

A G E N D A

OCONEE COUNTY COUNCIL MEETING - TUESDAY, JULY 19, 1994

3:00 PM

1. Call to Order
2. Invocation
3. Approval of Minutes
4. Consideration Of Bids Received, To Repair Boat Slips And Docks and Consideration To Transfer Funds - Mr. Alex James, Parks, Recreation and Tourism Director and Mrs. Jenny Peay, Purchasing Assistant
5. Consideration Of Request To Purchase A Trailer and A Radio Using Funds Obtained Through the Drug Enforcement Agency (DEA) - Sheriff James Singleton
6. Consideration Of Request Concerning Personnel Matter - Mr. Bob Busch, Law Enforcement Center Director
6. Consideration of Phoenix Cable's Request To Add Six Additional Channels To Their Current Listings At An Additional Monthly Cost To The Customer Of \$1.50 - Mr. Charles Himelrick, Assistant Vice President, Phoenix Cable, Incorporated
7. Remarks Concerning Hidden Glenn/Eagle Ridge - Dr. Ed Byars
8. Old Business
9. New Business
10. Adjourn

***** 2:45 P.M. Administrative Briefing *****

MEMBERS, OCONEE COUNTY COUNCIL

Mrs. M. Fran Burrell, District I Mr. Harrison E. Orr, District II
Mr. Michael E. Harper, District III Mr. Roy B. Strickland, District IV
Mr. Alton K. Williams, District V

MINUTES, OCONEE COUNTY COUNCIL MEETING

The regular meeting of the Oconee County Council was held Tuesday, July 19, 1994 at 3:00 pm in Council Chambers with all Council Members except Mr. Harper present. Mr. Strickland came in at 3:05 pm. The County Attorney was also present.

Members of the press notified (by mail):
Journal/Tribune, Keowee Courier, Westminster News, Anderson Independent, Greenville News, WGOG Radio, WBFM Radio, WCCP Radio, WZLI/WLET Radio, WYFF TV, WLOS TV & SC Black Media Group.

Press

Members of the press present: Ashton Hester - Keowee Courier, Kathleen Stoll - Anderson Independent, Dick Mangrum - WGOG Radio, Allen Bowie - Greenville News and Alan Adams - Journal/Tribune.

The meeting was called to order by Supervisor Chairman Crain who welcomed the guests and media.

Call to Order

The invocation was given by Mr. Orr.

Invocation

Mrs. Burrell made a motion, seconded by Mr. Orr, approved 3 - 0 (Mr. Harper absent, Mr. Strickland had not come in at this time) that the minutes of the regular meeting held July 5, 1994 be adopted as printed.

Minutes
(7/5/94)

Mr. Alex James, PRT Director and Ms. Jenny Peay, Purchasing Assistant, requested that the attached bid for boat slips and repairing of courtesy docks at High Falls & South Cove County Parks be altered for Oconee County to dispose of the floatation and wood on the existing docks and let Custom Steel renovate the two boat slips at High Falls Park and build a new courtesy dock at South Cove Park at a total cost of \$17,500.

PRT

However, Mr. Cain, County Attorney, advised against this as the negotiation with the low bidder changed the scope of work from the original bid specifications.

There was no motion to adopt this recommendation.

At the request of Chief Deputy F. Steve Pruitt, representing Sheriff Singleton, Mr. Strickland made a motion, seconded by Mr. Williams, approved 4 - 0 (Mr. Harper absent) that the Sheriff's Department be allowed to use \$892.50 DEA Funds to purchase a trailer for the all terrain vehicle and \$1,429.50 DEA Funds to purchase a radio for the under cover

Sheriff's
Dept.

narcotics officer's vehicle.

Mrs. Burrell made a motion, seconded by Mr. Williams, approved 4 - 0 (Mr. Harper absent) that the minutes of the special meeting held July 7, 1994 be adopted as printed.

