



MINUTES
OCONEE COUNTY COUNCIL MEETING
Regular Meeting
December 16, 2008

MEMBERS, OCONEE COUNTY COUNCIL

Mr. George Blanchard District I, Chairman
Mr. Thomas S. Crumpton, Jr., District II
Mr. Mario Suarez, District III
Mr. Marion E. Lyles, District IV
Mr. H. Frank Ables, Jr., District V

Oconee County Council met on Tuesday, December 16, 2008 at 6:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members, County Administrator Dale K. Surrett, Bradley A. Norton County Attorney and Elizabeth G. Hulse, Clerk to Council 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 to the newspapers, radio stations, television stations and concerned citizens.

Member of the press present: Ray Chandler–Anderson Independent, Peter Kent - WSNW Radio & Brett McLaughlin-Daily Journal.

Call to Order:

Chairman Blanchard called the meeting to order at 6:05 p.m.

Pledge of Allegiance:

Mr. Ables led the pledge of allegiance to the United States Flag.

Minutes:

Mr. Lyles made a motion, seconded by Mr. Crumpton, approved 5 – 0 that the minutes from the December 2, 2008 regular meeting be adopted as printed.

Public Comment Session:

Mr. Berry Nichols addressed Council regarding several issues to include: reinstatement of prayer at Council meetings; extension of public comment period to five minutes per citizen; agenda item #11, #2, and lastly thanked the exiting Council Members Ables, Crumpton and Lyles for their service to the County.

Ms. Susie Cornelius addressed Council regarding her concerns that discussion of Ordinance 2008-21 in Executive Session violates Freedom of Information. Ms. Cornelius asked that the County Attorney address this prior to entering Executive Session later in the meeting.

Mr. Tom Markovich addressed Council to thank the exiting Council Members Ables, Crumpton and Lyles for their dedication to the citizens of Oconee County; noting that during their tenures that many things were accomplished to better the county.

Extended Public Comment Session:

No citizens signed up for the Extended Public Comment Session at this meeting.

Presentation to Retiring Council Members:

Mr. Blanchard addressed those present stating that it was his privilege as the current Chairman to present to each of the outgoing council members a Certificate of Appreciation. He read the certificates to Mr. Ables, Mr. Crumpton and Mr. Lyles. The certificates stated that the citizens of Oconee County, Oconee County Employees and their fellow Council members wanted to express to each appreciation for their years of leadership and exemplarily service as County Council representatives. Lastly, Mr. Blanchard asked Mr. Crumpton to present to his good friend Mr. Lyles a gavel plaque honoring his service as Council Chairman in 2007.

Elliott Davis Presentation / FY 2007-2008 Financial Summary Report:

Ms. Phyllis Lombard, Finance Director, introduced Mr. C. J. Palmer and Mr. Matt Clark with Elliott Davis who prepared the FY 2007-2008 Annual Financial Report. Mr. Palmer addressed Council and made a brief presentation noting that his company issued an “unqualified clean opinion” regarding the county finances. The report booklets were distributed to Council [copy filed separately in the County Council office]. Mr. Palmer discussed specifics in Exhibits 1, 3, 8, 10 & 11. Mr. Palmer specifically noted that the County had assets of \$40,000,000 and liabilities of \$6,000,000; a 7 to 1 ratio which he described as very strong. In addition he noted that the County has a \$36,500,000 debt limit with \$29,000,000 available; reflecting that only 20% of the debt capacity is being utilized. He also discussed the enterprise funds. Lastly the undesignated fund balance is \$7,823,739 [which would cover county expenses for 2.8 months]. Discussion followed.

Council and the County Administrator thanked Elliott Davis, Ms. Lombard and her staff for a thorough report. Mr. Ables noted that Elliott Davis is an outside auditing company and that his hope was that all of the false statements circulated in the media regarding the county’s financial stability are now put to rest with a good report from this auditor. Lastly Ms. Lombard noted that the report would be available on line within approximately one week for the public to view.

Executive Session:

Mr. Norton addressed Ms. Cornelius question posed during Public Comment stating that the Ordinance 2008-21 itself will not be discussed in Executive Session; only the legal regulations from FEMA that will need to be incorporated into the ordinance will be discussed.

Mr. Blanchard asked for a motion to enter into Executive Session for the purpose of discussing a personnel matter and to receive legal advice regarding potential litigation and FEMA’s regulations as they pertain to Ordinance 2008-21.

Mr. Lyles made a motion, seconded by Mr. Crumpton, approved 4 – 0 to enter into Executive Session for the reason stated above.

Council entered into Executive Session at 6:40 p.m.

Council returned from Executive Session at 7:20 p.m.

Mr. Blanchard asked Mr. Norton to address two issues discussed during Executive Session. Mr. Norton discussed the first issues regarding potential litigation involving a resident of Florida who has contacted people who had their property sold during the Delinquent Tax sale. This individual has had the owners sign deeds to him; paying nothing for the property. This individuals activities have put a potential cloud over all transactions in which they were involved. The County is currently working with law enforcement on the local, state and federal levels.

