



MINUTES
OCONEE COUNTY COUNCIL MEETING
Regular Meeting
February 19, 2013

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 & Norman Cannada-The Daily Journal.

Call to Order: Mr. Thrift called the meeting to order at 6:00 p.m.

Public Comment Session [related to specific agenda items]:

Mr. Susie Cornelius addressed Council regarding questions related to the Broadband Phase III Installation Contractor.

Mr. Berry Nichols addressed Council regarding concerns with passage of Ordinance 2013-04 and the potential for increased taxes.

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

Mr. B. J. Littleton addressed Council regarding several topics including removing administration of the jail from the Sheriff's control.

County Council Response to Public Comment: None at this meeting

Meeting Recess:

Mr. Thrift announced a 5 minute recess at 6:10 p.m.

Meeting Reconvene:

Mr. Thrift reconvened the meeting at 6:15 p.m.

Pledge of Allegiance:

Representatives from Boy Scout Troop 24 led the Pledge of Allegiance to the Flag of the United States of America.

Minutes: Mr. Corbeil made a motion, seconded by Mr. Dexter, approved 5 – 0 to approve the minutes from the February 5, 2013 regular meeting as presented.

Mr. Barron made a motion, seconded by Mr. Dexter, approved 5 – 0 to approve the minutes from the February 7, 2013 planning retreat meeting as presented.

Presentations to Council:

ACOG Annual Report / Mr. Steve Pelissier, Executive Director

Mr. Pelissier addressed Council utilizing a handout [copy filed with these minutes] highlighting activities in fiscal year 2013; noting that the county is receiving a \$155 to \$1 return on their \$27,951 annual investment.

New Photo Identification Law / Ms. Joy Brooks, Registration & Elections

Ms. Brooks addressed Council utilizing a PowerPoint presentation [copy filed with these minutes] highlighting changes to voting procedures related to Act R52, known as the Photo ID bill.

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 2012-35 – public hearing & third and final reading
- Ordinance 2012-36 – public hearing & third and final reading
- Ordinance 2013-04 – public hearing & third and final reading
- Ordinance 2012-37 – second reading
- Ordinance 2013-05 – first reading
- Resolution R2013-04 – first and final reading

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

1. Broadband Project Focus / Phase III Installation Contractor / \$181,843.20
2. ITB 12-08 / Communications Tower & Building for Long Mountain / \$153,890
3. Review / Adoption of Fiscal Year 2013-2014 Budget Calendar

Lastly, Mr. Moulder noted that a new Economic Development matter needs to be discussed in Executive Session [Project Gear] and requested that Council consider amending the purpose at the appropriate time.

Public Hearings for the Following Ordinances

Ordinance 2012-35 “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 Rezoning Request]*

Mr. Thrift opened the floor for Public Comment.

Mr. Don Craig addressed Council in support of passage of Ordinance 2012-35.

Noting that no other 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 2012-35.

Ordinance 2012-36 “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. Thrift opened the floor for Public Comment.

Mr. Russell Wormald addressed Council in opposition to zoning in Port Bass; noting however, that his parcel is not a part of the zoning request before Council at this meeting.

Ms. Terry Perkins addressed Council in support of passage of Ordinance 2012-36.

Noting that no other 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 2012-36.

Ordinance 2013-04 “AUTHORIZING THE ISSUANCE AND SALE BY OCONEE COUNTY, SOUTH CAROLINA, OF ITS NOT EXCEEDING \$2,600,000 GENERAL OBLIGATION BONDS, CONSISTING OF GENERAL OBLIGATION BONDS, SERIES 2013A AND GENERAL OBLIGATION BONDS, TAXABLE SERIES 2013B; FIXING THE FORM AND CERTAIN DETAILS OF THE BONDS; AUTHORIZING THE CHAIRMAN OF COUNTY COUNCIL AND COUNTY ADMINISTRATOR TO DETERMINE CERTAIN MATTERS RELATING TO THE BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS AND THE DISPOSITION OF THE PROCEEDS THEREOF; AMENDING ORDINANCE NO. 2012-29 AND OTHER MATTERS RELATING THERETO.” *[Echo Hills, Phase I Development Bond]*

Mr. Thrift opened the floor for Public Comment.

