



MINUTES
OCONEE COUNTY COUNCIL MEETING
Regular Meeting
June 15, 2010

MEMBERS, OCONEE COUNTY COUNCIL

Mr. Reg Dexter, District V, Council Chairman
Mr. Joel Thrift, District IV, Vice Chairman
Mr. Wayne McCall, District II, Chairman Pro Tem
Mr. Paul Corbeil, District I
Mr. Mario Suarez, District III

Oconee County Council met on Tuesday, June 15, 2010 at 6:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members [Mr. Dexter was absent], Administrator Scott Moulder, County Attorney, Thomas L. Martin and Clerk to Council, Elizabeth G. Hulse 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, Dick Mangrum – WGOG Radio, Ashton Hester – Keowee Courier & Carlos Galarza - Daily Journal.

Call to Order:

Mr. Thrift called the meeting to order at 6:00 p.m.

Public Comment Session:

Ms. Susie Cornelius addressed Council utilizing a PowerPoint presentation [filed with these minutes] regarding concerns with the Memorandum of Understanding [MOU] with PointeWest [R2010-09].

Mr. Larry Linsin addressed Council in opposition to Resolution R2010-09 and the MOU voicing concerns that there are not sufficient safeguards for the taxpayers.

Mr. B. J. Littleton addressed Council regarding his support for Ms. Cornelius & Mr. Linsin's comments. He also discussed agenda item #13-7 stating that the county should get rid of the flat roof on part of the Law Enforcement Center.

County Council Response to Public Comment:

Mr. McCall stated that he wished to respond to a letter to the editor written by Mr. Chuck Smith. He stated that council members may disagree but there is mutual respect and the disagreements have never been personal. Mr. McCall stated that he is the advocate for the poor people and he would welcome Mr. Smith working with him for the benefit of Oconee County.

Extended Public Comment Session:

None at this meeting.

Meeting Recess:

Mr. Thrift recessed the meeting to 6:16 p.m.

Meeting Reconvene:

Mr. Thrift reconvened the meeting to 7:00 p.m.

Pledge of Allegiance:

Mr. Corbeil led the Pledge of Allegiance.

Minutes:

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 3 – 0 that the minutes from the June 1, 2010 regular meeting be adopted as printed.

Motion to Amend the Agenda:

Mr. Corbeil made a motion, seconded by Mr. McCall, approved 3 – 0 to amend the agenda as follows: [1] move the Emergency Services Commission report to the beginning of the meeting immediately following the approval of the minutes, [2] add Resolution R2010-08 to the Public Hearing [as previously advertised] and consider approval of all resolutions after the Public Hearing, and [3] remove Ordinance 2010-19 from the Public Hearing and consideration for third reading at the request of staff working with the county attorney.

Commission & Board Reports to Council:

Mr. Jess Neville, Chairman of the Emergency Services Commission, addressed Council outlining activities of the Commission over the past year. He reviewed statistics for the last five months to include: 4,278 total calls [1,661 / fires, 614 / Station 21 calls, 11 / HazMat calls, and 2,052 Rescue calls]. He noted the calls broke down as follows: 261 automobile accidents, 638 fire [includes all types to include house, grass, vehicle, etc.], 534 false alarms equaling 1/3 of the total calls, and 128 other [miscellaneous calls to include weather related issues, fallen trees, etc.].

In addition, he provided Council with copies of sample reports [filed with these minutes] to include: a. fire reports, b. pre fire plans, c. additional reports, d. training records, and e. rescue responses.

Motion to Amend the Agenda:

Mr. Martin noted that Council could again amend the agenda to include Ordinance 2010-19 in the public hearing as it had been advertised and still postpone third and final reading. Discussion followed.

Mr. Corbeil made a motion, seconded by Mr. McCall, approved 3 – 0 to amend the agenda to reinstate Ordinance 2010-19 to the public hearing as previously advertised.

