



MINUTES
OCONEE COUNTY COUNCIL MEETING
Regular Meeting
June 19, 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 and Clerk to Council Elizabeth G. Hulse.

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, Dick Mangrum – WGOG Radio, Ashton Hester – Keowee Courier & Mike Eads - The 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. C. W. Richards addressed Council in opposition to funding for sewer expansion as a force main line as listed in the capital projects budget for FY 2012-2013 in Ordinance 2012-01.

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

Mr. B. J. Littleton addressed Council regarding historic zoning matters and made a FOIA request for information related to litigation related to Ordinances 2010-15 & 2010-16.

County Council Response to Public Comment:

There was no response to Public Comment from any Council member.

Meeting Recess: Mr. Thrift announced a recess at 6:07 p.m.

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

Pledge of Allegiance:

Mr. Thrift asked Mr. Shane Kelly and Mr. Gabriel Smith to lead the Pledge of Allegiance to the United States of America.

Minutes:

Mr. Barron made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve the minutes from the June 5, 2012 regular meeting as presented.

Motion to Amend Agenda:

Mr. Corbeil made a motion, seconded by Mr. McCall, approved 5 – 0 to amend the agenda to move Item #9: Consideration of Proclamations prior to the Public Hearing for Ordinance 2011-25.

Consideration of the Following Proclamations:

Proclamation P2012-02

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 5 – 0 to approve **Proclamation P2012-02** " A PROCLAMATION HONORING MR. JAMES ALEXANDER, OCONEE COUNTY ECONOMIC DEVELOPMENT DIRECTOR UPON HIS RETIREMENT" on first and final reading.

Mr. Thrift presented the proclamation to Mr. Alexander and his wife, Martha. Mr. Thrift on behalf of Council thanked Mr. Alexander for an excellent job. Mr. Alexander thanked those present and wished the County well as we move forward.

Proclamation P2012-03

Mr. Dexter made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve **Proclamation P2012-03**"A PROCLAMATION FOR THE BICENTENNIAL OF THE WAR OF 1812" on first and final reading.

Mr. Thrift presented the proclamation to Mr. Jeremy Eller, Tamassee DAR School representative, who along with other staff accepted it on behalf of the students at the school.

Proclamation P2012-06

Mr. Dexter made a motion, seconded by Mr. Barron, approved 5 – 0 to approve **Proclamation P2012-06** 'A PROCLAMATION HONORING MR. SHANE MCCARROLL KELLY, MR. GABRIEL SMITH AND MR. JAMES RATLIFF" on first and final reading.

Mr. Thrift presented a copy of the proclamation to the three recipients; Mr. Kelly, Mr. Smith and Mr. Ratliff.

In addition, Mr. Scott Krein, Emergency Management Director, and Mr. Phil Shirley, PRT Director, were also present to recognize their efforts. Mr. Krein read into the record a brief summary of events [copy filed with these minutes] outlining the actions of the three men. In addition, Mr. Krein presented to each gentleman the Oconee County Emergency Services "**Distinguished Service Award**" noting that this award is reserved for responders and citizens who go beyond the call of duty in times of need.

Representatives including scouts and parents were present from three Boy Scout Troops [#55, 226 & 235] and the three Cub Scout Troops [#16, 21 & 31] to support Mr. Kelly and Mr. Smith. Members of Mr. Ratliff's family were also present as he received this recognition.

After presentation of the Proclamations and Awards the gentlemen received a standing ovation from those present.

Public Hearing regarding the Following Ordinances:

Ordinance 2011-25 “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”

[Public & Recreation Lands Rezoning]

Prior to the Public Hearing Mr. Thrift asked the County Administrator to briefly provide an overview of the intent and purpose for this rezoning ordinance. Mr. Moulder read into the record the following language from the Code of Ordinances:

Definition: *Those areas set aside for the promotion, use, and protection of natural resources in the form of (but not limited to) parks, forests, and educational or research facilities; or federal, state, and county owned lands typically maintained for the benefit of the public.*

Intent: *This district is meant to provide for a continuation and identification of public lands and to allow for those uses typically associated with accomplishing the mission of the agency charged with the care and promotion of the land.*

In addition, Mr. Josh Stephens, Zoning Administrator, addressed Council noting that this ordinance is designed to designate current use on the Zoning Map.

Lastly, Mr. Moulder recommended to Council that they consider tabling the ordinance and sending it back to the Planning Commission for additional review and public input as their appears to be some citizen confusion regarding this ordinance.

Mr. Thrift opened the floor for Public Comment.

Mr. Thrift asked if any citizens wished to address Council regarding this ordinance.

Mr. Richard Ramsey addressed Council in opposition to Ordinance 2011-25; stating that he doesn't see a need for zone federal and state lands.

Ms. Margie Langston addressed Council in opposition to Ordinance 2011-25; stating that there is not a need to zone federal and state lands.

Mr. Steve Collins addressed Council questioning how this Ordinance would affect his property.

Mr. Thrift opened the floor for any additional citizens wishing to address this topic who did not sign up on the sheet.

