



A G E N D A

OCONEE COUNTY COUNCIL MEETING

Tuesday, March 6, 2012 ~ 6:00 PM

County Council Chambers, Oconee County Administrative Offices
415 South Pine Street, Walhalla, SC

1. **Call to Order**
2. **Extended Public Comment Session** *(Limited: 2 citizens per ag. for 5 minutes, prior scheduling required)*
 - Ordinance 2011-23 / Mr. Bo Horne
3. **Public Comment Session/Agenda Items**
4. **Public Comment Session/Non Agenda Items – time permitting**

Agenda & Non Agenda Items: Combined both are limited to a total of forty (40) minutes, four (4) minutes per person.

5. **Council Member Comments** *[Directly following Public Comment Sessions if applicable & time permits]*

Council may take a brief recess (time permitting) prior to the Business portion of the meeting scheduled to begin at 6:30 p.m. or after Public Comment (which ever comes last)

6. **Moment of Silence**
7. **Pledge of Allegiance to the Flag of the United States of America**
8. **Presentations To County Council** *[2 maximum per meeting / 10 minute maximum per presentation]*
 - Anderson-Oconee-Pickens Mental Health / Mr. Kevin Hoyle, Executive Director
 - Interactive GIS Map re: New Council District Demonstration / Ms. Lisa Simmering
9. **Approval of Minutes**
 - February 21, 2012 Regular Meeting

10. **Consideration of the Following Resolutions:**

First & Final Reading of Resolution R2012-02 "A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN INDUCEMENT AGREEMENT BY AND BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND PROJECT SUNSHINE, WHEREBY, UNDER CERTAIN CONDITIONS, OCONEE COUNTY WILL EXECUTE A FEE IN LIEU OF TAX AGREEMENT FOR A PROJECT INVOLVING NOT LESS THAN TWENTY-FIVE MILLION DOLLARS (\$25,000,000) INVESTMENT" and Inducement Agreement.

This Resolution and Inducement Agreement are related to Ordinance 2012-11 below which initiates authorization and execution of a Fee In Lieu of Tax Agreement between Oconee County and Project Sunshine.

It is staff's recommendation that Council take first and final reading of Resolution R2012-02 and execute the attached Inducement Agreement.

11. **Consideration of the Following Ordinances:**

Third & Final Reading of Ordinance 2011-23 "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" *[Cone Creek Rezoning Request]*

Council took first reading in caption only on September 6, 2011 and sent the issue to the Planning Commission for review. The Commission forwarded a recommendation to Council on December 5, 2011. Council considered the matter on January 17, 2012 and approved the ordinance on 2nd reading. The public hearing was held on February 21, 2012.

It is the staff's recommendation that Council take third and final reading of Ordinance 2011-23.

First Reading of Ordinance 2012-11 "AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND PROJECT SUNSHINE; THE GRANTING OF SPECIAL SOURCE REVENUE CREDIT; AND OTHER MATTERS RELATING THERETO INCLUDING, WITHOUT LIMITATION, PAYMENT OF A FEE IN LIEU OF TAXES"

Fee-In-Lieu-Of-Tax (FILOT) Agreement and Special Source Revenue Credit (SSRC) for Project Sunshine.

Project Sunshine is a competitive project that carries a \$25,000,000 investment over the next 5-years and the creation of 50+ jobs in that same time frame. They are requesting a FILOT agreement of 6% for the next 20 years with fixed millage. In addition they are requesting a SSRC of 25% for 10 years.

A Cost benefit analysis will be provided before the Third Reading.

It is the staffs recommendation that Council approval of the first reading of Ordinance 2012-11 for Project Sunshine.

First Reading [In Title Only] of Ordinance 2012-12: "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"

[Biggerstaff Road Rezoning Request]

The proposed ordinance 2012-12 stems from a citizen-initiated rezoning request submitted by Mr. Mike Smith. The request consists of 457 parcels, consisting of approximately 570 acres in the vicinity of Biggerstaff Road in Oconee County. The parcels are located in the residential area on the Future Land Use Map. As submitted, the parcels would be rezoned into the Residential District, Lake Residential District, and the Agricultural Residential District. Petitions containing the signatures of at least 51% of the owners of the parcels in the request area were submitted in support of the proposal.

It is the staffs recommendation that Council take First Reading in title only of Ordinance 2012-12, and refer the matter to the Planning Commission for the required review/recommendation.

12. Discussion & Possible Action Items

Change Order #1 / PO 48613 / BROADBAND PROJECT FOCUS / \$952,337

On August 8, 2011, County Council approved the award of RFP 10-28 for the Installation Contractor for Broadband Project FOCUS to Network Controls and Electric, Inc. of Greer, SC in the amount of \$2,728,704.00 (5.44 per foot) for approximately 95 miles, or Phase One of the project. This Change Order #1 in the amount of \$952,337.00 is for additional mileage, hand holds, 4" conduit with three 1 1/4" conduits inside for railroad crossings and anchor institution connections.

Broadband Project staff is also asking for approval to shift mileage from later phases to allow Direct Internet Access (DIA) and additional customer connections to be completed with this Change Order #1. The work and cost associated with this change order is covered in the original grant application. Tamassee-Salem Middle/High School connection timeline will be included in this change order. The original 95 miles Phase One segment was to be completed by February, 15, 2012. With the additional miles and connections added by this Change Order #1, the estimated completion date will now be March 30, 2012. This will bring the total amount of the PO to \$3,681,041.

It is the staffs recommendation that Council approve Change Order #1 / PO 48613 in the amount of \$952,337 to Network Controls and Electric, Inc. of Greer, SC.

13. Board & Commission Appointments

None scheduled for this meeting

14. Commission / Board Reports to Council *[ten minute maximum]*

None scheduled for this meeting

15. Council Committee Reports

- Real Estate, Facilities & Land Management Committee / Mr. Barron
- Budget, Finance & Administration Committee / Mr. Dexter

16. Administrator Report

17. Old Business

18. New Business

19. Executive Session

[for the purpose of receiving legal advice regarding a litigation matter]

- Vote / Action on matters discussed in Executive Session [if required]

20. Adjourn

[This agenda is not inclusive of all issues which Council may bring up for discussion at this meeting.]

Assisted Listening Devices [ALD] are available to accommodate the special needs of citizens attending meetings held in Council Chambers.

ALD requests should be made to the Clerk to Council at least 30 minutes prior to the meeting start time.

Oconee County Council & Committee meeting schedules and agendas are posted at the Oconee County Administration Building and are available on the County Council Website. [All upcoming meetings will be held in Council Chambers unless otherwise noted]