Public Hearings regarding the Following Ordinances:

Resolution R2010-08 “IN SUPPORT OF THE ISSUANCE BY THE SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY OF ITS NOT EXCEEDING \$30,000,000 HOSPITAL REFUNDING REVENUE BONDS (OCONEE MEDICAL CENTER PROJECT), IN ONE OR MORE SERIES, PURSUANT TO THE PROVISIONS OF TITLE 41, CHAPTER 43, OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED”

Ordinance 2010-19 “ORDINANCE CONVEYING RIGHT-OF-WAY ON SHEEP FARM ROAD”

Ordinance 2010-20 ‘AN ORDINANCE AUTHORIZING AND APPROVING THE PROCEDURE FOR THE TRANSFER OF OCONEE COUNTY’S INTEREST IN CERTAIN REAL PROPERTY KNOWN AS THE TRI-COUNTY LANDFILL PROPERTY; AUTHORIZING THE TRANSFER OF OCONEE COUNTY’S INTEREST IN THE TRI-COUNTY LANDFILL PROPERTY IN THE EVENT OF AN ACCEPTABLE BID TO PURCHASE THE TRI-COUNTY LANDFILL PROPERTY; AND, FURTHER, APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF A SALES AGREEMENT AND DEED TO REAL PROPERTY IN THE EVENT OF AN ACCEPTABLE BID TO PURCHASE THE TRI-COUNTY LANDFILL PROPERTY; AND MATTERS RELATED THERETO”

Mr. Thrift opened the Public Hearing.

Ms. Susie Cornelius addressed Council regarding Ordinance 2010-20 in support of the sale of the property but voicing concerns regarding the long range Solid Waste Plan.

Mr. C. W. Richards addressed Council regarding Ordinance 2010-20 in support of the sale of the property but voicing concerns regarding the long range Solid Waste Plan.

Mr. Thrift asked if anyone else present wished to speak.

Mr. Mike Burns, McNair Attorneys, addressed Council briefly along with Mr. Greg Scarborough [Oconee Medical Center Vice President & CFO] regarding the purpose for the public hearing and the intent of the hospital re re-finance their 2005 A Bonds. He noted that there is no liability to the taxpayers in the issuance of these bonds, that taxpayers will not be obligated for any repayment of the bonds, and that this hearing is being held in order to comply with federal law.

No additional citizens came forward to address Council.

Mr. Thrift asked for any written comments for inclusion in the record. No written comments were submitted.

Mr. Thrift closed the Public Hearing.

Consideration of the Following Resolutions:

Resolution R2010-08:

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 3 – 0 to approve **Resolution R2010-08** “IN SUPPORT OF THE ISSUANCE BY THE SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY OF ITS NOT EXCEEDING \$30,000,000 HOSPITAL REFUNDING REVENUE BONDS (OCONEE MEDICAL CENTER PROJECT), IN ONE OR MORE SERIES, PURSUANT TO THE PROVISIONS OF TITLE 41, CHAPTER 43, OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED” on first and final reading.

Resolution R2010-09:

Mr. Corbeil made a motion, seconded by Mr. Thrift, approved 2 – 0 [Mr. McCall abstained – form filed with these minutes] to approve **Resolution R2010-09** AUTHORIZING THE EXECUTION AND DELIVERY OF A MEMORANDUM OF UNDERSTANDING BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND POINTEWEST, INC. RELATING TO

CERTAIN COUNTY-OWNED INFRASTRUCTURE; AND OTHER MATTERS RELATING THERETO” and the Memorandum of Understanding on first and final reading.

Consideration of the Following Ordinances:

Ordinance 2010-19:

This ordinance was removed from consideration for third & final reading [see above].

Ordinance 2010-20:

Mr. McCall made a motion, seconded by Mr. Corbeil, to approve **Ordinance 2010-20** on third and final reading. Mr. Martin noted that the version presented to Council at this meeting has a change to the language in paragraph #7 relating to ACOG retaining a holdback to satisfy any obligations on the property. Discussion followed.

Mr. Corbeil made a motion, seconded by Mr. McCall, approved 3 – 0 to amend Ordinance 2010-20 as presented.

Mr. Thrift called for the vote. Council approved 3 – 0 **Ordinance 2010-20** ‘AN ORDINANCE AUTHORIZING AND APPROVING THE PROCEDURE FOR THE TRANSFER OF OCONEE COUNTY’S INTEREST IN CERTAIN REAL PROPERTY KNOWN AS THE TRI-COUNTY LANDFILL PROPERTY; AUTHORIZING THE TRANSFER OF OCONEE COUNTY’S INTEREST IN THE TRI-COUNTY LANDFILL PROPERTY IN THE EVENT OF AN ACCEPTABLE BID TO PURCHASE THE TRI-COUNTY LANDFILL PROPERTY; AND, FURTHER, APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF A SALES AGREEMENT AND DEED TO REAL PROPERTY IN THE EVENT OF AN ACCEPTABLE BID TO PURCHASE THE TRI-COUNTY LANDFILL PROPERTY; AND MATTERS RELATED THERETO” on third and final reading as amended.

