



MINUTES
OCONEE COUNTY COUNCIL MEETING
Regular Meeting
April 17, 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 & Carlos Galarza, Mike Eads - 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]: None at this meeting.

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

Mr. Richard Marcingill addressed Council voicing concerns that citizens in the unincorporated areas of the county could be taxed twice for sewer expansion in the unincorporated areas of the county.

Mr. Frankie Pearson addressed Council in opposition to purchasing additional land for a new jail.

Mr. Mike Jones addressed Council requesting on behalf of citizens that the new jail be located in the Five Forks community. Mr. Jones presented Council with three signed petitions [copies filed with these minutes] in support of this location.

Mr. Brit Adams addressed Council in opposition to passage of Ordinance 2012-14.

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

Meeting Recess: Mr. Thrift announced a recess at 6:06 p.m.

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

Pledge of Allegiance: Mr. Thrift recognized members of Girl Scout Troop 741 [Mt. Rest/Long Creek] who led the Pledge of Allegiance to the United States of America.

Consideration of the Following Proclamations:

Proclamation P2012-04

Mr. McCall made a motion seconded by Mr. Barron, approved 5 – 0 to approve “A PROCLAMATION HONORING THE GIRLS SCOUTS OF AMERICA AT THEIR ONE HUNDRETH ANNIVERSARY” on first and final reading.

Mr. Thrift asked members of Troop 741 to step forward to accept the Proclamation from Council. The troop thanked Council and the girls presented each member of Council along with the attorney, clerk and administrative staff a box of Shortbread Cookies.

School District of Oconee [SDOC] FY 2013 Budget Presentation to Council

Dr. Michael Lucas, Superintendent, and Dr. Michael Thorsland, Assistant Administrator, addressed Council utilizing several handouts [copies filed with the minutes] and a PowerPoint presentation [copy also filed with the minutes] highlighting the following areas:

- SCOC / County Collaborations: North Highway 11 Sewer Project & Combined Courier Services
- Five Year History of School Millage
- General Fund Revenues from State Sources: 2008-2012
- SDOC Local Revenue: 2008-2012
- SDOC General Fund Balance
- Changes leading to Deficit
- General Fund Revenue Projects Spreadsheet
- Expenditure Budget Summary for FY 2012 Spreadsheet
- TOTAL BUDGET REQUEST FOR SDOC FOR FY 2013: \$60,516,328

Discussion followed regarding specifics related to the school district and pending state legislation {H4993 & H4998} that will effect total county revenues.

Meeting Recess:

Mr. Thrift announced a 10 minute recess at 7:05 p.m.

Meeting Reconvene:

Mr. Thrift reconvened the meeting at 7:15 p.m.

Motion to Amend Agenda:

Mr. Barron made a motion, seconded by Mr. Corbeil, approved 5 – 0 to amend the agenda to add three items to the scheduled Executive Session [1] receiving legal advice regarding a current litigation matter, and [2] two Economic Development projects.

Minutes: Mr. Dexter made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve the minutes from the April 3, 2012 meeting as presented.

Presentations to County Council

Capital Project Advisory Committee / Mr. John Rau & Mr. David Mead

Mr. Rau and Mr. Mead addressed Council utilizing a PowerPoint presentation [copy filed with these minutes] and several handout [copies filed with the minutes] highlighting the following activities of the committee to date:

- Formation of the Committee: voting & non-voting membership, record retention, etc.
- Process: development of process to evaluate projects, development of a scoring mechanism, and development of a ranking system

- Activities of the Committee: development of evaluation/scoring forms, development of project flowchart, etc.
- Projects Reviewed: two test projects evaluated prior to implementation of forms
- Projects Reviewed: two projects evaluated and forwarded to the Planning Commission for inclusion in their review and recommendation to Council.

Council thanked the members for their thorough presentation and stated their appreciation for the work being done by the Committee.

Public Hearing regarding the Following Ordinances:

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"

Mr. Thrift opened the floor for Public Comment.

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 2012-13.

Consideration of the Following Resolutions:

Resolution R2012-06

Mr. Dexter made a motion seconded by Mr. Corbeil, approved 5 - 0 to approve **Resolution R2012-06** "A RESOLUTION AUTHORIZING THE ACCEPTANCE BY OCONEE COUNTY OF CERTAIN REAL PROPERTY, DEDICATED BY THE FOXWOOD HILLS PROPERTY OWNERS ASSOCIATION, FOR CERTAIN SPECIFIED PUBLIC PURPOSES, ONLY; AND OTHER MATTERS RELATED THERETO" on first and final reading.

Consideration of the Following Ordinances:

Ordinance 2012-13

Mr. Barron made a motion, seconded by Mr. McCall, 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" on third and final reading.

Ordinance 2012-15

Mr. Dexter made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve **Ordinance 2012-15** "AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CERTAIN PROPERTY TO NEW HORIZON ELECTRIC" on second reading.

Discussion & Possible Action Items

Road Department / East Capewood, Dobson Cove, Lynx Lane, & RC Drive / \$67,290.00

Mr. Moulder, Ms. Robyn Courtright, Procurement Director, and Mr. Mack Kelly, County Engineer, addressed Council regarding this item.

