed Land received all five council votes.

Mr. Luther Lyle received one council vote [Mr. McCall].

Mr. Bob Hill received four council votes [Mr. Corbeil, Mr. Barron, Mr. Thrift and Mr. Dexter].

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 5 – 0 to appoint Mr. Ed Land and Mr. Bob Hill to the two open At Large Seats on the Oconee Conservation Bank Board.

Commission & Board Reports to Council:

None scheduled for this meeting.

Council Committee Reports:

None scheduled for this meeting.

Administrator's Report:

Mr. Moulder stated he had no report for this meeting.

Old Business:

Local Government Fund [LGF]

In follow-up to the last meeting, Mr. Moulder addressed Council utilizing a PowerPoint presentation entitled "Oconee County Local Government Fund: Revenues & Expenditures" [copy filed with these minutes] highlighting the first nine slides in the presentation.

In addition, Mr. Moulder noted the presentation included information related to each specific department but that he would not cover this material during this discussion; it is provided for information.

Mr. Corbeil suggested that Council schedule a meeting with the local delegation to review this material with them. Mr. Moulder also noted that it is the County's position that a decrease is understandable with reduced state revenues; however, the County's position is that we along with all other counties should be funded at the appropriate percentage as outlined in state law.

Lengthy discussion followed.

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 5 – 0 to authorize Mr. Dexter to present this PowerPoint presentation at the SCAC Budget/Finance Steering Committee meeting to be held on Thursday, November 3, 2011, in Columbia, SC.

208 Authority Workshop / ACOG / Mr. Chip Bentley

Mr. Dexter noted that he had discussions with Mr. Bentley/ACOG regarding the 208 Authority. Mr. Bentley stated he would be happy to attend a workshop meeting to answer questions and offer options. Council took no action at this meeting regarding this matter.

New Business:

YMCA / Mr. Thrift

Mr. Thrift noted that the Board of the YMCA is looking at several sites for development in Oconee County one of which is potentially Echo Hills. Discussion followed.

Mr. Thrift made a motion, seconded by Mr. Barron, approved 5 – 0 to authorize staff to work with the YMCA to develop conceptual plans for review / discussion at a future meeting.

MOTION TO AMEND AGENDA TO ADD ISSUES FOR DISCUSSION IN EXECUTIVE SESSION

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 5 – 0 to add discussion of a personal matter and to receive legal advice regarding a pending litigation matter to Executive Session.

Executive Session:

Mr. Corbeil made a motion, seconded by Mr. McCall, approved 5 – 0 to enter into Executive Session for discussion of a personal matter, to receive legal advice regarding a pending litigation matter, and to receive legal advice regarding a contractual matter.

Council entered Executive Session at 7:58 p.m.

Council returned from Executive Session at 8:58 p.m. on a motion by Mr. Dexter, seconded by Mr. Corbeil, approved unanimously.

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

Mr. Corbeil made a motion, seconded by Mr. Dexter, approved 5 – 0 to direct the County Administrator to proceed as discussed in Executive Session regarding the contractual matter.

Adjourn:

Mr. McCall made a motion, approved unanimously to adjourn at 8:59 p.m.

Respectfully Submitted:

Elizabeth G. Hulse
Clerk to Council