The second issue relates to Ordinance 2008-21, "AN ORDINANCE REPLACING 2005-06, THE FLOOD DAMAGE PREVENTION ORDINANCE". Mr. Norton noted that in order for Oconee County citizens to obtain flood insurance that the county will have to make changes to the flood ordinance to incorporate FEMA's new regulations. He stated that the ordinance will be read in title only at this meeting and that he anticipates that the full ordinance will be around 40 pages and should be ready for second reading at the first meeting in January 2009.

No formal actions were taken based on discussions in Executive Session.

Consideration of the Following Ordinances:

Ordinance 2008-19:

Mr. Norton noted that only two minor changes have been made to this ordinance; one based on comment from the public hearing and the other related to reimbursement agreements with developers.

Mr. Crumpton made a motion, seconded by Mr. Suarez, approved 5 – 0 to approve **Ordinance 2008-19** "AN ORDINANCE TO CREATE ROAD STANDARDS FOR THE UNINCORPORATED AREAS OF OCONEE COUNTY AND REPEAL ALL OTHER ROAD RELATED ORDINANCES AND RESOLUTIONS" on third and final reading.

Ordinance 2008-20:

Mr. Norton noted that only one change has been made to this ordinance related to septic tank offset language with the change now referencing DHEC's standards.

Mr. Suarez made a motion, seconded by Mr. Ables, approved 5 – 0 to approve **Ordinance 2008-20** "AN ORDINANCE TO AMEND THE LAND DEVELOPMENT AND SUBDIVISION REGULATIONS CHAPTER OF THE OCONEE COUNTY UNIFIED PERFORMANCE STANDARDS ORDINANCE [CHAPTER 6], REPEALING ORDINANCE 2002-05 [Passed May 7, 2002], ORDINANCE 2006-07 [Passed May 1, 2006], AND ORDINANCE 2006-20 [Passed August 15, 2006]" on third and final reading, noting that implementation will take place January 15, 2009.

Ordinance 2008-21:

Mr. Norton noted that this ordinance is in title only at this meeting.

Mr. Ables made a motion, seconded by Mr. Crumpton, approved 5 – 0 to approve **Ordinance 2008-21** "AN ORDINANCE REPLACING 2005-06, THE FLOOD DAMAGE PREVENTION ORDINANCE" on first reading in title only.

Items for Consideration by Council:

Leadership Oconee / Approval for County Participation in Class Project:

Mr. Blanchard recognized Ms. Hulse, Clerk to Council, and asked her to address Council regarding the request from the 2009 Leadership Oconee Logistics Committee for county

participation in their class project. Ms. Hulse outlined the project which is intended beautify the welcome sign on Highway 123 entering Oconee County from Clemson. She stated that the intent of the class in choosing this project was to enhance tourism and economic development in the County. Ms. Hulse stated the class has already begun fundraising activities and that community involvement is also planned and the class members will be providing sweat equity for the project. The request before Council is outlined in greater detail the letter dated December 8, 2008 [filed with these minutes]. Discussion followed.

Mr. Ables made a motion, seconded by Mr. Lyles, approved 5 – 0 to approve the request from the 2009 Leadership Oconee class as outlined in the letter dated December 8, 2008.

Scenic Highway Designation / Portion of Highway SC 28 / Resolution 2008-14:

Mr. Norton reviewed with Council the path for approval for this request for designation of part of Highway SC 28 as an Oconee County Scenic Highway. As outlined in the Scenic Highway Ordinance [#2007-21] Council must approve a resolution to designate a highway as scenic. **Resolution #2008-14** "A RESOLUTION DESIGNATING A PORTION OF SC HIGHWAY 28, BEGINNING AT HALFWAY BRANCH, AND CONTINUING WESTWARD TO THE INTERSECTION OF SC HIGHWAY 11, AS AN OCONEE COUNTY SCENIC HIGHWAY" was distributed to Council for their review and approval. Discussion followed.

Mr. Suarez made a motion, seconded by Mr. Crumpton, approved 5 – 0 to approve **Resolution #2008-14** "A RESOLUTION DESIGNATING A PORTION OF SC HIGHWAY 28, BEGINNING AT HALFWAY BRANCH, AND CONTINUING WESTWARD TO THE INTERSECTION OF SC HIGHWAY 11, AS AN OCONEE COUNTY SCENIC HIGHWAY" on first and final reading.

Emergency Services / Approval of Application for Operation Ranger Grant:

Mr. Surrett addressed Council regarding Emergency Services request to apply for the Operation Ranger Grant from US Smokeless Tobacco Company. The grant would award an off-road utility vehicle for our emergency responders. Mr. Blanchard stated that he could not support this request as he is against tobacco products and his concern is that they would expect some form of "quid pro quo" from the County. Discussion followed.

