



MINUTES
OCONEE COUNTY COUNCIL MEETING
Regular Meeting
March 20, 2012

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 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, Assistant Administrator Glenn Breed and Clerk to Council, Elizabeth 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 & 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]:

Mr. Tom Markovich addressed Council in support of passage of R2012-03.
Mr. B. J. Littleton addressed Council in opposition to passage of R2012-03.

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

Mr. Richard Marcingill addressed Council in opposition to building a new jail.
Mr. Britt Adams addressed Council in opposition to the zoning enabling ordinance revisions.

County Council Response to Public Comment: None at this meeting.

Meeting Recess: Mr. Thrift announced a recess at 6:16 p.m.

Meeting Reconvene: Mr. Thrift reconvened the meeting at 6:30 p.m.

Pledge of Allegiance: Mr. McCall 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 March 6, 2012 meeting as presented.

Presentations to County Council

Upstate Alliance Annual Update / Mr. Hal Johnson

Mr. Johnson, President/CEO Upstate Alliance, addressed Council utilizing a PowerPoint presentation [copy filed with the minutes] highlighting 2011 activities and announcements along with their initiatives and Oconee County specific economic development information.

Council thanked Mr. Johnson for his thorough presentation.

Low Income Spay / Neuter Program / Ms. Kathy Dezern

Ms. Dezern along with Sgt. Mark Lyles, Oconee County Sheriff Office, addressed Council utilizing a PowerPoint presentation and handouts [copies filed with these minutes] highlighting the success of the county funded low income spay / neuter program at the Oconee County Animal Shelter.

Public Hearings Regarding the Following Ordinances:

Ordinance 2012-04 "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" *[Watson Rezoning Request]*

Prior to opening the floor for comment; Mr. Thrift recognized Mr. Aaron Gadsby, County Planner, who addressed Council referencing a memo including an amended map [copy filed with these minutes] highlighting 22 citizen requests to be included as traditional rural in Ordinance 2012-04. In addition, he stated he received two phone calls requesting addition; noting that one request however is not contiguous.

Mr. Thrift opened the floor for Public Comment.

Mr. Phillip Waters requested that his parcel [219-00-01-027] be added to this ordinance as traditional rural.

Mr. Thrift asked if any citizens wished to address Council regarding this ordinance; no citizen stepped forward.

Mr. Thrift asked if any citizens wished to submit written comments regarding this ordinance; no citizen presented any written comments for the record.

Mr. Thrift closed the Public Hearing regarding Ordinance 2012-04.

Consideration of the Following Resolutions:

Resolution R2012-03

Mr. Barron made a motion seconded by Mr. Dexter, approved 4 – 1 [Mr. McCall opposed] to approve **Resolution R2012-03** "A RESOLUTION DIRECTING THE PREPARATION OF ALL REQUIRED DOCUMENTATION AND SUPPORTING MATERIALS ORDERING A REFERENDUM ON CERTAIN MODIFICATIONS TO A 1976 REFERENDUM OF OCONEE COUNTY AT WHICH THE ELECTORS OF OCONEE COUNTY AUTHORIZED THE COUNTY TO ACQUIRE, PURCHASE, CONSTRUCT AND OPERATE A WASTEWATER TREATMENT FACILITY TO SERVE PORTIONS OF OCONEE COUNTY; AND OTHER MATTERS RELATED THERETO" on first and final reading.

Consideration of the Following Ordinances:

Ordinance 2012-04

Mr. McCall made a motion, seconded by Mr. Corbeil, to approve **Ordinance 2012-04** [*Watson Rezoning Request*] on third and final reading.

Mr. McCall made a motion, seconded by Mr. Dexter, approved 5 – 0 to amend **Ordinance 2012-04** to [1] include the parcels outlined on the memo from planning staff [copy filed with the minutes], [2] add Mr. Water's parcel [219-00-01-037], [3] review the parcels surrounded by additions to the ordinance, [4] consider Mr. Willimon's request to have his non-contiguous parcel added to the request, and [5] make recommendation to Council for third and final reading.

Mr. Dexter made a motion, seconded by Mr. Corbeil, approved 5 – 0 to table the vote of **Ordinance 2012-04** "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" [*Watson Rezoning Request*] until the April 3, 2012 meeting pending recommendation from the Planning Commission.

Ordinance 2012-05

Mr. Thrift asked the Clerk to review the status of this ordinance. Ms. Hulse stated that an open motion was on the floor for second reading of the ordinance. The document presented at this meeting reflects revisions completed by the county attorney and staff at Council's request. She stated that if Council wishes to consider this document; that a motion to amend is needed to bring the revised document to the floor for consideration and vote.

Mr. Dexter made a motion, seconded by Mr. Barron, to amend **Ordinance 2012-05** "AN ORDINANCE TO REVISE AND AMEND *ARTICLE IV. BOARDS, COMMISSIONS AND COMMITTEES OF CHAPTER 2. ADMINISTRATION, AND ARTICLE II. ECONOMIC DEVELOPMENT COMMISSION OF CHAPTER 24. PLANNING AND DEVELOPMENT OF THE OCONEE COUNTY CODE OF ORDINANCES IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY; AND OTHER MATTERS RELATED THERETO*" as presented.

Lengthy discussion followed focusing on term limits. Mr. Dexter made a motion, seconded by Mr. Thrift to amend **Ordinance 2012-05** to remove term limit language. The motion failed 2 – 3 [Mr. Corbeil, Mr. McCall and Mr. Barron opposed].