Mr. Larry Linsin addressed Council voicing concerns regarding preconditions placed on property that a federal or state agency may swap and/or sell after passage of this ordinance.

Mr. Bruce Booker addressed Council voicing concerns with passage of this ordinance.

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

Several council members addressed some of the concerns voiced by citizens reiterating the intent of the ordinance.

Mr. Thrift closed the Public Hearing regarding Ordinance 2011-25.

Consideration of the Following Ordinances:

Ordinance 2012-01

Mr. Corbeil made a motion, seconded by Mr. Barron, to approve **Ordinance 2012-01**.

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 5 – 0 to amend **Ordinance 2012-01, version 4**, replacing it with **Ordinance 2012-01, version five**, as presented in the agenda packets.

Mr. Thrift called for the vote on **Ordinance 2012-01** as amended. The motion passed 5 – 0 to approve **Ordinance 2012-01** “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, 2012 AND ENDING JUNE 30, 2013” on third & final reading as amended.

Ordinance 2012-02

Mr. Barron made a motion, seconded by Mr. Corbeil, to approve **Ordinance 2012-02**.

Mr. Dexter made a motion, seconded by Mr. McCall, to amend **Ordinance 2012-02** to approve \$56,816,328 for School Operations. The motion failed on 2 – 3 vote [Mr. Thrift, Corbeil and Barron opposed].

Mr. Corbeil made a motion, seconded by Mr. Barron, to amend **Ordinance 2012-02** to approve \$58,516,328 for School Operations. Discussion followed. Mr. Barron withdrew his second for this motion. Mr. Corbeil withdrew his main motion.

Mr. Corbeil made a motion, seconded by Mr. Barron to amend **Ordinance 2012-02** to approve \$58,816,328 for School Operations. The motion passed on a 3 – 2 vote [Mr. Dexter and McCall opposed].

Hearing no other motions from the floor, Mr. Thrift called for the vote on **Ordinance 2012-02** as amended for third and final reading. Hearing no dissenting votes the motion carried 5 – 0.

Due to a lack of clarity the Chairman requested the vote be taken again with a show of hands so the Clerk may accurately record the vote.

Mr. Thrift called for the hand vote on **Ordinance 2012-02** “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, 2012 AND ENDING JUNE 30, 2013”. The motion passed 4 – 1 [Mr. McCall opposed] on third and final reading.

Ordinance 2012-03

Mr. Dexter made a motion, seconded by Mr. McCall, approved 5 – 0 to approve **Ordinance 2012-03** “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, 2012 AND ENDING JUNE 30, 2013” on third and final reading.

Ordinance 2011-25

Mr. Thrift made a motion, seconded by Mr. McCall, approved 5 – 0 to table action on **Ordinance 2011-25** “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” [*Public & Recreation Lands Rezoning*] and to forward the Ordinance to the Planning Commission for additional review, public input and recommendation back to Council.

Ordinance 2012-21

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 5 – 0 to approve **Ordinance 2012-21** “AN ORDINANCE TO REWRITE AND REVISE CHAPTER 10 *EMERGENCY MANAGEMENT AND SERVICES* AND CHAPTER 26 *ROADS AND BRIDGES* OF THE OCONEE COUNTY CODE OF ORDINANCES IN CERTAIN LIMITED REGARDS *AND PARTICULARS, ONLY; AND OTHER MATTERS RELATED THERETO*” on second reading.

Ordinance 2012-23

Mr. Barron made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve **Ordinance 2012-23** “AN ORDINANCE AMENDING ARTICLE II OF CHAPTER 10 OF THE OCONEE COUNTY CODE OF ORDINANCES, BY DISSOLVING THE EMERGENCY MANAGEMENT COMMISSION OF OCONEE COUNTY, DELETING THE ENTIRE CURRENT TEXT OF ARTICLE II OF CHAPTER 10, SUBJECT TO AND CONTINGENT UPON CERTAIN CONDITIONS; AND OTHER MATTERS RELATED THERETO” on second reading.

Ordinance 2012-24

Mr. Dexter made a motion, seconded by Mr. Corbeil, approved 5 - 0 to approve **Ordinance 2012-24** “AN ORDINANCE AMENDING SECTION 2-241 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, BY ESTABLISHING A NEW REQUIREMENT FOR APPOINTMENT OF BOARD AND COMMISSION MEMBERS OF OCONEE COUNTY COUNCIL AND CLARIFYING CERTAIN CURRENT LANGUAGE OF SUCH SECTION; AMENDING ARTICLE II OF CHAPTER 10 OF THE OCONEE COUNTY CODE OF ORDINANCES BY ESTABLISHING AND CREATING THE OCONEE COUNTY RESCUE SQUAD ADVISORY COMMISSION AND THE OCONEE COUNTY FIRE SERVICES ADVISORY COMMISSION AND ESTABLISHING THE TERMS AND PROVISIONS APPLICABLE THERETO; AND OTHER MATTERS RELATED THERETO ” on second reading.

