



MINUTES
OCONEE COUNTY COUNCIL MEETING
Regular Meeting
August 20, 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, County Administrator Scott Moulder, Assistant Administrator Glenn Breed, Thomas L. Martin County Attorney, 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, Dick Mangrum – WGOG Radio & Greg Oliver -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]:

Ms. Susie Cornelius addressed Council in support of acceptance of the boat landings on Lake Hartwell and concerns with the Sheriff's office use of their helicopter.

Mr. Duane Wilson addressed Council voicing opposition to the proposed campground reservation system. Mr. Wilson also presented Council with signed petitions opposing the reservation system [copies filed with these minutes].

Mr. Tom Markovich addressed Council in support of passage of R2013-16.

Mr. Britt Adams addressed Council in opposition to passage of R2013-16. Mr. Adams presented Council with citizen petitions opposing increased taxes [copies filed with these minutes].

Mr. Ryan Honea addressed Council in support of passage of R2013-16.

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

Mr. C. W. Richards addressed Council, specifically Mr. Dexter, [1] criticizing his behavior at a committee meeting and [2] criticizing Mr. Dexter's wife.

Mr. B. J. Littleton addressed Council regarding various issues to include the Future Land Use Map and zoning.

County Council Response to Public Comment:

Mr. Dexter responded to Mr. Richards noting that as a public official he is open to public criticism; however, that he did not appreciate Mr. Richards making comments about his wife in public.

Meeting Recess

Mr. Thrift announced a brief recess at 6:21 p.m.

Meeting Reconvenes

Mr. Thrift reconvened the meeting at 6:26 p.m.

Pledge of Allegiance: Mr. Corbeil 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 4 – 0 – 1 [Mr. Barron abstained – form filed with these minutes] to approve the minutes from the July 16, 2013 regular meeting as presented.

First & Final Reading of the Following Proclamations

Proclamation P2013-06 “A PROCLAMATION HONORING THE OCONEE NUCLEAR STATION’S 40TH ANNIVERSARY”

Mr. Barron made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve **Proclamation P2013-06** on first & final reading. Mr. Ray, Duke Plant Manager, was present to accept the proclamation.

Presentation by Outside Organizations

Oconee County Transit Feasibility Study Update / URS

Mr. Chip Berger, URS, addressed Council utilizing a PowerPoint presentation and several handouts [copies filed with these minutes] regarding the Transit Feasibility Study concluded in June 2013. Discussion followed. *[See action under New Business related to this 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:

Public Hearing & Third and Final Reading for Ordinance 2013-09

First Readings for Ordinances 2013-18, 2013-20, 2013-21, 2013-22, 2013-23 and 2013-25

First & Final Readings for Resolutions R2013-16 and R2013-17

Discussion Items to include:

Mountain Lakes CVB Funding FY 2014

Lake Hartwell Access Areas Request from USACOE

RFP 12-15 / Fiber Restoration, Location & Maintenance Services – Project FOCUS

ITB 13-01 / Cobb Bridge Paint Removal & Replacement

ITB 13-02 / Road Paving FY 14

Ten Chevrolet Tahoes / Sheriff’s Department

Council Committee Report:

Budget, Finance & Administration

New Business

2013 Edward Byrne Memorial JAG Grant Notification

Executive Session

In addition, Mr. Moulder stated that Mr. Mike Powell, Broadband Project Focus Manager, will provide a brief update regarding the status of the project.

Mr. Moulder asked that Council amend the agenda for the following issues:

- **Add to Executive Session three issues:**
 - Discussion regarding a potential litigation matter,
 - Update regarding an Economic Development matter, and
 - Discussion of contractual matters related to the Broadband Project
- **Move Discussion Item RFP 12-15 / Fiber Restoration, Location & Maintenance Services after Executive Session**

Mr. Barron made a motion, seconded by Mr. Corbeil, approved 5 – 0 to amend the agenda to add three issues to Executive Session [as outlined above] and to move RFP 12-15 to after the Executive Session for action.

Lastly, Mr. Powell addressed Council utilizing a PowerPoint presentation [copy filed with these minutes] regarding the milestones for the Broadband Project Focus project and tasks left to completed. Discussion followed.

