



A G E N D A

OCONEE COUNTY COUNCIL MEETING

Tuesday, August 17, 2010

6:00 PM

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

1. Call to Order
2. Public Comment Session *(Limited to forty (40) minutes, four (4) minutes per person.)*
3. Extended Public Comment Session *(Limited: 2 citizens per meeting for 5 minutes, prior scheduling required)*
 - No Citizens Signed up for Public Comment at this meeting.
4. Council Member Comments *[directly following Public & Extended Public Comment Session if applicable & time permits]*
5. Meeting Recess *[Meeting will Recess no later than 6:50 p.m.]*

6. Meeting Reconvenes *[Meeting will Reconvene at 7:00 p.m.]*
7. Moment of Silence
8. Pledge of Allegiance to the Flag of the United States of America
9. Approval of Minutes
 - August 3, 2010: Regular Meeting
10. Announcement / South Carolina Association of Counties Board of Directors Appointment
11. Presentations by Outside Organizations
 - [1] ACOG Comprehensive Economic Development Strategy / Chip Bently
 - [2] SCAC Service Package / Tim Winslow
12. Public Hearing regarding Ordinances & Resolutions:
 - Ordinance 2010-14** AN ORDINANCE TO REQUEST DEFERRAL OF THE FORMULATION OF A REFERENDUM BALLOT QUESTION BY THE CAPITAL PROJECTS SALES TAX COMMISSION OF OCONEE COUNTY, SOUTH CAROLINA; TO AMEND CHAPTER 2, ARTICLE IV OF THE CODE OF ORDINANCES OF OCONEE COUNTY PERTAINING TO COMMITTEES IN ORDER TO ESTABLISH THE CAPITAL PROJECTS ADVISORY COMMITTEE; AND OTHER MATTERS RELATED THERETO
 - Ordinance 2010-21** AN ORDINANCE TO AMEND THE OCONEE COUNTY ZONING ENABLING ORDINANCE, ORDINANCE 2007-18, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, TO ESTABLISH THE AGRICULTURAL RESIDENTIAL DISTRICT AND THE PUBLIC AND RECREATIONAL LANDS DISTRICT, AND ALL RELATED USES, STANDARDS AND REQUIREMENTS; AND TO RATIFY AND AFFIRM ALL OTHER PROVISIONS OF ORDINANCE 2007-18 NOT AMENDED OR MODIFIED HEREBY; AND OTHER MATTERS RELATING THERETO
13. Consideration of the Following Ordinances:
 - [1] Third & Final Reading of **Ordinance 2010-14** [Text Above]
 - [2] Third & Final Reading of **Ordinance 2010-21** [Text Above]

[3] Second Reading of [Ordinance 2010-15](#) AN ORDINANCE TO AMEND THE OCONEE COUNTY ZONING ENABLING ORDINANCE, ORDINANCE 2007-18, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, AS TO REZONE A SERIES OF PARCELS SPECIFIED HEREIN, AND TO RATIFY AND AFFIRM ALL OTHER PROVISIONS OF ORDINANCE 2007-18 NOT AMENDED OR MODIFIED HEREBY; AND OTHER MATTERS RELATING THERETO *[North Cane Creek]*

The proposed Ordinance 2010-15 stems from a citizen-initiated rezoning request submitted by Mr. Jim Codner. It should be noted that the area delineated in this request constitutes the first phase of the overall rezoning proposal, and contains slightly less than 1/3 of the total parcels to be considered (the balance of the proposal is planned to be presented in 2 additional requests in the near future). The submitted request included 253 parcels located north of Cane Creek, near Ebenezer Road, and was accompanied by the signatures of approximately 68% of the parcel owners. It should be noted that a number of parcels included in the boundaries of the North Cane Creek Request were also part of the North Fairview Community Request, which was presented to Council during the same meeting; Council took First Reading in Title Only on both requests on April 13, 2010, and referred both to the Planning Commission for review. The Planning Commission took up the request at a special meeting on May 11, 2010, and voted to recommend Council amend the submitted request.

1. Planning Commission Recommendation: Includes amending submitted boundaries to remove parcels included as part of North Fairview Request (Ordinance #2010-16)—[see attached map](#).

2. Staff recommendation: Includes the elimination of Control Free District ‘islands’ created by submitted boundaries, as well as the rezoning of all parcels within existing subdivisions. Also, it should be noted that staff has recommended use of the proposed Agricultural Residential District for a series of parcels; an alternative recommendation utilizing only currently adopted districts has been included as well. Please Note: Due to the fact that the proposed rezoning includes parcels also included in the North Fairview Request, staff’s recommendation for both proposals is shown together—[see attached maps](#).

3. Draft Ordinance 2010-15 is written to reflect request as presented by sponsor to Council at First Reading.

It is the staff’s recommendation that Council take Second Reading of Ordinance 2010-15 [designating which recommendation is approved] and schedule the required public hearing on or after September 7, 2010.