Minutes
(7/7/94)

At the request of Mr. Bob Busch, LEC Director, Mr. Strickland made a motion, seconded by Mrs. Burrell, approved 4 - 0 (Mr. Harper absent) that \$20,508.19 be taken from contingency and used to create a personnel position in the Law Enforcement Center to replace a Correctional Officer who has been out due to an injury on the job since February 4, 1994. This will leave the position open for the officer who is out as well as allow a full staff at the LEC. Also the first female officer to resign will not be replaced.

LEC
(Cont'cy)

At the request of Mr. Charles Himelrick, Assistant Vice President, Phoenix Cable Incorporated, Mr. Strickland made a motion, seconded by Mrs. Burrell, approved 3 - 1 (Mr. Harper absent, Mr. Orr voting against) to endorse the rate increase for Phoenix Cable of \$1.50 per month adding six (6) new channels. (See attachment)

Phoenix
Cable TV

Dr. Ed Byars appeared before Council to discuss developments concerning Hidden Glen/Eagle Ridge Airport.

Eagle
Ridge

Mr. Cain, County Attorney, suggested that Council listen attentively to Dr. Byars regarding Hidden Glen/Eagle Ridge, but advised Council to make no comment or reply at this time.

Dr. Byars asked Council to send a message that they were acting in good faith by making a motion to change the county flight pattern. He further stated that if Council did not pass such a motion it would send a message that Council is not negotiating in good faith, that the County is continuing to take punitive action against Eagle Ridge.

Dr Byars also stated that he hoped Council would not hide behind legal advice and further study.

Mr. Cain, County Attorney, stated that he strongly disagreed with Dr. Byar's statement that such unilateral action on the part of the county would not prejudice the county in any way. Title 55-5-120 states that it shall be unlawful for any airport, landing field, air school, flying club, air beacon or other air navigation facility to be used or operated without the approval of the SC Aeronautics Commission. All proposed airports, landing fields, air fields, flying clubs, air beacons or other air navigational facilities shall first be approved by the commission before they or any of them shall be used or operated. The Commission may issue a certificate of approval in each case.

Mr. Cain further informed Council that this has been the law since before Hidden Glen was built and is the law today.

Mr. Cain further advised Council to make no comment or reply at this time as Dr. Byars and his attorneys have threatened to sue Oconee County. Mr. Cain stated that although it is a free country and anyone can speak to anyone at any time they wish to, Council may prejudice their position and the position of Oconee County in the future.

Mr. Cain also informed Council that Dr. Byars has retained excellent attorneys and anything Council may say at any time may be used against them in court later.

Further, Mr. Cain indicated that Council will be called upon in the near future to decide whether to enter into an agreement with the private airport group which will alter the normal existing landing and take off pattern at the public airport. Council has been briefed in the past and will be given additional information prior to a special meeting with the Oconee County Aeronautics Commission to consider the agreement with Hidden Glen/Eagle Ridge.

Mr. Cain informed Council that at the end of last week he received the minutes of the teleconference held by the SC Aeronautics Commission which he requested from Dr. Byars over a month ago and this will be given to the Council Members. Mr. Cain further advised Council to take no action at this time.

Mrs. Burrell stated she received more information off the street that she did in Council Meetings regarding the airport. Mr. Cain assured Council they would have additional information before they were asked to make a decision regarding Hidden Glen/Eagle Ridge.

In further discussion, Mr. Crain stated the way Council acted when asked to go into executive session lead the County Attorney and himself to believe that they did not want to go into executive session for briefings. Mr. Crain also stated that at the last Council Meeting when Mr. Cain mentioned an executive session, the Council Members said "O, no! not an executive session".

However, the Council Members disagreed saying they had never refused to go into executive session, they had always listened to the briefings and they did not appreciate being reprimanded in public.

Mr. Crain then offered to recess the meeting and obtain the tapes from the last meeting and play the tapes in open session to remind Council what was said, however, there was

no request or motion to do this.