Public Hearing and Third & Final Reading of the Following Ordinances

Ordinance 2013-09 “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 ” [Sub01]

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 other citizens addressed Council regarding 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.

Mr. Thrift closed the Public Hearing regarding **Ordinance 2013-09**.

Third & Final Reading of the Following Ordinances

Ordinance 2013-09 “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 ” [Sub01]

Mr. Dexter made a motion, seconded by Mr. McCall, approved 5 – 0 to approve **Ordinance 2013-09** on third and final reading.

Second Reading of the Following Ordinances

[None Scheduled at this Meeting]

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

First Reading of the Following Ordinances

Ordinance 2013-18 “AN ORDINANCE TO AMEND ARTICLE 1, ENTITLED *IN GENERAL*, OF CHAPTER 20, ENTITLED *OFFENSES AND MISCELLANEOUS PROVISIONS*, OF THE OCONEE COUNTY CODE OF ORDINANCES BY ADDING NEW SECTIONS PERTAINING TO DRUG PARAPHERNALIA; AND OTHER MATTERS RELATED THERETO”

Mr. McCall made a motion, seconded by Mr. Dexter, approved 5 – 0 to approve **Ordinance 2013-18** on first reading.

Ordinance 2013-20 [In Title Only] “AN ORDINANCE TO AMEND ORDINANCE 2013-01 AN ORDINANCE TO ESTABLISH THE BUDGET FOR OCONEE COUNTY AND TO PROVIDE FOR THE LEVY OF TAXES FOR ORDINARY COUNTY PURPOSES, FOR THE TRI-COUNTY TECHNICAL COLLEGE SPECIAL REVENUE FUND, FOR THE EMERGENCY SERVICES PROTECTION SPECIAL REVENUE FUND, FOR THE ROAD MAINTENANCE SPECIAL REVENUE FUND, FOR THE VICTIM SERVICES SPECIAL REVENUE FUNDS, FOR THE

BRIDGE AND CULVERT CAPITAL PROJECT FUND, GENERAL CAPITAL PROJECT FUND,
AND FOR THE ECONOMIC DEVELOPMENT CAPITAL PROJECT FUND, ALL IN OCONEE
COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2013 AND ENDING JUNE 30, 2014”
Attachment B – Fee Schedule

PRT Campground Software/Reservation Program / \$6,695

Mr. Moulder noted that there are two issues before Council for discussion to include a request from PRT to implement a reservation program with camping fee change to become effective January 1, 2014 if approved and to take first reading in title only of **Ordinance 2013-20**.

Mr. Phil Shirley, PRT Director, addressed Council utilizing a PowerPoint presentation [copy filed with these minutes] highlighting the current and proposed programs. Discussion followed.

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 4 – 1 [Mr. McCall opposed] to approve the PRT Campground Software Package with Active Network (Reserve America) in the amount of \$6,695 and to authorize the County Administrator to execute the three-year contract.

Mr. Barron made a motion, seconded by Mr. Corbeil, approved 4 – 1 [Mr. McCall opposed] to approve “Option 2” for incorporation into **Ordinance 2013-20** [on first reading in title only] “AN ORDINANCE TO AMEND ORDINANCE 2013-01 AN ORDINANCE TO ESTABLISH THE BUDGET FOR OCONEE COUNTY AND TO PROVIDE FOR THE LEVY OF TAXES FOR ORDINARY COUNTY PURPOSES, FOR THE TRI-COUNTY TECHNICAL COLLEGE SPECIAL REVENUE FUND, FOR THE EMERGENCY SERVICES PROTECTION SPECIAL REVENUE FUND, FOR THE ROAD MAINTENANCE SPECIAL REVENUE FUND, FOR THE VICTIM SERVICES SPECIAL REVENUE FUNDS, FOR THE BRIDGE AND CULVERT CAPITAL PROJECT FUND, GENERAL CAPITAL PROJECT FUND, AND FOR THE ECONOMIC DEVELOPMENT CAPITAL PROJECT FUND, ALL IN OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2013 AND ENDING JUNE 30, 2014” [Attachment B – Fee Schedule].

Ordinance 2013-21 [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 ” [Sub02]

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve **Ordinance 2013-21** on first reading.

