



# A G E N D A

## OCONEE COUNTY COUNCIL MEETING

### May 7, 2013

### 6:00 PM

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

#### Call to Order

#### Public Comment Session / Agenda Items & 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.*

#### Extended Public Comment

*[Max. 2 per meeting / 5 minute max. per speaker]*

- SC Representative Tommy Stringer's Gas Tax Increase Proposal / Mr. Doug Young
- Proposed Vehicle Maintenance Fee / Mr. Berry Nichols

#### Council Member Comments

*[Council may take a recess after Public Comment & Council Comments]*

#### Moment of Silence

#### Pledge of Allegiance to the Flag of the United States of America

#### Approval of Minutes

- April 16, 2013: Regular Meeting
- April 30, 2013: Special Meeting

#### First & Final Reading of the Following Proclamations

**Proclamation P2013-02** "A PROCLAMATION DESIGNATING MAY 15, 2013 AS PEACE OFFICERS' MEMORIAL DAY IN OCONEE COUNTY"

**Proclamation P2013-03** "A PROCLAMATION HONORING JOHN ADDISON LAND UPON RECEIVING THE RANK OF EAGLE SCOUT"

**Proclamation P2013-04** "A PROCLAMATION HONORING BRIGHTIN REX BLANDON UPON RECEIVING THE RANK OF EAGLE SCOUT"

**Proclamation P2013-05** "A PROCLAMATION HONORING TUCKER MACLAYNE BRYSON UPON RECEIVING THE RANK OF EAGLE SCOUT"

#### Presentations to Council by Outside Organizations

*[2 per meeting / 10 minute max. each]*

- Mountain Lakes Business Development Corporation [MLBDC] Update / Mr. Eldridge, Chair

#### Administrator Report & Agenda Summary

#### Public Hearing Regarding the Following Ordinances

**Ordinance 2013-06** "AN ORDINANCE TO AMEND THE AGREEMENT AUTHORIZED BY ORDINANCES NO. 2006-027, 2008-017, 2010-04, 2010-24, 2010-32, 2011-09, 2011-15 AND 2011-34"

Council's meetings shall be conducted pursuant to the South Carolina Executive Orders of Intergovernmental Councils' Rules and the Model Rules of Parliamentary Procedure for South Carolina Counties, (www.cofc.org). The agenda may not be reduced or altered without Council's approval. Items are listed on Council's agenda to give public notice of the subjects and items to be discussed, and items received as information and be disposed of during the meeting. Items listed on Council's agenda may be taken up, talked, postponed, removed or otherwise disposed of as provided by Oconee County's Rules and Rules of Parliamentary Procedure for South Carolina Counties, Item 6.01(a), if not specified under Council's rules.

## Third & Final Reading of the Following Ordinances

**Ordinance 2011-25** “AN ORDINANCE TO AMEND THE OCONEE COUNTY ZONING ENABLING ORDINANCE, ORDINANCE 2012-14, 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 2012-14 NOT AMENDED OR MODIFIED HEREBY; AND OTHER MATTERS RELATING THERETO”

*[Council Initiated Rezoning # 1 PRLD]*

Council took first reading in caption only on September 6, 2011 and sent the issue to the Planning Commission for review. The Commission heard the matter at their regularly scheduled meeting on November 7, 2011. After receiving public comment and staff's presentation; the Commission voted to recommend all parcels to be zoned into the Public and Recreational Lands District.

As stated in the Oconee County Code of Ordinances, 36-10-13; the intent of this zoning classification is 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 charges with the care and promotion of the land”

At 2<sup>nd</sup> reading Council removed 11 parcels identified as owned by the Oconee County Joint Regional Sewer Authority. Since that time, further research has revealed that one additional parcel should also be removed from the ordinance. The parcel is owned by the Sewer Authority and there tax map numbers are: 211-00-02-031.

At the June 19, 2012 County Council meeting the public hearing was held with several citizens addressing Council regarding the ordinance. Based on public comment Council tabled action regarding this ordinance and sent the Ordinance to the Planning Commission for additional review, public input and recommendation to Council. On July 19, 2012, the Planning Commission tabled the ordinance to provide an opportunity for staff to gather more information.

On April 2, 2013, Council voted to recall 2011-25 from the Planning Commission with a recommendation. On April 22, 2013, the Planning Commission voted 6-0 to recommend that Council removed Clemson owned parcels and to take 3<sup>rd</sup> Reading on 2011-25.