Mrs. Burrell asked that it be made a part of the record that she had not been guilty of not listening to information given when Council is in executive session.

Dr. Byars further stated he did not wish to go against Title 55-5-120, SC Code of Laws, but he did want Council to pass a motion to change the flight pattern of the Clemson-Oconee County Airport.

There was no motion made.

Mr. Williams made a motion, seconded by Mrs. Burrell, approved 4 - 0 (Mr. Harper absent) that Council go on record opposing public nudity and Council will do what it can to stop it.

Public
Nudity

Mr. Strickland made a motion, seconded by Mr. Orr, approved 4 - 0 (Mr. Harper absent) that Flex Road be changed to Watts Rd with the landowner paying to change the signs.

Flex Rd.

To Mr. Orr's inquiry, Mr. Crain informed Council that no roadways to be paved had been removed from the list given to Council.

Paving
List

At the request of Mr. Cain, County Attorney, Mr. Orr made a motion, seconded by Mr. Strickland, approved 4 - 0 (Mr. Harper absent) that Council go into executive session for the discussion of legal and contractual matters.

Executive
Session

When open session resumed, Mr. Strickland made a motion, seconded by Mrs. Burrell, approved 4 - 0 (Mr. Harper absent) that the administration be authorized to proceed with the acquisition of two (2) acres on Hwy. 11 near the inter-state for a manned convenience center as well as title from the SC Highway Department for an easement and to obtain title insurance on this property.

Open
Session

Mr. Strickland made a motion, seconded by Mr. Orr, approved 3 - 2 (Mr. Harper absent, Mr. Crain breaking tie) that the administration be authorized to obtain another six (6) month option on the three hundred, twelve (312) acre site for a proposed landfill and modifying the agreement to give the current landowners the first right of refusal to purchase the land back from the county and also give them access to any test results on the property.

Adjourn: 4:35 pm

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July 19, 1994

Norman D. Crain
Supervisor-Chairman
Oconee County Council

OCONEE COUNTY BID TABULATION

BID FOR: Boat Slips and Repairing Courtesy Docks for High Falls & South Cove County Parks **DATE:** July 14, 1994

BID NO: 94-01 **LOCATION:** Walhalla, SC **TIME:** 2:00 p.m.

BIDDERS	Superior Dock Systems	Lake Services	Keowee Dock & Service Co., Inc.	Custom Steel & Wood, Inc.	
Boat Slips - High Falls County Park			12,688.80	12,267.50	
Courtesy Dock - High Falls County Park			3,789.00	(3,190.00	
Courtesy Dock - South Cove County Park			3,844.00	(
SUBTOTAL			\$20,321.80	\$15,457.50	
S. C. Sales Tax				463.73	
TOTAL			\$20,321.80	\$15,921.23	
Proof of insurance & workmen's comp			yes	yes	
				NOTE: See letter. With Oconee County disposing of floatation and wood on existing docks and Custom Steel building a new courtesy dock at South Cove total cost would be \$17,500.00.	

ATTENDING OPENING: Mr. Kroger - Keowee Dock, Alex James - PRT, Jenny Peay - Purchasing

BID FORM
OCONEE COUNTY
PURCHASING DEPARTMENT
201 WEST MAIN STREET
WALHALLA, SOUTH CAROLINA 29691

The Keowee Dock & Service Co. Inc.
submits herewith our Bid in response to bid request number shown above, and in
compliance with the description(s) and/or specification(s) numbered two pages
and attached hereto for repairing boat slips and courtesy docks for High Falls and
South Cove County parks

Addendum No. 1	\$	12,688.80
Boat Slips - High Falls Park - Option 1	\$	<u>N/A</u>
Option 2	\$	<u>N/A</u>
Option 3	\$	<u>N/A</u>
Courtesy Dock - High Falls Park	\$	<u>3,789.00</u>
Courtesy Dock - South Cove Park	\$	<u>3,844.00</u>

Bid shall include delivery to location stated on Bid Notice.