Mr. Barron made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve the award of \$67,290.00 to Davis & Floyd, Inc., of Greenwood, SC for engineering services for the above mentioned road projects.

Emergency Services / Foxwood Hills Substation / \$157,195.24

Mr. Breed and Ms. Courtright addressed Council regarding this item. Mr. Breed also introduced Chief Bob Jones, Foxwood Hills Chief of Security & Lieutenant with the South Union Fire Department who was available to address any questions related to the substation.

Mr. Dexter made a motion, seconded by Mr. Barron, approved 5 – 0 to approve the award of \$157,195.24 to Joel Davis Construction of Westminster, SC to construct the Foxwood Hills Substation.

RFP 11-16: Phase II Installation Contractor / BROADBAND PROJECT FOCUS / STBD

Mr. Moulder, Ms. Courtright and County Attorney Mr. Martin addressed Council regarding this item. It was noted that a protest had been received by staff, evaluated and a determination made regarding award of RFP 11-16. This matter was initially discussed at the April 16, 2012 Council meeting and based on this; Mr. Martin requested that the minutes and two letters referenced from that Council meeting be incorporated as an attachment to these minutes as they relate to this issue [copies filed with the backup material for this meeting and additionally incorporated into these minutes as **Attachment A**].

Ms. Courtright stated that the protest with without merit and asked that Council affirm her determination and move forward with the award. Ms. Courtright also read into the record the scoring weight factors [copy of this document filed with these minutes]. In addition she reviewed the scoring process that the evaluation committee utilized to evaluate all RFP's.

Mr. Corbeil made a motion, seconded by Mr. McCall, approved 5 – 0 to approve the Procurement Director's determination noting it was correct and that Council chooses to move forward light of the protest and award RFP 11-16 for Installation Contractor for Phase II of Broadband Project FOCUS to Network Controls & Electric, Inc., of Greer, SC, for the total amount of \$3,426,678.20.

PO #48614/ ITB 11-04 / CO#1 / BROADBAND PROJECT FOCUS / \$448,360.00

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

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 5 – 0 to approve Change Order # 1 for PO 48614 in the amount of \$448,360.00 to GeoVision of Sylva, NC. This will bring the total amount of the PO to \$744,568.

Board & Commission Appointments

None scheduled for this meeting.

Commission & Board Reports to Council

None scheduled for this meeting.

Council Committee Reports:

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

Mr. McCall noted the meeting was cancelled.

Transportation Committee / Mr. Thrift

Mr. Thrift read from a prepared statement [copy filed with these minutes] highlighting the activities of the committee's meeting on April 10, 2012.

Mr. Thrift made a motion, seconded by Mr. Dexter, approved 5 – 0 to approve the Tentative Road Improvement List, dated April 10, 2012, to be considered for road construction paving list as funds allow AND contingent on Council's receipt/approval of the Fiscal Year 2013 Operating Budget.

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 March 31, 2012.

Mr. Moulder noted that his FY 2013 budget presentation to Council is scheduled for Tuesday, April 24, 2012 at 6:00 p.m. in Council Chambers.

Lastly, he addressed questions regarding a county electronic recycling program; noting that this has been delegated to Mr. Breed who will make recommendation to Council at an upcoming meeting.

Old Business:

Local Government Fund / House Bills H4993 & H4998

Mr. Dexter addressed Council regarding ongoing concerns with reduced funding to the LGF by the state legislature. He noted that at present they are funding state wide at the 1995-1996 level. The effect to Oconee County is approximately \$1,000,000 or the equivalent of approximately 2 mills.

Mr. Dexter also discussed H4993 which would reduce the assessment to manufacturing to 6%; it is now 10.5% and H4998 which reduce the assessment on second homes, rental property, etc to 5%; it is now 6%. The total loss state wide to counties in lost property taxes would be approximately 23%. He voiced concerns that this will shift the burden to the residential property tax payers. Lastly, he noted that the bills would also prohibit reimbursement or allowance for lost revenues.

Lengthy discussion followed.

Mr. Thrift agreed to approach the county's legislative delegation members to schedule a time when they could meet with Council so these issues can be addressed and the county's and its citizen's position promoted.

New Business:

None scheduled for this meeting.

Executive Session:

Mr. Barron made a motion, seconded by Mr. Corbeil, approved 5 – 0 to enter into Executive Session to [1] receiving legal advice regarding two contractual matters, [2] receive legal advice regarding a current litigation matter, and [3] discuss two Economic Development projects.

Council entered Executive Session at 8:10 p.m.

Council returned from Executive Session at 9:40 p.m. on a motion by Mr. Dexter, seconded by Mr. Corbeil, 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 recommend settlement of the Soowal vs. Oconee County [and others] lawsuit subject to subject to satisfaction to matters listed by the Administrator in Executive Session.

Mr. Corbeil made a motion, seconded by Mr. Dexter, approved 5 – 0 to authorize the Administrator to continue due diligence efforts pertaining to construction of the new detention center including, if necessary, expenditures up to the amount discussed in Executive Session which is within the Administrator's existing authority.

Adjourn:

Mr. McCall made a motion, approved unanimously to adjourn at 9:42 p.m.

Respectfully Submitted:



Elizabeth G. Hulse
Clerk to Council