Ms. Susie Cornelius addressed Council regarding various concerns with the issuance of the bond outlined in Ordinance 2013-04.

Mr. Berry Nichols addressed Council regarding concerns with Ordinance 2013-04.

Noting that no other 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 2013-04.

Third & Final Reading of the Following Ordinances

Ordinance 2012-35 “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 Rezoning Request]*

Mr. Corbeil noted prior to Council action, that the amendments recommended by staff were not of a substantive nature; therefore, it would not be necessary to send the ordinance back to the Planning Commission for further review. Council concurred.

Mr. Corbeil made a motion, seconded by Mr. McCall to approve **Ordinance 2012-35** on Third & Final reading.

Mr. Dexter made a motion, seconded by Mr. Corbeil, approved 5 – 0 to amend **Ordinance 2012-35** to include Appendix A and to add parcel 095-00-01-063.

Mr. Thrift called for the vote. The motion passed 5 – 0 to approve **Ordinance 2012-35** as amended on third and final reading.

Ordinance 2012-36 “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. Corbeil, approved 5 – 0 to approve **Ordinance 2012-36** on third & final reading.

Ordinance 2013-04 “AUTHORIZING THE ISSUANCE AND SALE BY OCONEE COUNTY, SOUTH CAROLINA, OF ITS NOT EXCEEDING \$2,600,000 GENERAL OBLIGATION BONDS, CONSISTING OF GENERAL OBLIGATION BONDS, SERIES 2013A AND GENERAL OBLIGATION BONDS, TAXABLE SERIES 2013B; FIXING THE FORM AND CERTAIN DETAILS OF THE BONDS; AUTHORIZING THE CHAIRMAN OF COUNTY COUNCIL AND COUNTY ADMINISTRATOR TO DETERMINE CERTAIN MATTERS RELATING TO THE BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS AND THE DISPOSITION OF THE PROCEEDS THEREOF; AMENDING ORDINANCE NO. 2012-29 AND OTHER MATTERS RELATING THERETO.” *[Echo Hills, Phase I Development Bond]*

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 5 – 0 to approve **Ordinance 2013-04** on Third & 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 2012-37 “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND **AID COMPANY LLC**; AND OTHER MATTERS RELATING THERETO INCLUDING, WITHOUT LIMITATION, PAYMENT OF A FEE IN LIEU OF TAXES RELATED TO THE PROJECT”

Mr. Dexter made a motion, seconded by Mr. Barron, approved 5 – 0 to approve **Ordinance 2013-04** on second reading.

First Reading of the Following Ordinances

Ordinance 2013-05 “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN INFRASTRUCTURE TAX CREDIT AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND **PROJECT ZETA**; AND OTHER MATTERS RELATING THERETO”

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 5 – 0 to approve **Ordinance 2013-04** on first reading.

First Reading of the Following Resolutions

Resolution R2013-04 “A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN INDUCEMENT AGREEMENT BY AND BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND **PROJECT ZETA**; WHEREBY, UNDER CERTAIN CONDITIONS, OCONEE COUNTY WILL PROVIDE AN INFRASTRUCTURE TAX CREDIT TO **PROJECT ZETA**”

Mr. Corbeil made a motion, seconded by Mr. Dexter, approved 5 – 0 to approve **Resolution R2013-04** on first and final reading.

Discussion Regarding Action Items

Broadband Project Focus / Phase Three Installation Contractor / \$181,843.20

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 5 – 0 to approve the award for an Installation Contractor for Phase Three of Broadband Project FOCUS to Network Controls & Electric, Inc., of Greer, SC, for the total amount of \$181,843.20.

Mr. Corbeil asked the Administrator and/or staff to provide an update for the public on the Broadband Project FOCUS to be scheduled for a future meeting.

ITB 12-08 / Communications Tower & Building for Long Mountain / \$153,890

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 5 – 0 to [1] approve the award of ITB 12-08 to K-Co Enterprises, Inc., of Pelzer, SC, for \$139,900 and a contingency amount of 10% for any change orders that may arise, bringing the total award to \$153,890, and [2] Authorize the County Administrator to approve any change orders that are within the contingency amount.