Show any exception, deviation, extra computation, or information on Bid Supplemental
Form attached hereto.

Delivery Date: on or before 30 days from date of contract

BIDDING ORGANIZATION Keowee Dock & Service Co., Inc.

ADDRESS: P.O. BOX 879 By-Pass 123

CITY, STATE, ZIP CODE Seneca, SC 29678

SIGNATURE OF BIDDERS REPRESENTATIVE: *Larry W. Trageser*

TITLE: President

DATE: July 14, 1994

TELEPHONE: 832-7671



"Custom Built Floating Dock Systems"

5032 Hwy. 24. West
Anderson, SC 29624
(803) 225-2393 • FAX (803) 224-3931

July 14, 1994

Oconee County Purchasing Department
208 Booker Drive
Walhalla, S. C. 29691

Re: Dock Quotation

Gentlemen,

It is with pleasure that we offer to you this quotation for your dock needs;

Job Discription

- *Refloat two (2) courtesy docks with encaspsulated foam
- *Repair all vertical bumpers
- *Replace all bumper rubber using screws & washers
- *Reanchor two (2) courtesy docks to shore
- *Remove existing anchor system
- *Install new 10' X 60' dock structure with bumpers as specified and anchor system
- *Dispose of existing dock structure
- *Dispose of existing floatation under courtesy docks

Specifications

- *All encapsulated foam to be used will be Formex (Brouchure included)
- *Rubber bumper strips 3½" heavy duty wrap around design. Installed #10 X 1¼" plated screws with flat fender washers
- *All existing 2" square tubing will be capped with plastic caps



"Custom Built Floating Dock Systems"

5032 Hwy. 24, West
Anderson, SC 29624
(803) 225-2393 • FAX (803) 224-3931

Page #2

*Anchor cable will be 5/16" galvanized aircraft to 2" X 4' steel anchor pins on shore

*Existing vertical uprights for bumpers will be reinforced by welding 2" X 3/16" flat iron inside beam

Proposed 10' X 60' dock specifications

*Base frame - 8" @6.5 lb/ft I-Beams, braced with 2" X 2" X 11 ga. angle iron and 1/2" steel rod

*Decking - 2" Treated wood - bolted to framework (no nails)
All rough edges are capped with angle iron and through bolted to prevent warpage and splitting of boards

*Floatation - Formex encapsulated with the amount yielding 100% safety factor as calculated by U.S. Army Corps of Engineers. Manufacturer's warranty is ten (10) years on floatation.

*Bumpers - 3 1/2" heavy duty PVC/Vinyl screwed to treated 2' X 4' that is bolted to 2" square steel post by 3/8" plated bolts. All vertical bumpers are 40" in length with 6" drop below I-Beam bottom to accommodate smaller boats

*Steel coating - All steel has red oxide primer coated, then two (2) coats of industrial enamel to owners choice of color

*Anchor System - Two adjustment winches - compact, low profile with no protruding handles - Two (2) 4200 lb. concrete slabs with 1 1/2" solid steel bails for cable attachment. 150' of 3/8" stainless cable per anchor. Two (2) 150 lb. mid cable weights to maintain cable tension. 4' diversion tubes used to get cable down below prop's reach

*Walkway - Bottom runs of 2" X 2" X 3/16" angle iron braced with 2" X 2" X 1/8" angle iron. All handrail square tubings to be 1 1/2" X 14 ga, Angles cut to fit and solid welded.

*Warranty - Five (5) years on steel workmanship for steel fatigue or weld failure. Ten (10) years manufacturer's warranty on floatation devices



"Custom Built Floating Dock Systems"

5032 Hwy. 24. West
Anderson, SC 29624
(803) 225-2393 • FAX (803) 224-3931

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TOTAL JOB QUOTE

As specified \$15,457.50, Fifteen thousand four hundred fifty-seven and 50/100 U. S. Dollars. (Plus any applicable taxes or permit fees).

