



MINUTES
OCONEE COUNTY COUNCIL MEETING
Regular Meeting
December 18, 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 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.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 & Mike Eads/The Daily Journal.

Call to Order: Mr. Thrift called the meeting to order at 6:00 p.m.
Mr. Thrift prior to Public Comment asked for a Moment of Silence in support of the families and remembrance of those who lost their lives in Newtown, Connecticut, school shooting.

Public Comment Session [related to specific agenda items]: None at this meeting.

Public Comment Session [related to non-agenda items]:
Mr. Richard Marcengill addressed Council [1] in support for Duke lowering lake levels on Lake Keowee, and [2] voicing concerns with the efficiency of the county road department staff.
Ms. Susie Cornelius addressed Council utilizing a PowerPoint presentation [copy filed with these minutes] entitled "Clean Water Act, Duke's Toxaway Permit".
Mr. B. J. Littleton addressed Council regarding removing semi-automatic guns from the Sheriff's Office and several other issues.

County Council Response to Public Comment: None at this meeting

Meeting Recess: Mr. Thrift announced a recess at 6:18 p.m.

Meeting Reconvene: Mr. Thrift reconvened the meeting at 6:30 p.m.
Mr. Thrift again asked for a Moment of Silence in support of the families and remembrance of those who lost their lives in Newtown, Connecticut, school shooting.

Pledge of Allegiance: Chairman Thrift stated he was honored on behalf of Council to ask Purple Heart Commander George White and recipients of the Purple Heart present in Council Chambers to lead 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 December 4, 2012 regular meeting as presented.

First Reading of the Following Resolutions [Presentation to Citizens]

Resolution R2012-19 “A RESOLUTION PROCLAIMING OCONEE COUNTY, SOUTH CAROLINA AS A PURPLE HEART COUNTY IN SOUTH CAROLINA”

Mr. McCall made a motion, seconded by Mr. Dexter, approved 5 – 0 to approve

Resolution R2012-19 on first & final reading.

Mr. Thrift noted that Oconee County is the fifth county in South Carolina to adopt this Resolution. Mr. Thrift presented copies of the Resolution to Purple Heart Commander George White, Mr. A. J. Smith, Mr. R.Q. Wood, Mr. Jack Zuverink and Mr. Alton Collins. Ms. Janice Matheson accepted additional executed copies of the Resolution on behalf of recipients who were unable to attend the meeting. The recipients received a standing ovation from Council, staff and citizens present.

Presentations to Council:

Wil Lou Gray Opportunity School / At Risk Children

Mr. Hunter was unable to attend the meeting - Council deferred the presentation.

Administrator’s Report & Agenda Summary

Mr. Moulder briefly reviewed with Council and for the public’s benefit specifics related to the following matters before Council at this meeting:

Ordinance 2012-33

Ordinance 2012-34

Ordinance 2012-35 [Mr. Josh Stephens provided the summary]

Ordinance 2012-36 [Mr. Josh Stephens provided the summary]

Resolution R2012-16

In addition, Mr. Moulder reviewed the following Action Items before Council.

1. IT/Broadband Project FOCUS / Tellabs Switching Equipment / Sole Source / \$99,988.75
2. Rock Quarry / Emergency Repairs to Quarry Jaw Crusher / \$73,040
3. Request to add a Matter to Old Business: Council’s authorization for the Administrator to execute any documents related to the PointWest developers receiving Utility Tax Credits from Blue Ridge Electric Cooperative.

Public Hearings for the Following Ordinances

Ordinance 2012-33 “AN ORDINANCE TO AMEND THE FISCAL YEAR 2012-2013 BUDGET APPROPRIATIONS ORDINANCE FOR OCONEE COUNTY IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY; AND OTHER MATTERS RELATED THERETO”

Mr. Thrift opened the floor for Public Comment.

Noting that no citizens signed up to address Council; Mr. Thrift opened the floor for any citizen wishing to address Council regarding this ordinance. No citizen addressed Council.

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 2011-33.

Third & Final Reading of the Following Ordinances

Ordinance 2012-33 “AN ORDINANCE TO AMEND THE FISCAL YEAR 2012-2013 BUDGET APPROPRIATIONS ORDINANCE FOR OCONEE COUNTY IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY; AND OTHER MATTERS RELATED THERETO”

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 5 – 0 to pass **Ordinance 2012-33** on third and final reading.

Second Reading of the Following Ordinances

[Note: Public Hearings will be scheduled at or before third & final reading for the following ordinances as required]

Ordinance 2012-34 “AN ORDINANCE TO AMEND CHAPTER 38 “ZONING” OF THE OCONEE CODE OF ORDINANCE, INCLUDING ALL ZONING MAPS INCORPORATED THEREIN

AND THEREBY, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY; AND OTHER MATTERS RELATED THERETO” [Sec. 38-11.2. I-85 Overlay District - Fair Play Village Sub District]

Mr. Dexter made a motion, seconded by Mr. Corbeil, to approve **Ordinance 2012-34** on second reading.

Mr. Corbeil made a motion, seconded by Mr. Dexter, approved 5 – 0 to amend **Ordinance 2012-34**, Appendix A, Section 38.1.2, Standards, #1 to read as follows: “No new residential subdivision development consisting of more than ten (10) residential housing units proposed for any sub-district of the I-85 Overlay shall have a gross density greater than one dwelling unit per acre, unless otherwise specified by this chapter.”