Ordinance 2010-23:

Mr. Corbeil made a motion, seconded by Mr. McCall, approved 3 – 0 to approve **Ordinance 2010-23** ‘AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND PROJECT GOLD DUST; AND OTHER MATTERS RELATING THERETO INCLUDING, WITHOUT LIMITATION, PAYMENT OF A FEE IN LIEU OF TAXES” on second reading.

Ordinance 2010-17:

Mr. Martin reviewed with Council elements of this ordinance noting that some minor changes will be made requiring an amendment for the third and final reading.

Mr. Corbeil made a motion, seconded by Mr. McCall, approved 3 – 0 to approve **Ordinance 2010-17** “AN ORDINANCE TO AMEND CHAPTER 26 OF THE OCONEE COUNTY CODE OF ORDINANCES IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, AS TO THE AMENDMENT OF CERTAIN UNIFIED ROAD STANDARDS FOR THE UNINCORPORATED AREAS OF OCONEE COUNTY, THE AMENDMENT OF ROAD CONSTRUCTION INSPECTION POLICIES AND PROCEDURES AND THE ESTABLISHMENT OF FUNDING FOR SUCH INSPECTIONS, AND THE REVISION OF ROAD SIGNAGE POLICIES AND PROCEDURES AND THE ESTABLISHMENT OF FUNDING FOR SUCH SIGNAGE; AND OTHER MATTERS RELATED THERETO” on second reading.

Ordinance 2010-24:

Mr. Martin noted that US Engine Valve has made a public announcement regarding their expansion in Oconee County, noting that this pertains to this matter and Ordinance 2010-23.

Mr. Corbeil made a motion, seconded by Mr. McCall, approved 3 – 0 to approve **Ordinance 2010-24** “AN ORDINANCE TO AMEND THE AGREEMENT AUTHORIZED BY ORDINANCES NO. 2006-027, 2008-017 AND NO. 2010-04 RELATING TO THE INDUSTRIAL/BUSINESS PARK OF OCONEE AND PICKENS COUNTIES SO AS TO ENLARGE THE PARK” on first reading.

Ordinance 2010-25:

Mr. Corbeil made a motion, seconded by Mr. McCall, approved 3 – 0 to approve **Ordinance 2010-25** “AN ORDINANCE TO AMEND THE OCONEE COUNTY FLOOD DAMAGE PREVENTION ORDINANCE, ORDINANCE 2008-21, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, AND TO RATIFY AND AFFIRM ALL OTHER PROVISIONS OF ORIDNANCE 2008-21 NOT AMENDED OR MODIFIED HEEREBY; AND OTHER MATTERS RELATED THERETO” on first reading in title only.

Discussion & Possible Action Items:

Communications / 5-Year Lease Agreement / SC IT / Long Mountain Radio Tower Use

Mr. Moulder briefly outlined for Council the history of the tower and the county’s relationship with the state.

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 3 – 0 to authorize the county administrator to execute this lease as outlined on the agenda item summary.

Transfer Between Projects in Special Revenue & Capital Project Funds

Mr. Moulder and Ms. Kendra Brown, Assistant Administrator/Finance, reviewed these transfers with Council. Discussion followed.

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 3 – 0 to authorize the transfer of funds to cover the shortages on the accounts identified on the agenda item summary and that the unused balance is to be transferred to the General Fund.

Transfer Expenditures & Remaining Funds for Airport Land Acquisition to Capital Projects

Mr. Moulder and Mr. Kevin Short, Airport Director, addressed Council regarding the need for these funds to be transferred.

Mr. Corbeil made a motion, seconded by Mr. McCall, approved 3 – 0 to approve the transfer of expenditures and remaining funds for the airport land acquisition to the capital projects fund used to account for airport grants.

Professional Engineering Services Contract / \$65,000.00 / Phase II, C&D landfill expansion

Mr. Moulder and Ms. Robyn Courtright, Procurement Director, addressed Council regarding this agenda item.

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 3 – 0 to approve the award of the contract for professional engineering services to B. P. Barber and Associates of

Columbia, SC, in the amount of \$65,000.00 for the Phase II, Engineering Services portion of the C&D landfill expansion across Crooks Road noting that this amount includes a contingency of \$9,500.

Bid 09-29 / \$99,384.54 / Printing & Mailing Tax Notices

Mr. Moulder and Ms. Courtright addressed Council regarding this agenda item.