It is staff's recommendation that Council [1] amend Ordinance #2011-25 to remove Clemson owned parcels & parcel 211-00-02-031, and [2] take 3<sup>rd</sup> and Final Reading of Ordinance 2011-25 as amended.

**Ordinance 2013-06** “AN ORDINANCE TO AMEND THE AGREEMENT AUTHORIZED BY ORDINANCES NO. 2006-027, 2008-017, 2010-04, 2010-24, 2010-32, 2011-09, 2011-15 AND 2011-34”

## 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 2013-10** “AN ORDINANCE AUTHORIZING ACCEPTANCE OF TRANSFER OF AUTHORITY FOR MUNICIPAL ELECTIONS FOR THE CITY OF WALHALLA AND THE CITY OF WESTMINSTER AND AUTHORIZING AN INTERGOVERNMENT AGREEMENT OR EMBODYING DOCUMENT INCLUDING THE TERMS OF ANY AGREEMENT, WITH EACH; AND OTHER MATTERS RELATED THERETO”

## First Reading of the Following Ordinances

### Consent Agenda Item: Ordinances 2013-01, 2013-02, 2013-02

**Ordinance 2013-01** *[in title only]* “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, 2013 AND ENDING JUNE 30, 2014”

**Ordinance 2013-02** *[in title only]* “AN ORDINANCE TO ESTABLISH THE BUDGET FOR THE SCHOOL DISTRICT OF OCONEE COUNTY AND TO PROVIDE FOR THE LEVY OF TAXES FOR THE SCHOOL DISTRICT”

**Ordinance 2013-03** *[in title only]* “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, 2013 AND ENDING JUNE 30, 2014”

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**Consent Agenda Items: Ordinances 2013-11, 2013-12, 2013-13, 2013-14**

**Ordinance 2013-11** *[in title only]* “AN ORDINANCE TO AUTHORIZE THE EXECUTION AND DELIVERY OF AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF WALHALLA FOR THE ADMINISTRATION AND ENFORCEMENT OF BUILDING CODES WITHIN THE CITY OF WALHALLA; TO AUTHORIZE OCONEE COUNTY BUILDING CODE PERSONNEL TO ADMINISTER AND ENFORCE BUILDING CODES WITHIN THE CITY OF WALHALLA; TO AMEND ARTICLE II, ENTITLED REGULATORY CODES, OF CHAPTER 6, ENTITLED BUILDINGS AND BUILDING REGULATIONS, OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, SO AS TO PROVIDE FOR THE AUTOMATIC ADOPTION OF THE LATEST EDITION OF CERTAIN INTERNATIONAL AND NATIONAL CODES APPROVED BY THE SOUTH CAROLINA BUILDING CODES COUNCIL OR THE APPROPRIATE AUTHORITY; AND OTHER MATTERS RELATED THERETO”

**Ordinance 2013-12** *[in title only]* “AN ORDINANCE TO AUTHORIZE THE EXECUTION AND DELIVERY OF AN INTERGOVERNMENTAL AGREEMENT WITH THE TOWN OF WEST UNION FOR THE ADMINISTRATION AND ENFORCEMENT OF BUILDING CODES WITHIN THE TOWN OF WEST UNION; TO AUTHORIZE OCONEE COUNTY BUILDING CODE PERSONNEL TO ADMINISTER AND ENFORCE BUILDING CODES WITHIN THE TOWN OF WEST UNION; AND OTHER MATTERS RELATED THERETO”

**Ordinance 2013-13** *[in title only]* “AN ORDINANCE TO AUTHORIZE THE EXECUTION AND DELIVERY OF AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF WESTMINSTER FOR THE ADMINISTRATION AND ENFORCEMENT OF BUILDING CODES WITHIN THE CITY OF WESTMINSTER; TO AUTHORIZE OCONEE COUNTY BUILDING CODE PERSONNEL TO ADMINISTER AND ENFORCE BUILDING CODES WITHIN THE CITY OF WESTMINSTER; AND OTHER MATTERS RELATED THERETO”