Ordinance 2013- 22 [In Title Only] “AN ORDINANCE AUTHORIZING THE ACQUISITION OF CERTAIN REAL PROPERTY IN OCONEE COUNTY AND THE CONVEYANCE OF CERTAIN REAL PROPERTY WITHIN THE GOLDEN CORNER COMMERCE PARK; AND OTHER MATTERS RELATED THERETO”

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve **Ordinance 2013-22** on first reading in title only.

Ordinance 2013-23 “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDED FEE AGREEMENT BETWEEN OCONEE COUNTY AND GREENFIELD INDUSTRIES, INC., INCLUDING THE INCLUSION OF TDC CLEMSON LAND COMPANY, LLC, GREENTECH METAL RECYCLING, LLC AND TDC SAWS, LLC, AS CO-SPONSORS, AMENDING THE FEE AGREEMENT DATED AS OF DECEMBER 1, 2009; AND OTHER MATTERS RELATED THERETO”

Mr. Barron made a motion, seconded by Mr. McCall, approved 5 – 0 to approve **Ordinance 2013-23** on first reading in title only.

Ordinance 2013-25 “AUTHORIZING THE ISSUANCE AND SALE OF GENERAL OBLIGATION BONDS (STONE POND SPECIAL TAX DISTRICT); SERIES 2014, OF OCONEE COUNTY, SOUTH CAROLINA, IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING \$1,000,000; FIXING THE FORM AND CERTAIN DETAILS OF THE BONDS; AUTHORIZING THE CHAIRMAN OF COUNTY COUNCIL 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. 2012-28 OF THE COUNTY; AND OTHER MATTERS RELATING THERETO”

Mr. Dexter made a motion, seconded by Mr. McCall, approved 5 – 0 to approve **Ordinance 2013-25** on first reading.

First Reading of the Following Resolutions

Resolution R2013-16 “A RESOLUTION TO ESTABLISH A COMMISSION TO CONSIDER PROPOSALS FOR FUNDING CAPITAL PROJECTS IN OCONEE COUNTY, SOUTH CAROLINA, PURSUANT TO SECTION 4-10-300, *ET SEQ.*, OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED; TO PROVIDE FOR THE COMPOSITION AND APPOINTMENT OF SUCH COMMISSION; AND OTHER MATTERS RELATED THERETO”

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 5 – 0 to approve **Resolution R2013-16** on first and final reading.

Council requested that the Clerk update the Board/Commission Questionnaire, which is available on line and at the County offices, so that interested citizens may submit their names for appointment.

Resolution R2013-17 “AUTHORIZING THE EXECUTION AND DELIVERY OF A LEASE-PURCHASE AGREEMENT IN THE AMOUNT OF NOT EXCEEDING \$2,005,150 TO DEFRAY THE COSTS OF ACQUIRING VARIOUS EQUIPMENT AS APPROVED IN THE COUNTY'S 2013-14 ANNUAL BUDGET; AND OTHER MATTERS RELATING THERETO

Mr. Corbeil made a motion, seconded by Mr. Dexter, approved 5 – 0 to approve **Resolution R2013-17** on first and final reading.

Discussion Regarding Action Items

Mountain Lakes CVB Funding FY 2014 / \$166,200

Mr. Barron made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve \$166,200 to fund the Mountain Lakes CVB for FY 2014 from State and Local ATAX accounts as outlined on the Agenda Item Summary.

Lake Hartwell Access Areas request from US Army Corp of Engineers

Mr. Moulder and Mr. Shirley addressed Council regarding this agenda item.

Discussion followed. Mr. Moulder suggested that the matter be moved to the Real Estate, Facilities & Land Management Committee for further discussion and recommendation. Council concurred.

RFP 12-15 / Fiber Restoration, Location & Maintenance Services / Broadband Project FOCUS / \$491,400

Action regarding this matter was moved to after Executive Session by a motion earlier in the meeting [see page 2-3 of these minutes for discussion and action].

ITB 13-01 / Cobb Bridge Paint Removal & Replacement / \$481,800

Mr. Corbeil made a motion, seconded by Mr. McCall, approved 5 – 0 to approve the award of ITB 13-01 to Gulf Coast Contracting, LLC, of Holiday, Florida in the amount of \$438,000 plus an additional 10% contingency amount, for a total award amount of \$481,800.