Ordinance 2012-25

Mr. Dexter made a motion, seconded by Mr. Corbeil, approved 5 – 0, to approve **Ordinance 2012-25** “AN ORDINANCE TO AMEND CHAPTER 38 “ZONING” OF THE OCONEE COUNTY CODES OF ORDINANCES, INCLUDING ALL ZONING MAPS INCORPORATED THEREIN AND THEREBY, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY; AND OTHER MATTERS RELATED THERETO” [*Mountain Springs Rezoning*] on first reading [in title only] and to forward the matter to the Planning Commission for review / recommendation.

Ordinance 2012-27

Mr. Barron made a motion, seconded by Mr. Dexter, approved 5 – 0 to approve **Ordinance 2012-27** ‘AN ORDINANCE AUTHORIZING THE TRANSFER AND CONVEYANCE OF CERTAIN OCONEE COUNTY REAL PROPRTY IN THE OCONEE COUNTY COMMERNCE CENTER; AND OTHER MATTERS RELATED THERETO” on first reading [in title only].

Ordinance 2012-28

Mr. Barron made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve **Ordinance 2012-28** “AN ORDINANCE TO PROVIDE FOR THE CREATION OF THE STONE POND SPECIAL TAX DISTRICT; TO DESIGNATE THE BOUNDARIES OF THE SPECIAL TAX DISTRICT; TO ESTABLISH THE NATURE OF SERVICES TO BE PERFORMED THEREIN; TO DESIGNATE THE AMOUNT OF UNIFORM ANNUAL FEES TO BE LEVIED AND COLLECTED FOR THE SPECIAL TAX DISTRICT; TO PROVIDE FOR THE OPERATION OF THE SPECIAL TAX DISTRICT; AND OTHER MATTERS RELATED THERETO” on first reading [in title only].

Discussion & Possible Action Items

RFP 11-21 / Strategic Plan / Economic Development Consultant Services / \$49,755.00

Mr. Barron made a motion, seconded by Mr. Corbeil, approved 5 – 0, to approve the award of RFP 11-21 to RKG Associates, Inc., of Alexandria, VA, for the not to exceed amount of \$49,755.00.

ITB 11-25 / Road Paving 2011-2012 (2) / \$196,405.20

Mr. McCall made a motion, seconded by Mr. Dexter, approved 5 – 0 to Award of ITB 11-25, Road Paving 2011-2012 (2) to Hubbard Paving and Grading, Inc. of Walhalla, SC in the amount of \$176,764.68 plus contingency in the amount of \$19,604.52 for a total award of \$196,405.20 and to authorize the County Administrator to approve any change orders within the contingency amount.

Request for Approval for Issuance of General Obligation Bond [GO Bond]

Mr. Barron made a motion, seconded by Mr. McCall, approved 5 – 0 to authorize the Administrator to initiate the process for issuance of the GO Bond to support the construction of a new Anderson-Oconee Behavioral Health Services facility and approved entering into a contractual relationship for the repayment of said GO Bond.

Board & Commission Appointments

None scheduled for this meeting.

Commission & Board Reports to Council

None scheduled for this meeting.

Council Committee Reports

Budget, Finance & Administration Committee / Mr. Dexter

Mr. Dexter read from a prepared statement [copy filed with these minutes] outlining the activities during the May 31, 2012 committee meeting.

Planning & Economic Development Committee / Mr. Corbeil

Mr. Corbeil read from a prepared statement [copy filed with these minutes] outlining the activities during the June 14, 2012 committee meeting.

Administrator's Report

Mr. Moulder did not present a formal report at this meeting but did provide Council with copies of financial statements [copies filed with these minutes] for the period ending May 31, 2012.

Old Business

None scheduled for this meeting.

New Business

Sewer Referendum for November 2012 Ballot Update / Mr. Martin

Mr. Martin provided Council with an update on the progress to have a sewer referendum question placed on the November 2012 general election ballot. He stated that the process is ongoing and that a pre clearance request letter has been sent to the Department of Justice.

Executive Session

Mr. Barron made a motion, seconded by Mr. Corbeil, approved 5 – 0, to enter into Executive Session for the purpose of discussing a personnel matter and to receive legal advice regarding several contractual matters.

Council entered Executive Session at 8:20 p.m.

Council returned from Executive Session at 10:03 p.m., on a motion from Mr. Barron, seconded by Mr. Dexter, approved 5 – 0.

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

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 5 – 0, to direct the County Administrator to proceed with acquisition of property across from Pine Street at the contractual option price of \$112,000 subject to conditions discussed in Executive Session.

In addition, Mr. Thrift noted that the Administrator's annual performance evaluation was conducted and that Mr. Moulder exceeded expectations and would receive his salary increase retroactively back to June 1, 2012 in accordance with his contract. Council commended Mr. Moulder on a job well done and noted that they look forward to working with him as the county moves forward.

Adjourn

Mr. Corbeil made a motion, seconded by Mr. Dexter, approved unanimously, to adjourn at 10:07 p.m.

Respectfully Submitted:

Elizabeth G. Hulse
Clerk to Council