Mr. Thrift called for the vote on **Ordinance 2012-34** as amended. The ordinance passed 5 – 0.

First Reading of the Following Ordinances

Ordinance 2012-35 [In Title Only] "AN ORDINANCE TO AMEND CHAPTER 38 "ZONING" OF THE OCONEE COUNTY CODE OF ORDINANCES, INCLUDING ALL ZONING MAPS INCORPORATED THEREIN AND THEREBY, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY; AND OTHER MATTERS RELATED THERETO" [Lay Mill Rd Rezoning Request]

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve **Ordinance 2012-35** on first reading in title only.

Ordinance 2012-36 [In Title Only] "AN ORDINANCE TO AMEND CHAPTER 38 "ZONING" OF THE OCONEE COUNTY CODE OF ORDINANCES, INCLUDING ALL ZONING MAPS INCORPORATED THEREIN AND THEREBY, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY; AND OTHER MATTERS RELATED THERETO" [Gladys Circle Rezoning Request]

Mr. Dexter made a motion, seconded by Mr. Barron, approved 5 – 0 to approve **Ordinance 2012-36** on first reading in title only.

First Reading of the Following Resolutions

Resolution R2012-16 “A RESOLUTION TO SUPPORT THE DEVELOPMENT, IMPLEMENTATION AND MAINTENANCE OF THE UPSTATE AIR QUALITY ACTION PLAN AND CLEAN AIR INITIATIVE IN AN EFFORT TO PROMOTE LOCAL AND REGIONAL ATTAINMENT OF ANTICIPATED CHANGES TO NATIONAL AMBIENT AIR QUALITY STANDARDS THROUGH SUPPORT OF OUTREACH AND EDUCATIONAL EFFORTS, AND OTHER APPROPRIATE STRATEGIES”

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve **Resolution R2012-16** on first & final reading.

Discussion Regarding Action Items

IT/Broadband Project FOCUS / Tellabs Switching Equipment / Sole Source / \$99,988.75

Mr. Dexter made a motion, seconded by Mr. Barron, approved 5 – 0 to approve the purchase of Tellabs Switching Equipment, directly from Tellabs of Naperville, IL as a sole source purchase in the amount of \$99,988.75.

Rock Quarry / Emergency Repairs to Quarry Jaw Crusher / \$73,040

Mr. Thrift made a motion, seconded by Mr. McCall, approved 5 – 0 to [1] affirm the Council Chair’s direction to the Administrator to initiate immediate repairs, and [2] to issue an

emergency sole source purchase order to Capital City Machine Shop, in Doraville, GA up to the amount of \$73,040.00, which includes a contingency of 10% if needed.

Board & Commission Appointments

Mr. Thrift noted that Council will be dealing with the appointment/reappointment of 11 Boards and/or Commission beginning January 22, 2013 and that interested citizens must complete a questionnaire and forward it to the Clerk to Council in order to be considered for any open positions.

Old Business

Update regarding Collection of Delinquent Airplane Taxes

Mr. Molder noted that after the December 4, 2012 meeting he met with the Delinquent Tax Collector, Kevin Robinson, and spoke with the County Attorney to identify best practices to address delinquent airplane taxes. He noted that the first step [which has already been taken] is to send a forceful letter to each airplane owner clearly stating the delinquent amount due and asking for immediate payment. Mr. Moulder noted that as a result of these letters one owner has paid their taxes.

Mr. Moulder noted that step two would be a phone call to the owner. He noted that this process may be a lengthy one and that ultimately a lien may be placed on the airplane for unpaid taxes. Mr. Moulder stated that he is not only looking at airplanes but other mobile personal property to include boats, motors, RV's, mobile homes, vehicles, etc., noting that all need to be handled in the same manner.

Mr. Dexter asked if a lien is placed and the property is removed from the state if that was a criminal act; either a felony or misdemeanor. Mr. Martin noted that assuming that all processes were followed and the lien property placed on the personal property that it would be a felony to remove it from the state.

Authorization for Administrator to execute Documents related to the PointWest Developers receiving Utility Tax Credits from Blue Ridge Electric Cooperative

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 5 – 0 to authorize the County Administrator to execute documents related to the PointWest developers receiving Utility Tax Credits from Blue Ridge Electric Cooperative.

New Business

Texting Ban Ordinance: Mr. McCall asked Council to consider enacting a texting "distracted driving" ordinance. Mr. Thrift noted that this was discussed with the Delegation and is slated for action by the legislature during the coming term. Council took the matter under advisement.

Drug Paraphernalia Ban Ordinance: Mr. McCall asked Council to consider enacting a drug paraphernalia ordinance modeled on Charleston and/or Horry Counties ordinances. Discussion followed. Mr. Martin will research exiting state law and report at the January 8, 2013 meeting. Council took the matter under advisement.

Adjourn Prior to adjourning, Mr. Thrift again thanked the County Delegation for a good exchange of ideas at the meeting held on December 14, 2012.

Mr. McCall made a motion, approved unanimously 5 - 0, to adjourn at 7:14 p.m.

Respectfully Submitted:

Elizabeth G. Hulse
Clerk to Council