OPTIONS

- *Add 10' X 20' Tee on outboard end with bumper system
Add.....\$ 2,975.00
- *Change base structure to open webb/joist construction with
2" X 2" X 1/8" angle w/1/2" rod forming a 12" truss
Deduct... 400.00
- *Change to pipe & sleeve anchor system (4 pcs) with 2 1/2"
galvanized pipe (not recommended due to water depth)
Deduct... 200.00

Completion time +/- 30 days after awarding of contract.

We thank you for the opportunity to bid on your dock needs.

With regards,

Donald H. Haynie
President/Owner



"Custom Built Floating Dock Systems"

5032 Hwy. 24, West
Anderson, SC 29624
(803) 225-2393 • FAX (803) 224-3931

July 18, 1994

Oconee County Purchasing Department
208 Booker Drive
Walhalla, S. C. 29691

DOCK QUOTATION PROPOSAL #2

Gentlemen,

Listed below is the alternate bid for dock work at South Cove and High Falls Park.

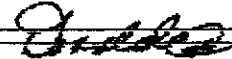
*Replacement of courtesy dock at South Cove Park in exchange for Oconee County disposing of all old floatation and wood of existing docks.

Custom Steel & Wood, Inc. will be responsible for disposal of steel frame works of the used docks only.

In this alternate bid the total is \$15,457.50 plus \$463.73 S. C. Sales Tax which makes a total of \$15,921.23.

If you have any questions please give us a call.

Sincerely,


Donald H. Haynie
President/Owner

PROPOSAL #3

Recondition existing courtesy dock and move to single ramp location at South Cove. All other conditions remain the same.

TOTAL PRICE INCLUDING S.C. SALES TAX.....\$ 17,500.00

OCONEE LAW ENFORCEMENT CENTER

208 BOOKER DRIVE
WALHALLA, SC 29691

Director
Bobby E. Busch

TO: Norman Crain, Supervisor/Chairman, Oconee County Council
and the Oconee County Council

FROM: Bobby E. Busch, Sr., Director *MB*

SUBJECT: Request of Contingency Funds

DATE: July 15, 1994

This request is to establish an additional permanent Correctional Officer I position during the absence of an officer who has been on sick leave since February 4, 1994.

The break down of this request is as follows:

Salary	\$14,444.00
Retirement	\$1,545.51
Insurance	\$2,964.50
Social Security	\$1,104.97
<u>Workers' Compensation</u>	<u>\$449.21</u>
TOTAL	\$20,508.19

:jsp

TELEPHONE
638-4105

Oconee County Council

Mary Frances Burrell
District One
Post Office Box 53
Tamassee, SC 29686

Harrison E. Orr
District Two
P.O. Box 1068
Walhalla, SC 29691

Michael E. Harper
District Three
Post Office Box 977
Seneca, SC 29679

Public Service Building
208 Booker Drive
Walhalla, SC 29691
(803) 638-4244

Norman D. Crain
Supervisor, Chairman
317 Old Seneca Road
Westminster, SC 29693
(803) 638-4242 - Office

Roy B. Strickland
District Four
203 Isundega Street
Westminster, SC 29693

Alton K. Williams
District Five
901 Pine Grove Road
Seneca, SC 29678

Timothy M. Cain
County Attorney
Post Office Box 698
Seneca, SC 29679

July 11, 1994

Mr. John E. Finley, Director, Marketing
Phoenix Cable Incorporated
10 South Franklin Turnpike
Ramsey, New Jersey 07446

Reference: Additional Channels

Dear Mr. Finley:

The purpose of this correspondence is to thank you for and respond to your letter of June 30, 1994 requesting to increase rates \$1.50 by September 01, 1994.

By way of background, when the subscriber program survey was conducted there was no mention of an additional fee being imposed to implement same. Therefore, if you can implement the additional channels without an increase I would have no problem in approving this additional service.