[4] Second Reading of [Ordinance 2010-16](#) “AN ORDINANCE TO AMEND THE OCONEE COUNTY ZONING ENABLING ORDINANCE, ORDINANCE 2007-18, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, AS TO REZONE A SERIES OF PARCELS SPECIFIED HEREIN, AND TO RATIFY AND AFFIRM ALL OTHER PROVISIONS OF ORDINANCE 2007-18 NOT AMENDED OR MODIFIED HEREBY; AND OTHER MATTERS RELATING THERETO” *[North Fairview]*

The proposed Ordinance 2010-16 stems from a citizen-initiated rezoning request submitted by Ms. Jean Jennings. The submitted request consisted of 56 parcels in the Control Free District, located near Ebenezer Road in the Fairview Community, near Lake Keowee. Petitions containing the signatures of approximately 83% of the owners of the parcels in the request area were submitted in support of the proposal. It should be noted that a number of parcels included in the boundaries of the North Fairview Community Request were also part of the North Cane Creek Request, which was presented to Council during the same meeting; Council took First Reading in Title Only on both requests on April 13, 2010, and referred both to the Planning Commission for review. The Planning Commission reviewed the request at a special meeting on May 11, 2010, and voted to recommend Council approve the North Fairview Community rezoning request as submitted.

1. Planning Commission Recommendation: North Fairview Rezoning Proposal is recommended as submitted—[see attached map](#).

2. Staff Recommendation: Staff has recommended use of the proposed Agricultural Residential District for a series of parcels; an alternative recommendation utilizing only currently adopted districts has been included as well—[see attached maps](#).

3. Draft Ordinance 2010-16 is written to reflect request as presented by sponsor to Council at First Reading.

It is the staff’s recommendation that Council take Second Reading of Ordinance 2010-16 [designating which recommendation is approved] and schedule the required public hearing on or after September 7, 2010.

14. Discussion & Possible Action Items *[5 min. per Action Item]*

[1] Change Order # 2 for PO #46712 / \$981,451.50 / Plateau Excavation

On August 4, 2009, County Council approved the award of Bid 08-32 to Plateau Excavation in the amount of \$3,451,481.50, to increase the runway length to a total of 5,000 feet. This bid included pavement removal, excavation and embankment, grading, drainage, paving, marking, seeding and mulching and lighting modifications. Change Order # 1 was approved in November of 2009 for additional clearing in the amount of \$34,200.00. Change Order #2 (Revised) is in response to acquiring the permit from DHEC and revisions to the contract amount for all the additional work required to be in compliance with the DHEC regulations.

It is the staff’s recommendation that Council approve Change Order # 2 in the amount of \$981,451.50 for PO #46712 to Plateau Excavation of Austell, GA, Award of Bid 08-32, Runway 25 and Parallel Taxiway Extension at the Oconee County Airport.

[2] Solid Waste / estimate of \$1,500,000 / Approve the 1st of 5 year contract renewal / Waste Management / Hauling and disposal of waste from the Oconee County / per ITB 97-35.

The award of ITB 97-35 for the hauling and disposal of waste from the transfer station to the R & B Landfill in Homer, GA, was first approved by Council in July of 1998. The original contract signed in 1998 was for seven years with one seven year renewal. A new contract was signed July 1, 2003 that extended the contract for a total of 20 years. This assured the County that the landfill would accommodate all the County's MSW waste for the next 20 years. It called for a five year contract, with three five-year renewals. The first renewal should have been brought to Council for approval in July of 2008. On August 19, 2008, Mr. Ed Gibson from Waste Management spoke to Council and requested an addendum to the contract to allow an additional increase for fuel. In the minutes from that Council meeting, Council unanimously agreed to allow only a 5% increase as is stated in the contract. This increase is based on the Consumer Price Index and is not to exceed 5% in any one year. The minutes from this meeting do not reflect the approval of the first five year renewal.

It is the staff's recommendation that Council [1] approve the first of five one year renewals (2008 – 2013) for the contract with Waste Management for the hauling and disposal of waste for an estimated amount of \$1,500,000, and [2] authorize the County Administrator to sign the annual purchase order for this contract until the next five year renewal which will be due in 2013.

[3] State ATAX / \$6,160 to the Oconee Tourism Commission

The Commission represents the Chambers of Commerce within Oconee County. This budget was approved by unanimous vote at the August 3, 2010 meeting of the Oconee Tourism Commission. In accordance to SC Code of Laws 6-4-10 (3), Oconee County selected the Chambers of Commerce collectively in 1992 through the Oconee Tourism Commission to manage this fund. The Oconee Tourism Commission is made up of seven members representing all three Chambers of Commerce including 3 from the Greater Oconee Chamber, two from the Greater Walhalla Chamber and two from the Greater Westminster Chamber. The Oconee Tourism Commission shall submit for approval a budget for the planned expenditures to County Council. This will be done twice a year following the receipts of the 3rd quarter and 4th quarter checks. Budget Breakdown includes \$3,080 to **both** Westminster Chamber for SC Apple Festival advertising and Walhalla Chamber for Oktoberfest advertising to include TV and radio advertising with WYFF 4, Tri-State Radio advertising in Clayton, Toccoa, Franklin, and Sylva, newspaper advertising in Toccoa, Highlands, Cashiers and Greenville and brochure printing.

It is the staff's recommendation that Council approve \$6,160 with funds coming from the 30% fund of the State ATAX balance.

15. Board & Commission Appointments *[None at this meeting]*
16. Commission / Board Reports to Council **[ten minute maximum]**
 - Planning Commission *[Scenic Highway Committee will report at the September 21, 2010 meeting]*
17. Council Committee Reports
 - Law Enforcement, Public Safety, Health & Welfare Committee / Mr. McCall
18. Administrator Report
19. Old Business
20. New Business
21. Adjourn

[This agenda is not inclusive of all issues which Council may bring up for discussion at this meeting.]

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 and are available on the County Council Website www.oconeesc.com/council.html
[All upcoming meetings will be held in Council Chambers unless otherwise noted]