**Ordinance 2013-14** *[in title only]* “AN ORDINANCE TO AUTHORIZE THE EXECUTION AND DELIVERY OF AN INTERGOVERNMENTAL AGREEMENT WITH THE TOWN OF SALEM FOR THE ADMINISTRATION AND ENFORCEMENT OF BUILDING CODES WITHIN THE TOWN OF SALEM; TO AUTHORIZE OCONEE COUNTY BUILDING CODE PERSONNEL TO ADMINISTER AND ENFORCE BUILDING CODES WITHIN THE TOWN OF SALEM; AND OTHER MATTERS RELATED THERETO”

**ORDINANCE 2013-15** *[in title only]* “AN ORDINANCE AUTHORIZING THE TRANSFER OF EASEMENTS FOR INGRESS, EGRESS AND UTILITIES ACROSS CERTAIN OCONEE COUNTY REAL PROPERTY AND AUTHORIZING THE EXECUTION AND DELIVERY OF AGREEMENTS RELATED TO THE SAME; AND OTHER MATTERS RELATED THERETO”

Central Electric Power Cooperative, Inc., requests easements from Oconee County over a certain limited portion of property located in the Golden Corner Commerce Park for the purpose of expanding the Northwest Anderson- Southern Ocoee Transmission Line.

**It is the staff's recommendation that Council approve Ordinance 2013-15 on first reading in title only.**

**First & Final Reading of the Following Resolutions**

**Resolution R2013-09** “A RESOLUTION TO APPROVE MODIFICATIONS TO THE HEALTH INSURANCE PLAN AND ADOPT RETIREE HEALTH INSURANCE GUIDELINES”

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**Resolution R2013-10** "A RESOLUTION TO APPROVE MUTUAL AID AGREEMENTS BETWEEN OCONEE COUNTY SHERIFF'S OFFICE AND ANDERSON COUNTY SHERIFF'S OFFICE, GREENVILLE COUNTY SHERIFF'S OFFICE AND PICKENS COUNTY SHERIFF'S OFFICE"

**Resolution R2013-11** "A RESOLUTION TO APPROVE MUTUAL AID AGREEMENTS BETWEEN THE OCONEE COUNTY SHERIFF'S OFFICE AND THE CITIES OF ANDERSON, CLEMSON, EASLEY, GREENVILLE, SALEM, WALHALLA, WESTMINSTER, WEST UNION AND THE CLEMSON UNIVERSITY POLICE DEPARTMENTS"

**Resolution R2013-12** "A RESOLUTION IN OPPOSITION TO HOUSE BILL 3290 AND SENATE BILL 203 CURRENTLY PENDING BEFORE THE SOUTH CAROLINA GENERAL ASSEMBLY"

## Discussion Regarding Action Items

### Award ITB 12-12 / Food for Detention Center / \$149,912.80

On April 11, 2013, formal sealed bids were opened for Food Items for the Detention Center. This bid consists of a list of 194 items consisting of frozen, canned and fresh food products, dairy products, and related food paper goods. Annual quantities are estimated. Six companies were originally notified of this bid opportunity and one company, US Foods, Ft. Mill Division, of Ft. Mill, SC, submitted the low bid of \$149,912.80. One bid was rejected because it was received late and all other bidders were contacted to see why they did not bid. Two bidders said they could not bid on 95% of all items and one bidder stated that they planned to bid, but could not meet our deadline. This contract will begin with the 2013-2014 fiscal year. US Foods has held this contract since August of 2009. The annual amount spent on food products will not exceed the approved budgetary amount.

It is the staff's recommendation that Council [1] award of ITB 12-12, Food Items for The Detention Center, to US Foods, Ft. Mill Division of Ft. Mill, SC, for the estimated annual amount of \$149,912.80, and [2] authorize the County Administrator to renew this bid for an additional four years, as long as the amount does not exceed the annual amount budgeted for the Detention Center.

## Council Committee Reports

- Transportation Committee / Mr. Thrift

## Board & Commission Appointments

- Aeronautics Commission / District II Seat [One Questionnaire / no File for this Open Position]
- Capital Project Advisory Committee / Council Member Representative

**Old Business** [to include Vote and/or Action on matters brought up for discussion, if required]

**New Business** [to include Vote and/or Action on matters brought up for discussion, if required]

**Executive Session** [Council Members & County Attorney only]

[for the purpose of discussing a contractual matter related to a potential lease and a contractual matter related to the Administrator's employment agreement]

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

## Adjourn

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 & are available on the County Council Website. All upcoming meetings will be held in Council Chambers, unless otherwise noted.