



A G E N D A

OCONEE COUNTY COUNCIL MEETING

October 7, 2014

6:00 PM

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

Call to Order

Public Comment Session / Agenda Action Items Only

Council will hear public comment during this portion of the meeting for Agenda Action Items on today's agenda only. **Agenda Action Items** are defined as Administrator Report Items, Ordinances, Resolutions, Proclamations, Action Items, advertised Old Business items, advertised New Business items and Recommendations from Committee ONLY.

Combined the two Public Comment Sessions at this meeting are limited to a total of forty (40) minutes, four (4) minutes per person.

Council Member Comments *[Council may take a brief recess after Public Comment or Council Comments]*

Moment of Silence

Invocation by County Council Chaplain / Mr. Tom Martin

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

Approval of Minutes

- September 16, 2014 Regular Meeting
- September 22, 2014 Workshop Meeting with Planning Commission

Administrator Report & Agenda Summary

Public Hearings regarding the following Ordinances

Ordinance 2014-17 "AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND **ACI PLASTICS SOUTH, LLC**; AND OTHER MATTERS RELATING THERETO INCLUDING, WITHOUT LIMITATION, PAYMENT OF A FEE IN LIEU OF TAXES RELATED TO THE PROJECT AND THE CREATION OF A JOINT COUNTY INDUSTRIAL AND BUSINESS PARK FOR THE PROJECT"

Ordinance 2014-20 "AN ORDINANCE TO AMEND CHAPTER 20 OF THE OCONEE COUNTY CODE OF ORDINANCES TO PROVIDE FOR THE ADOPTION OF SOUTH CAROLINA CODE OF LAWS, 1976, AS AMENDED: SECTION 4-9-145, ENTITLED *LITTER CONTROL OFFICERS; CUSTODIAL ARREST AUTHORITY; NUMBER OF OFFICERS; POWERS AND DUTIES*, AND SECTION 56-7-80, ENTITLED *COUNTY OR MUNICIPAL UNIFORM ORDINANCE SUMMONS*, AS PART OF SUCH AMENDED CHAPTER 20; AND OTHER MATTERS RELATED THERETO"

Ordinance 2014-22 "AN ORDINANCE TO AMEND OCONEE COUNTY ORDINANCE 2014-01, THE BUDGET ORDINANCE FOR OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1ST, 2014 AND ENDING JUNE 30TH, 2015, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, SO AS TO INCLUDE A PROVISIO FOR DISBURSEMENT OF CERTAIN FUNDS; AND OTHER MATTERS RELATED THERETO"

Council's meetings shall be conducted pursuant to the South Carolina Freedom of Information Act, Council's Rules and the Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition. This agenda may not be inclusive of all issues which Council may bring up for discussion at this meeting. Items are listed on Council's agenda to give public notice of the subjects and issues to be discussed, acted upon, received as information and/or disposed of during the meeting. Items listed on Council's agenda may be taken up, tabled, postponed, removed or otherwise disposed of as provided for under Council's Rules, and Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition, if not specified under Council's rules.

Third & Final Reading regarding the Ordinances

Ordinance 2014-17 [See Caption page #1]

This is final approval/third reading of this economic development project, formerly named PROJECT PLUME. The Oconee Economic Alliance has been working on this project since March 2013 and this brings to conclusion the incentive process which entails a “fee-in-lieu-of” agreement.

Thermoplastics processor and recycler ACI Plastics, Inc. is expanding its manufacturing operations into Oconee County. The company’s \$4.1 million investment is expected to create 25 new jobs.

Flint, Mich.-based ACI Plastics is known for its separation technologies for paint removal, instrument panels, electrostatic and optical separation. ACI Plastics has purchased a former textile warehouse building at 2333 Sandifer Boulevard in Westminster and will remodel the 88,000-square-foot facility for its operations.

It is the staff’s recommendation that Council approve Ordinance 2014-17 on third and final reading.

Ordinance 2014-20 [See Caption page #1]

This ordinance **DOES NOT** give personnel authorized by this ordinance custodial arrest authority. Only sheriff’s office personnel that go through state approved certification & training may perform a custodial arrest.

Ordinance 2014-20 will enable authorized Oconee County personnel to be commissioned by Oconee County Council, and to issue county uniform ordinance summons in accordance with state law. This will assist authorized personnel when pursuing cases regarding violations of Oconee County Code of Ordinances, will free up Sheriff’s Deputies for other more critical work, and is the procedure being used in virtually all other South Carolina counties for handling county code violations.

It is staff’s recommendation that Council take 3rd & final reading of Ordinance 2014-20.

Ordinance 2014-22 [See Caption page #1]

The County’s General Fund is now estimated to receive \$31,247,987 in property taxes, which represents an increase of \$315,670 in Real Estate Property Taxes, and, a decrease in estimated revenues from delinquent tax Penalties and Fees of \$250,000 which were previously budgeted. The County’s Total Property Taxes will therefore result in a net increase, based on the foregoing increase and decrease, in the General Fund of \$65,670, which will increase the County’s General Fund, Unassigned Fund Balance by that amount, since that much less current fund balance will be required to balance the budget, because of the net increased revenues from tax millage.