Mr. Corbeil made a motion, seconded by Mr. McCall, approved 3 – 0 to award Bid 09-29, Printing & Mailing of all types of tax notices to Laser Print Plus of Columbia SC, for an estimated amount not to exceed \$99384.54 for [1] one year with an option to renew for an additional four one year terms, and [2] authorize the County Administrator to execute the renewal contracts provided the company's work is satisfactory.

Bid 09-32 / \$350,000 / Rock Quarry / Drilling and Blasting

Mr. Moulder and Ms. Courtright addressed Council regarding this agenda item.

Mr. Corbeil made a motion, seconded by Mr. McCall, approved 3 – 0 to award Bid 09-32, Drilling & Blasting for the Oconee County Rock Quarry to Powderman Products, LLC for an estimated amount of \$350,000, for [1] a period of one year with the option for renewal for up to four one year terms, and [2] authorize the County Administrator to execute the renewal contracts provided the company's work is satisfactory.

Oconee County Detention Center Roof Repair/Replacement / \$64,810.51

Mr. Moulder and Ms. Courtright addressed Council regarding this agenda item.

Mr. Suarez arrived during discussion of this agenda item.

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 4 – 0 to authorize J. Davis Construction of Westminster, SC, to perform design/build services to remove & replacr the shingled roof on the Oconee County Detention Center and renovated Law Enforcement Center, for \$57,666.16 [with \$7,144.35 reserved for contingency], for a total of \$64,810.51 contingent upon the Administrator researching the possibility of replacing the flat roof portion with a hip roof focusing on cost and life of the roof.

Change Order #1 to Purchase Order #47051 / \$1,300,000.00 / Additional Road Paving

Mr. Moulder addressed Council noting that the contractor, Venesky Asphalt Paving & Grading of Easley, SC would not honor the pricing in the contract for this proposed change order, therefore, he was withdrawing his recommendation regarding this agenda item and asked that Council not consider the change order.

Council concurred with the Administrator's recommendation therefore this agenda item was removed from consideration.

New PO / \$200,076.88 / Purchase of VoIP (Voice Over Internet Protocol) Equipment

Mr. Moulder and Ms. Courtright addressed Council regarding this agenda item. It was noted that the IT Department is working with Cisco to determine the dollar amount that will be given for the trade-in equipment and that based on this fact; the total expenditure is likely to not exceed \$150,000.00.

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 4 – 0 to award the purchase of VoIP Equipment to Pomeroy Technology Solutions of Hebron, KY, in the amount of \$200,076.88.

Westminster Library Expansion FY 09-10 Budgeted Funds Transfer to FY 10-11

Mr. John Adams and Mr. Biff Kennedy, Library Board Chair, addressed Council regarding this agenda item.

Mr. McCall, made a motion, seconded by Mr. Corbeil, approved 4 – 0 to approve the transfer to FY 2010-2011, \$20,000 in the Capital Project fund to be designated for an expansion at the Westminster Branch of the Oconee County Public Library.

Affirm Council Chair Action to Authorize Administrator to effect repair of Rock Quarry’s Telsmith 52 Cone Crusher / in an amount not to exceed \$125,000

Mr. Moulder and Mr. Rick Martin, Rock Quarry Director, addressed Council regarding this agenda item. Mr. Martin stated that he is closely monitoring the repairs and that some additional needed repairs have been identified. Mr. Moulder stated that based on this that the amended approval request is now for up to \$140,000. Lastly, Mr. Moulder read into the record a letter from the Capital City Machine Shop [copy filed with these minutes] stating that the repairs were not due to negligence and that the crusher has been very well maintained over the years. Discussion followed.

Mr. Suarez made a motion, seconded by Mr. McCall, approved 4 - 0 to affirm the Council Chairman’s action to authorize the Administrator to direct the repair the cone crusher as soon as possible in an amount not to exceed \$140,000.00.

Lastly, Mr. Moulder stated that he will work with Mr. Martin to identify an appropriate maintenance schedule in an effort to eliminate extended down time in the future. Mr. Martin stated that he hoped to have the crusher up as early as Tuesday, June 22, 2010.

Board & Commission Appointments: None scheduled for this meeting.

Council Committee Reports: None scheduled for this meeting.

It was announced that the Planning & Economic Development Committee meeting scheduled for Thursday, July 15, 2010 has been cancelled and an announcement will be forthcoming with the new date/time.

Administrator’s Report: No Report at this meeting.

Old Business: No Old Business at this meeting.

New Business: No New Business at this meeting.

Adjourn:

Mr. McCall made a motion at 8:46 p.m. to adjourn the meeting. The motion was approved unanimously.

Respectfully Submitted:

Elizabeth G. Hulse
Clerk to Council