

**MEMBERS, OCONEE COUNTY COUNCIL**  
Mr. Steven R. Moore, District I Mr. Kenneth E. Johns, Jr., District II  
Rev. William "Bill" Rinehart, District III Mr. Marion E. Lyles, District IV  
Mr. H. Frank Ables, Jr., District V

**MINUTES, OCONEE COUNTY COUNCIL MEETING**

The Oconee County Council met Tuesday, November 18, 2003 at 3:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members and the County Attorney present.

**Press:**

- Members of the press notified (via mail): Keowee Courier, Westminster News, Daily Journal, Anderson Independent, WGOG Radio, WYFF TV & WLOS TV.

Members of the press present: Dick Mangrum – WGOG Radio & Ashton Hester – Keowee Courier.

**Other Organizations Notified:**

- Also notified were the Oconee County Tax Payers Association and the Oconee County Democratic Party.

**Call to Order:**

- Interim Supervisor-Chair Hamilton called the meeting to order.

**Invocation:**

- Mr. Rinehart gave the invocation.

**Minutes:**

- By consensus Council unanimously adopted the minutes of the regular meeting held November 4, 2003 be adopted as printed.

**Proclamation:**

- Mr. Johns made a motion, seconded by Mr. Ables, approved 5 – 0 that the attached proclamation declaring November 2003 as "Adoption Awareness Month" be adopted on first and final reading.

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**Public Hearing:**

- Council then held a public hearing to receive written and/or oral comments regarding the leasing of a county owned building located at 202 Mt. Nebo Church Road.

Mr. Jeff Watkins informed Council he was interested in leasing the property.

There was no one else present with written and/or oral comments.

**"Spec" Building Bids & Capital Improvement Plan:**

Ms. Marianne Dillard, Procurement Director & Mr. James Alexander, Economic Development Director presented the attached bids for the "spec" building to be constructed at the Commerce Center to Council. Before Council made a determination regarding these bids, they took the following action regarding the capital improvement:

Mr. Moore made a motion, seconded by Mr. Johns, approved 5 – 0 that \$25,000 be taken from undesignated reserve for renovating the DAVCO Building for the Road Department.

Mr. Johns made a motion, seconded by Mr. Moore, approved 5 – 0 that \$15,000 be taken from undesignated reserve for renovating the Road Department Building for Rural Fire.

Mr. Rinehart made a motion, seconded by Mr. Lyles, approved 5 – 0 that \$165,000 be taken from the Pine Street Funds for renovating the Pine Street Facility for permanent office space for the Probate Judge Offices (\$75,000 of this will be for filing system).

Mr. Moore made a motion, seconded by Mr. Rinehart, approved 5 – 0 that \$1,500,000 from undesignated reserve be used for the construction of a new building for the Department of Social Services contingent that no construction begin before June 1, 2004. This will be a 21,000 square foot building with 135 parking spaces.

Upon recommendation of Ms. Dillard & Mr. Alexander, Mr. Lyles made a motion, seconded by Mr. Johns, approved 5 – 0 that the bid for design/build of the "spec" building be awarded to M. B. Kahn at \$5,200 Phase 1 - the schematic; \$5,200 Phase 2 – the design development; 3% Phase 3 – construction documents and 2% Phase 4 – construction. (See attached bid sheet)

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**Rosa Clark Clinic:**

Mr. Lyles, Chair, Purchasing, Contracting, Real Estate, Building & Grounds Committee informed Council that the committee saw a definite need for additional space at the Rosa Clark Clinic, they felt like a 20'X40' addition to the rear of the building would be sufficient and asked them to seek assistance from Habitat for Humanity and the Vocational School.

**Ordinance 2003-20:**

Mr. Rinehart made a motion, seconded by Mr. Moore, approved 5 – 0 that Ordinance 2003-20, "AN ORDINANCE TO AMEND SECTION I-9 OF ORDINANCE 97-14, OCONEE COUNTY POLICIES & PROCEDURES TO INCLUDE A PROVISION FOR DISCIPLINARY ACTION FOR FAILURE TO COMPLY WITH THE OCONEE COUNTY EXPOSURE CONTROL PLAN, RESCINDING ORDINANCE 2001-06" be adopted on third and final reading.

**Ordinance 2003-21:**

Mr. Ables made a motion, seconded by Mr. Moore, approved 5 – 0 that Ordinance 2003-21, "AN ORDINANCE AMENDING ORDINANCE 2002-08, AN ORDINANCE TO PROVIDE FOR THE SALE OF SURPLUS STONE, GRAVEL AND LIKE PRODUCTS BY OCONEE COUNTY AND TO PRESCRIBE THE MANNER OF SUCH SALES AND THE PAYMENT AND ACCOUNTING THEREFORE, AND TO REPEAL ORDINANCE 91-10" be adopted on third and final reading.

**Ordinance 2003-22:**

Mr. Johns made a motion, seconded by Mr. Lyles, approved 5 – 0 that Ordinance 2003-22, "AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA, AS LESSOR AND JOHNSON CONTROLS, INC.; AND OTHER MATTERS RELATING THERETO INCLUDING, WITHOUT LIMITATION, PAYMENT OF A FEE IN LIEU OF TAXES" be adopted on second reading.