The total net of all changes included in this ordinance will increase the County’s General Fund, Unassigned Fund Balance by \$65,670 in accordance with the ordinance governing the County’s Unassigned Fund Balance, because that much less current fund balance will be required to balance the budget.

Nothing in this ordinance changes expenditures previously approved in the budget at all – only the source of revenues needed to fund those expenditures is being amended.

It is the staff’s recommendation that Council approve Ordinance 2014-22 on third and final reading.

Second Reading regarding the Following Ordinances [None scheduled at this meeting.]

First Reading regarding the Following Ordinances

Ordinance 2014-23 [in title only] “AN ORDINANCE TO AMEND OCONEE COUNTY ORDINANCE 2014-02, THE BUDGET ORDINANCE FOR THE SCHOOL DISTRICT OF OCONEE COUNTY (the “School District”) FOR THE FISCAL YEAR BEGINNING JULY 1ST, 2014 AND ENDING JUNE 30TH, 2015, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, SO AS TO REFLECT THE USE OF ADDITIONAL TAX REVENUE AND ADDITIONAL DELINQUENT TAX COLLECTIONS, INCLUDING PENALTIES AND INTEREST, AND DECREASE THE USE OF FUND BALANCE, ALL ON THE REVENUE SIDE OF THE BUDGET; AND OTHER MATTERS RELATED THERETO”

The School District of Oconee County [SDOC] is increasing two revenue line items in the general fund school operations budget.

- Local tax revenue is estimated to be \$42,583,424; an increase in local tax revenue of \$577,000.
- Late penalties & fees for delinquent tax collections, to be used as revenue in the budget, are estimated to be \$250,000; no money was originally budgeted for this line item.
- The revenue increase in the budget, for both changes, totals \$827,000.

[see next page for additional summary for this ordinance.]

Ordinance 2014-23 *[in title only]*

[continued from last page]

As a result of the two revenue increases in the budget, the SDOC fund balance required to balance the budget will therefore be, \$3,669,286; a reduction in fund balance usage of \$827,000. There is no change in expenditures (spending) of the SDOC – just changes where the revenue is coming from to fund the previously approved spending. This is a positive development for the School District of Oconee County, as the amount of fund balance required to balance the School Operations budget is being reduced by \$827,000. The School District of Oconee County is required to maintain a fund balance in accordance with SDOC policy and bond underwriter and rating service requirements, and this change in fund balance usage will help the School District of Oconee County sustain sufficient working capital to meet operational needs in the School Operations Fund, without tax anticipation notes, and will help the SDOC maintain preferred bond ratings.

It is the staff's recommendation that Council approve Ordinance 2014-23 on first reading in title only.

Ordinance 2014-24 “AN ORDINANCE AUTHORIZING AND DIRECTING THE PROVISION OF COUNTY-FUNDED LEGAL REPRESENTATION, DEFENSE, AND LIMITED INDEMNIFICATION FOR OCONEE COUNTY EMPLOYEES IN CERTAIN LIMITED CIRCUMSTANCES INVOLVING THE DIRECTION AND PERFORMANCE OF OFFICIAL DUTIES; AND OTHER MATTERS RELATED THERETO”

First & Final Reading regarding the Following Resolutions

Resolution R2014-15 “A RESOLUTION AUTHORIZING THE PURCHASE OF CERTAIN REAL PROPERTY IN OCONEE COUNTY, SOUTH CAROLINA, BY OCONEE COUNTY”

This resolution relates to the construction of a new County fire sub-station in the Cheohee Valley area of Oconee County.

It is the staff's recommendation that Council approved Resolution R2014-15 on first and final reading.

Discussion Regarding Action Items

SC State Library: Library Services & Technology Act Competitive Grant

This request to apply for a Library Services and Technology Act Competitive grant administered by the South Carolina State Library. The grant award is \$17,100.00 rather than \$18,000.00, due to a reduction in the budget for camp t-shirts from \$1,000 to \$100. Part of the grant funds will be paid to Clemson University personnel and/or South Carolina certified teachers, under contract for the summer science camp, as professional fees. Please note, librarian's salary and benefits plus a portion of the library's existing budget for library materials to achieve the required 34% match.

It is the staff's recommendation that Council approve the application for the SC State Library Grant as presented.

Old Business

[None scheduled at this meeting.]

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

New Business

[None scheduled at this meeting.]

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

Executive Session

[for the purpose of discussing several Economic Development matter and a litigation matter]

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

Public Comment Session / **Non Agenda Action Items** *[time permitting]*

Council will hear public comment during this portion of the meeting for Non-Agenda Items

Combined the two Public Comment Sessions at this meeting are limited to a total of forty (40) minutes, four (4) minutes per person.

Council Member Comments

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.

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