Mr. Thrift called for the vote on **Ordinance 2012-05** as amended for second reading. The motion passed 4 – 1 [Mr. Dexter opposed].

Ordinance 2012-06

Mr. Thrift again asked the Clerk to review the status of this ordinance which is similar to **Ordinance 2012-05** [see comment above].

Mr. Dexter made a motion, seconded by Mr. Barron, approved 5 – 0 to amend **Ordinance 2012-06** "AN ORDINANCE TO REVISE AND AMEND *DIVISION 2. MEETINGS OF ARTICLE II. COUNTY COUNCIL OF CHAPTER 2. ADMINISTRATION OF THE OCONEE COUNTY CODE OF ORDINANCES IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY; AND OTHER MATTERS RELATED THERETO*" as presented.

Mr. Thrift called for the vote on **Ordinance 2012-06** as amended for second reading. The motion passed 5 – 0.

Ordinance 2012-13

Mr. McCall made a motion, seconded by Mr. Dexter, approved 5 – 0 to approve **Ordinance 2012-13** "AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A MEMORANDUM OF UNDERSTANDING BY AND BETWEEN OCONEE COUNTY AND THE SCHOOL DISTRICT OF OCONEE COUNTY REGARDING THE GRANT BY THE COUNTY OF ECONOMIC DEVELOPMENT FUNDS FOR THE CONSTRUCTION OF SANITARY SEWER SERVICE LINES, FACILITIES, AND APPURTENANCES BY THE SCHOOL DISTRICT; THE APPROPRIATION OF FUNDS THEREFOR; AND OTHER MATTERS RELATED THERETO" in title only on first reading.

Ordinance 2012-11

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve **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" on second reading.

Discussion & Possible Action Items

Local ATAX / \$5,000 / Title Sponsorship of National Golf Association (NGA) Professional Golf Tournament

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

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 5 – 0 to approve local ATAX grant request for \$5,000 to assist in title sponsorship of Mountain Lakes Classic NGA Professional Golf Tournament.

RFP 11-15 /On Call Professional Engineering Consulting Services / All Departments

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

Mr. Barron made a motion, seconded by Mr. Dexter, approved 5 – 0 that Council

[1] Approve the award of RFP 11-15 for On Call Professional Engineering Consultant Services to the following firms for the listed categories:

- URS Corporation (formerly BP Barber), Greenville, SC, A, D, and F
- Davis & Floyd, Greenwood, SC B, C, and G
- Froehling & Robertson, Inc., Greenville, SC E
- Craig, Gaulden Davis, Greenville, SC H

and, [2] authorize the County Administrator to execute the original contracts after approval and renew these contracts yearly, up to five years as long as their work is deemed satisfactory.

Board & Commission Appointments

None scheduled for this meeting.

Commission & Board Reports to Council

None scheduled for this meeting.

Council Committee Reports:

Planning & Economic Development / Mr. Corbeil

Mr. Corbeil read from a prepared statement [copy filed with these minutes] highlighting activities at the March 13, 2012 meeting.

Council agreed to schedule a special meeting to discuss revisions to the Zoning Enabling Ordinance with the Planning Commission; the meeting to be held Monday, April 16, 2012 at 6:00 p.m. Mr. Thrift requested that the Clerk to Council advertise meeting.

Budget, Finance & Administration Committee / Mr. Dexter

Mr. Dexter read from two a prepared statements [copies filed with these minutes] highlighting activities at the two March 13, 2012 meetings.

Mr. Dexter made a motion, seconded by Mr. Corbeil, approved 5 – 0 to direct the Administrator to move forward with the Sewer South proposal for the Golden Corner Commerce Park [GCCP].

Administrator's Report:

Mr. Moulder addressed Council reading from a handout [copy filed with these minutes] highlighting activities of various areas of county government. In addition, Mr. Moulder provided as information financial reports [copies filed with these minutes] for the period ending February 29, 2012.

Old Business:

Pioneer Water Request for Land at the Golden Corner Commerce Park [GCCP]

Mr. Moulder requested direction from Council regarding Pioneer Water's request for property at the GCCP. Discussion followed

Mr. Dexter made a motion, seconded by Mr. Corbeil, approved 5 – 0 to direct the Administrator to offer for sale one of two proposed sites at the GCCP to Pioneer Rural Water at an approximate cost of \$130,000.

New Business:

None scheduled for this meeting.

Executive Session:

Mr. Moulder noted that the stated purpose for the Executive Session needs to be amended to remove the litigation matter and to add discussion regarding two contractual matters.

Mr. Corbeil made a motion, seconded by Mr. McCall, approved 5 – 0 to amend the purpose for Executive Session as noted above. Mr. McCall made a motion, seconded by Mr. Dexter, approved 5 – 0 to enter Executive Session at 8:05 p.m.

Council returned from Executive Session at 8:56 p.m. on a motion by Mr. Dexter, seconded by Mr. Barron, approved 5 – 0.

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

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 5 – 0 to authorize the Administrator to pursue negotiations regarding an economic development matter [Project Star] as discussed in Executive Session.

Mr. Corbeil made a motion, seconded by Mr. Dexter, approved 5 – 0 to authorize the Administrator to negotiate property and initiate required design rework for the Detention Center as discussed in Executive Session.

Adjourn:

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

Respectfully Submitted:

Elizabeth G. Hulse, Clerk to Council