**Ordinance 2003-23:**

Mr. Lyles made a motion, seconded by Mr. Ables, approved 5 – 0 that Ordinance 2003-23, "AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND JOHNSON CONTROLS, INC. FOR GRANTING CERTAIN INFRASTRUCTURE CREDITS TO JOHNSON CONTROLS, INC." be adopted on second reading.

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**Register of Deeds:**

Mr. Ables made a motion, seconded by Mr. Moore, approved 5 – 0 that \$3,500 be taken from the miscellaneous capital improvement account to purchase a plat cabinet for Register of Deeds.

**SHARE Board:**

Upon recommendation of Mr. Hamilton, Mr. Rinehart made a motion, seconded by Mr. Ables, approved 5 – 0 that Mr. Jimmy Boggs be appointed to the SHARE Board.

**Rural Fire (Contingency):**

Mr. Norton, County Attorney, reported to Council that he, along with Ron Butts, Rural Fire Chief & Marianne Dillard, Procurement Director met with representatives of FoamPro and Crimson Fire Apparatus on November 7, 2004. Both, Crimson Fire and FoamPro acknowledged various problems with the fire trucks such as the trucks being assembled incorrectly which creates problems with the pump system for the foam. The Walhalla truck and the Keowee Key truck have both been repaired.

The County representatives did express concerns regarding the trucks being returned to Oconee County with empty gas tanks. Crimson now plans to make the repairs in Oconee County and FoamPro has agreed to send a representative to the County to conduct seminars in the use of the FoamPro system and also to inspect the repairs on all ten trucks.

The FoamPro representative also suggested that we change the type of foam we are currently using, he recommended several manufacturers for our consideration. (See attached report)

Mr. Rinehart made a motion, seconded by Mr. Moore, approved 5 – 0 that funds be taken from contingency to replace monies used by the fire departments to purchase diesel used to drive the fire trucks to Alabama.

**Parks, Recreation & Tourism:**

Upon recommendation of the Law Enforcement, Safety, Health, Welfare & Services Committee, Council voted unanimously to adopt Ordinance 2003-26, "AN ORDINANCE CREATING THE OCONEE COUNTY PARKS AND TOURISM COMMISSION, AND REPEALING OCONEE COUNTY ORDINANCE 99-6, AN ORDINANCE CREATING THE OCONEE COUNTY TOURISM PROMOTION COMMISSION"

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**Parks, Recreation & Tourism Continued:**

- Ordinance 2003-27, "AN ORDINANCE AMENDING ORDINANCE 99-7 AS TO CHANGE THE NAME OF THE COMMISSION CREATED THEREUNDER FROM THE OCONEE COUNTY PARKS AND RECREATION COMMISSION TO THE OCONEE COUNTY RECREATION COMMISSION AND TO PROVIDE FOR THE FUNCTION, POWERS AND DUTIES THEREOF AND OTHER MATTERS RELATING THERETO" on first reading in title only.

Also, upon the recommendation of the committee, Council voted unanimously to release \$8,000 in the operational funds of the Parks budget for renovation of the restrooms at High Falls Park contingent upon the project being approved by the Law Enforcement, Safety, Health, Welfare & Services Committee.

**Arts & Historical Appointment:**

Mr. Ables made a motion, seconded by Mr. Moore, approved 5 – 0 that Mr. Nick Gambrell be appointed to represent District V on the Arts & Historical Commission.

**Ordinance 2003-25:**

Upon recommendation of the Personnel & Intergovernmental Committee, Council voted 4 – 1 (Mr. Johns voting against) that Ordinance 2003-25, "AN ORDINANCE TO ABOLISH THE OFFICE OF TAX COLLECTOR FOR OCONEE COUNTY AND TO DEVOLVE THE POWERS, DUTIES AND RESPONSIBILITIES FORMERLY EXERCISED BY THE OFFICE OF TAX COLLECTOR FOR OCONEE COUNTY UPON THE FINANCE DIRECTOR FOR OCONEE COUNTY" be adopted on first reading.

**Assessor (Contingency):**

Upon request of Mr. Roger Williams, Assessor, Mr. Lyles made a motion, seconded by Mr. Ables, approved 5 – 0 that \$2,500 be taken from contingency for the installation of five (5) radios (already purchased) in the vehicles used by that office.

**Budget & Finance Meet:**

The Budget & Finance Committee scheduled a meeting Tuesday, December 2, 2003 at 5:00 PM in Council Chambers.

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**Public Comment Session:**

Ms. Ann Hill requested that the inmates be assigned work and paid for that work.

Ms. Susie Cornelius addressed Council regarding the jail and other county issues.

Mr. B. J. Littleton addressed Council regarding the Law Enforcement Center, Parks, the Sheriff's budget and other county issues.

**Executive Session:**

Upon request of Mr. Norton, County Attorney, Council voted unanimously to go into executive session to discuss legal ramifications regarding methane problems at the Seneca Landfill.

**Open Session:**

Council took no action when open session resumed.

**Adjourn:**

Adjourn 5:10 PM

Respectfully Submitted:

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Opal O. Green, Clerk to Council