ITB 13-02 / Road Paving 2013-2014 / \$679,843.90

Mr. Moulder and Ms. Robyn Courtright, Procurement Director, addressed Council regarding this agenda item. Ms. Courtright noted that local preference was prohibited when utilizing “C Funds” for road paving; therefore, the original recommended award to Hubbard Paving was rescinded and the recommendation for the award is for King Asphalt, Inc. Discussion followed.

Mr. Barron made a motion, seconded by Mr. McCall, approved 5 – 0 to (1) approve the Award of ITB 13-02, Road Paving 2013-2014 to King Asphalt, Inc., of Liberty, SC, in the amount of \$618,039.90 plus contingency in the amount of \$61,804.00 for a total award of \$679,843.90, and (2) authorize the County Administrator to approve any change orders within the contingency amount.

Ten Chevrolet Tahoes / Sheriff’s Department / \$265,430

Sheriff Mike Crenshaw addressed Council regarding this agenda item. Discussion followed.

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve purchase of ten 2014 Chevrolet Tahoes to Love Chevrolet, of Columbia, SC, in the amount of \$265,430, per State Contract # 4400005789.

Council Committee Reports

Budget, Finance & Administration Committee / Mr. Dexter

Mr. Dexter updated Council reading from a prepared statement [copy filed with these minutes] regarding discussions that took place regarding various topics at the July 23, 2013 meeting. Mr. Dexter also reviewed the letter endorsed by four council members sent to the Executive Director of SCAC, with recommendation for policy positions [copy of letter filed with these minutes].

Mr. Thrift made a motion, seconded by Mr. Corbeil, approved 4 – 0 – 1 [Mr. Barron abstained – form filed with these minutes] to direct the Administrator to place the draft resolution on an upcoming regular Council meeting agenda.

Mr. Corbeil made a motion, seconded by Mr. Thrift, approved 4 – 0 – 1 [Mr. Barron abstained – formed filed with these minutes] to direct the Administrator to move forward with the bid process for the 13+ miles of sewer lines separately; putting the bid on the street in August 2013.

Old Business

None at this meeting.

New Business

2013 Edward Byrne Memorial JAG Grant Notification / No Action Required

Mr. Moulder reviewed with Council an allocation of \$21,652 from the Bureau of Justice Assistance. He noted that the Sheriff’s Department plans to use the funds from this program to purchase two all-terrain vehicles and that there are no matching funds required. Lastly Mr. Moulder informed Council that the quote exceed allocated amount for grant and that the Sheriff’s Department will use \$685.88 from their budget to cover remaining balance.

Oconee County Transit Feasibility Study Recommendation

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 5 – 0 to accept URS’s recommendation and form an Oconee County Transit Advisory Task Force Committee. Council requested that the Clerk update the Board/Commission Questionnaire so that interested citizens may submit their names for appointment. *[Details regarding Committee makeup to be determined at a future meeting].*

Executive Session:

Mr. Barron made a motion, seconded by Mr. Dexter, approved 5 – 0 enter into Executive Session for the purpose of [1] discussing two personnel matters, [2] discussion regarding a potential litigation matter, [3] receive an update regarding an Economic Development matter, and [4] discussion of contractual matters related to the Broadband Project.

Council entered Executive Session at 8:34 p.m.

Council returned from Executive Session at 9:54 p.m. on a motion by Mr. McCall, seconded by Mr. Dexter, approved 5 – 0. Mr. Thrift stated that no action was taken in Executive Session.

RFP 12-15 / Fiber Restoration, Location & Maintenance Services / Broadband Project FOCUS / \$491,400

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 5 – 0 to award RFP 12-15 Fiber Restoration, Location and Maintenance Services to GeoVision of Sylva, NC, (1) for an annual maintenance contract amount of \$291,400.00, and (2) an estimated not to exceed amount of \$200,000.00 for as-needed services as outlined in the RFP, for a grand total of \$491,400.00 for FY 2013-2014, and (3) to authorize the County Administrator to renew the annual maintenance contract for an additional four years.

Adjourn Mr. McCall made a motion, approved unanimously 5 - 0, to adjourn at 9:55 p.m.

Respectfully Submitted:

Elizabeth G. Hulse
Clerk to Council