However, I do not approve and/or endorse the \$1.50 increase which is requested. If you would like to address the Oconee County Council in reference to this matter I would be glad to schedule you at one of the regularly scheduled meetings.


Those meetings are held twice a month. The first Tuesday of every month at 7:00 in the evening and the third Tuesday of every month at 3:00 in the afternoon.

If you wish to address County Council please notify me as to which meeting you would prefer to attend and we will be glad to schedule you for same.

PAGE TWO
JULY 11, 1994
MR. JOHN E. FINLEY

If you have any questions concerning this matter or if I can be of any further assistance in this or any other matter please do not hesitate to contact me.

Respectfully,


Norman D. Crain
Supervisor-Chairman
Oconee County Council

NDC/bjs

C: County Council Clerk
File



**PHOENIX CABLE
INCORPORATED**

A Phoenix American Company
10 South Franklin Turnpike
Ramsey, New Jersey 07446
(201) 825-9090
(201) 825-8794 FAX
N.C. (704) 625-9300



Charles D. Himelrick
Assistant Vice President

June 30, 1994

Oconee County Council
ATTN: Norman C. Crain
Supervisor, Chairman
County Mailroom
Walhalla, SC 29691

10 South Franklin Turnpike
Ramsey, New Jersey 07446
(201) 825-9090
(201) 825-8794 FAX

Subject: Additional Channels

Dear Mr. Crain:

County Cablevision has conducted a subscriber program survey and is considering adding the following channels:

- 1) SportsSouth
- 2) Turner Classic Movies - classic older movies
- 3) TNT - Turner Network - NFL, NBA movies, etc.
- 4) WOR - Superstation New York
- 5) USA - movies, series, sports, etc.
- 6) Weather Channel

It would be possible to add these channels before the end of August, 1994 and possibly by early August should we obtain the quick concurrences of the Town to allow us to increase rates by \$1.50 by September 1, 1994. This additional \$1.50 does not cover the increased capital and programming costs of these six channels, yet we feel it important and necessary to accept some loss in order to satisfy our subscribers.

We look forward to your quick, positive written response so that we might immediately order the required equipment and offer the new channels as soon as possible.

Sincerely,

PHOENIX CABLE INCORPORATED

John E. Finley
Director, Marketing

JEF:mcl

PHOENIX CABLE
INCORPORATED

A Phoenix American Company



10 South Franklin Turnpike
Ramsey, New Jersey 07446-2551
(201) 825-9990
(201) 825-8794 FAX

Dear Council Member:

As you know, County Cable included in its billing in late 1993, a survey regarding a possible addition of channels to our lineup. At that time we thought we might add three (3) channels, but after many letters and phone calls from our subscribers indicating the desire for more than three (3) channels we have decided on six (6). Most of the subscribers that we have either received a letter from or spoken with directly, indicated they would be willing to pay an increase for more quality channels.

The channels we propose to add are high quality, much demanded programming including:

- Most Popular*
- ✓ 1. USA - sports, movies, series - most watched cable programming in America
 2. Weather Channel - including local weather
 - ✓ 3. SportsSouth - south and southeast sports
 - ✓ 4. TNT - sports (NFL, NBA, etc.), movies - one of the most popular programmers
 5. TCM - Turner Classic Movies - from the thirties through the eighties
 - ✓ 6. WOR - superstation from New York: sports (Mets), movies, news, etc.

They do not come cheaply, equipment and programming costs alone amount to \$1.78 per subscriber. We are asking for a price increase of \$1.50. We are obviously going to lose \$.28 per subscriber the first year and more the following couple of years as programming costs rise each year.

We are willing to absorb this loss in order to satisfy our customers and hopefully the system will grow.

We are unable to add these channels without an increase, so we ask you to approve the \$1.50 increase. As our information indicates, people are willing to pay the increase for the quality channel being added.

We look forward to providing quality programming as we strive to offer ever improving service.

Sincerely,

PHOENIX CABLE INCORPORATED

John E. Finley
Director, Marketing