Review / Adoption of Fiscal Year 2013-2014 Budget Calendar

Mr. Barron made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve the Fiscal Year 2013-2014 Budget Calendar as presented.

Council Committee Reports

Real Estate, Facilities & Land Management / Mr. Barron

Mr. Barron read from a prepared statement [copy filed with these minutes] highlighting discussions that took place at the February 12, 2013 Real Estate, Facilities & Land Management Committee meeting.

Mr. Barron reported that as a result of discussion that the following recommendation is being made to Council for approval. Mr. Barron made a motion, seconded by Mr. Corbeil, approved 5 – 0 to [1] approve both rental homes located at the airport be removed; with said removal being handled through a sealed bid process in accordance with Oconee County procurement regulations, and [2] that the occupied home's tenant be given up to a three month notice to vacate the home.

Board & Commission Appointments

Economic Development Commission

District II **Deferred to the March 5, 2013 meeting.**

Arts & Historical Commission

District IV Ms. Barbara Waters

Mr. Thrift made a motion to re-appoint Ms. Barbara Waters. No other nominations were received. The motion was approved 5 – 0.

Capital Project Advisory Committee

At Large Mr. Randy Abbott, Jr.

Mr. Corbeil made a motion to nominate Mr. Randy Abbott, Jr. to the At Large seat. No other nominations were received. The motion was approved 5 – 0.

Conservation Bank

- District II Mr. Andy Lee
- District IV Mr. Marvin Prater
- District V Mr. Frank Ables
- At Large Seat **Deferred to the March 5, 2013 meeting.**
- At Large Seat Mr. Glenn Buddin

Mr. McCall made a motion to re-appoint District II and District IV seats. No other nominations were received. The motion was approved 5 – 0.

Mr. Dexter made a motion to nominate Mr. Frank Ables to the District V seat. No other nominations were received. The motion was approved 5 – 0.

Mr. Corbeil made a motion to nominate Mr. Glenn Budding to the At Large Seat whose term ends in 2016. No other nominations were received. The motion was approved 5 – 0.

Scenic Highway Committee

- At Large Mr. Staley Powell

Mr. Corbeil made a motion to nominate Mr. Staley Powell to an At Large Seat. No other nominations were received. The motion was approved 5 – 0.

Old Business

[None at this Meeting]

New Business

Establishment of County Email Accounts for All Council Members

Mr. Dexter requested that staff provide all Council Members with county email addresses in order that county business can be kept separate from their personal accounts.

Request for Proposal for iPads for All Council Members

Mr. Dexter requested that staff provide cost estimates for iPad options for all Council members.

Council Chambers Sound System Upgrade

Mr. Thrift requested that the Clerk and staff work to develop plans for a Council Chambers Sound System Upgrade to include audio and video components.

SCAC Friday Report: Request to have posted/linked to County Website

Mr. Dexter requested that staff identify a way to link the SCAC Friday Report to the County website so that citizens can be informed regarding pending state legislation.

Executive Session:

Mr. Dexter made a motion, seconded by Mr. Corbeil to enter Executive session.

Mr. Dexter made a motion, seconded by Mr. McCall, approved 5 – 0 to amend the purpose for Executive Session to include discussion of an Economic Development matter [Project Gear] and for the purpose of discussing a contractual matter.

Mr. Thrift called for the vote to enter Executive Session for the purposes stated above. The motion passed 5 – 0 and Council entered Executive Session at 7:47 p.m.

Council returned from Executive Session at 8:29 p.m. on a motion by Mr. Corbeil, seconded by Mr. Dexter, approved 5 – 0.

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

Mr. Corbeil made a motion, seconded by Mr. Dexter, approved 5 – 0 to authorize County Staff to proceed with Project Gear as discussed in Executive Session.

Adjourn

Mr. McCall made a motion, approved unanimously 5 - 0, to adjourn at 8:31 p.m.

Respectfully Submitted:

Elizabeth G. Hulse
Clerk to Council