Mr. Ables made a motion, seconded by Mr. Crumpton, approved 3 – 2 [Mr. Blanchard and Mr. Suarez opposed] to authorize Emergency Services to apply for the US Smokeless Tobacco Company's Operation Ranger Grant.

ACOG / GIS Service Contract:

Mr. Surrett addressed Council regarding a GIS technical services contract through ACOG. He noted that there are significant cost savings and that this will include GIS database and system technology support and training for staff. The hourly rate is \$60/hour with a contract maximum of \$12,000. Discussion followed.

Mr. Lyles made a motion, seconded by Mr. Crumpton, approved 5 – 0 to authorize the County Administrator to execute the GIS Service Contract with ACOG for a maximum amount of \$12,000.

Coroner / Request for Transfer of Funds for Fuel:

Mr. Surrett asked Mr. Karl Addis, Oconee County Coroner, to address Council regarding his unique situation which requires attendance at crime scenes and body removal. Mr. Addis stated that he drives an F250 pickup truck which can transport two remains. He has a fuel budget shortfall this year. Mr. Addis also stated that he uses his truck to trailer an upstate SCAC/DHEC disaster trailer that responds to mass fatalities in the upstate. Mr. Surrett noted that

he can administratively transfer the funds but wanted Council to be made aware of the unique duties/responsibilities of the coroner. Council unanimously authorized the County Administrator to transfer funds for the Coroner for fuel for the remainder of the fiscal year.

Assessor’s Office / Approval to apply for Pictometry 911 Grant:

Mr. Surrett addressed Council regarding the Assessor office’s request to apply for a Pictometry 911 Grant from Pictometry International Corporation in the amount of \$5,000. He outlined that this grant would purchase additional licenses for 911, the Sheriff’s Department and Emergency Services. Discussion followed.

Mr. Lyles made a motion, seconded by Mr. Ables, approved 5 – 0 to authorize the Assessor’s Office to apply for the Pictometry 911 Grant from Pictometry International Corporation in the amount of \$5,000.

Council Committee Reports:

Transportation:

Mr. Crumpton had no report at this meeting.

Law, Enforcement, Public Safety, Health & Welfare Committee Report:

Mr. Blanchard had no report at this meeting.

Budget, Finance & Administration:

Mr. Ables had no report at this meeting.

Planning & Economic Development:

Mr. Suarez had no report at this meeting.

Real Estate, Facilities & Land Management:

Mr. Lyles had no report at this meeting.

Commission / Board Reports to Council:

There were no reports presented at this meeting.

Board & Commission Appointments:

There were no Board or Commission appointments made at this meeting.

Administrator’s Report:

VC3 / IT Assessment Results Overview:

Mr. Surrett introduced Mr. Larry Maddox and Mr. Ryan Gallier with VC3 who addressed Council and presented a PowerPoint presentation [filed with these minutes] outlining in a summary format their assessment results. Mr. Maddox noted that a complete report was provided to the Administrator. He noted that this report includes detail network design and layout, security weaknesses, as well as serial IDs for hardware. The assessment covered 6 phased priorities with cost estimates as follows:

Phase I	Network Infrastructure	\$ 54,296.87
Phase II	Server Consolidation	\$ 97,321.06
Phase III	Backup Solution	\$ 24,311.65

Phase IV	Telephony	\$ 70,813.90
Phase V	Workstations	\$ 55,757.31
Phase VI	Website / Intranet	\$ 23,840.00
	TOTAL	\$326,340.79

Mr. Maddox stated that he estimates that it would take between three to six months to complete all phases if approved by Council. Discussion followed. Council thanked the VC3 representatives and stated that further study of the report was necessary before any action could be taken.

Solid Waste 2008 Christmas Week Schedule:

Mr. Surrett reviewed with Council Solid Waste’s Christmas week schedule as follows:

- Wednesday, December 24, 2008 – All Solid Waste Facilities will be CLOSED
- Thursday, December 25, 2008 – All Solid Waste Facilities will be CLOSED
- Friday, December 26, 2008 – All Solid Waste Facilities will be OPEN

Mr. Surrett noted that this schedule has been released to the media, is posted on the County website, the Council website, at all Solid Waste facilities and at the main entrance to the Oconee County Administrative offices.

Old Business:

Personal Comments from Mr. Ables:

Mr. Ables stated that he appreciated being able to serve the citizens of the County for the last eight years. He stated that the county has great employees and he thanked the District V citizens for allowing him to serve. Lastly he noted that there will be a smooth transition to the new council which will meet next on January 6, 2009 at 7:00 p.m.

New Business:

No New Business was discussed at this meeting.

Adjourn:

Mr. Blanchard wished everyone present a Merry Christmas and asked for a motion to adjourn the meeting. Mr. Ables made a motion at 8:12 p.m. The motion was approved unanimously.

Respectfully Submitted:

Elizabeth G. Hulse, Clerk to Council