



# AGENDA

## OCONEE COUNTY COUNCIL MEETING

### Tuesday, May 1, 2012

### 6:00 PM

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

1. **Call to Order**
2. **Extended Public Comment Session** *(2 min. per agenda item; 3 minutes each prior scheduling required)*
  - None scheduled at this meeting.
3. **Public Comment Session/Agenda Items**
4. **Public Comment Session/Non Agenda Items – time permitting**  
*Agenda & Non Agenda Items: Combined both are limited to a total of forty (40) minutes, four (4) minutes per person.*
5. **Council Member Comments** *[Directly following Public Comment Sessions if applicable & time permits]*

Council may take a brief recess (time permitting) prior to the Business portion of the meeting scheduled to begin at 6:30 p.m. or after Public Comment (subject to time constraints)

6. **Moment of Silence**
7. **Pledge of Allegiance to the Flag of the United States of America**
8. **Approval of Minutes**
  - April 16, 2012 Special Meeting / Workshop discussion regarding Ordinance 2012-14
  - April 17, 2012 Regular Meeting
  - April 24, 2012 Special Meeting / Administrator's Budget Presentation to Council
9. **Public Hearing regarding the Following Ordinances:** *None scheduled for this meeting*  
The Public Hearings for the ordinances listed below which were originally scheduled for this meeting have been rescheduled to the May 15, 2012 Council meeting.
  - Ordinance 2012-07 *(Savory Forest Rezoning Request)*
  - Ordinance 2012-08 *(Dr. Johns & Laneville Valley Rezoning Request)*
  - Ordinance 2012-09 *(Camp Creek Farm Rezoning Request)*, and
  - Ordinance 2012-10 *(Erwin Rogers Drive Rezoning Request)*

#### 10. **Consideration of the Following Ordinances:**

**Second Reading of Ordinance 2012-14 "AN ORDINANCE TO REWRITE AND REVISE CHAPTER 38 ZONING OF THE OCONEE COUNTY CODE OF ORDINANCES IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY; AND OTHER MATTERS RELATED THERETO."**

Council took 1<sup>st</sup> reading on Ordinance 2012-14 on April 5, 2012 as recommended by the Planning and Economic Development Committee of Council. Council scheduled a special meeting with the Planning Commission on April 16, 2012 to review and discuss the recommended changes to the Code.

This ordinance was tabled at the April 16, 2012 Council meeting.

A motion to bring the matter to the floor is required prior to any discussion and / or action regarding recommended changes made to the ordinance as a result of the April 16<sup>th</sup> meeting.

It is the staff's recommendation that Council review the recommended changes made as a result of the workshop on April 16, 2012, and approve ordinance 2012-14 on second reading after making any necessary amendments.

**First Reading [in title only] of Ordinance 2012-01 "AN ORDINANCE TO ESTABLISH THE BUDGET FOR OCONEE COUNTY AND TO PROVIDE FOR THE LEVY OF TAXES FOR ORDINARY COUNTY PURPOSES IN OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2012 AND ENDING JUNE 30, 2013"**

Public Hearings regarding this Ordinance along with Ordinances 2012-02 and 2012-03 are scheduled for Monday, June 11, 2012. It is staff's recommendation that Council take first reading of Ordinance 2012-01.

**First Reading [in title only] of Ordinance 2012-02** “AN ORDINANCE TO ESTABLISH THE BUDGET FOR THE SCHOOL DISTRICT OF OCONEE COUNTY AND TO PROVIDE FOR THE LEVY OF TAXES FOR THE SCHOOL DISTRICT OF OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2012 AND ENDING JUNE 30, 2013”

Public Hearings regarding this Ordinance along with Ordinances 2012-01 and 2012-03 are scheduled for Monday June 11, 2012. It is staff’s recommendation that Council take first reading of Ordinance 2012-01.

**First Reading [in title only] of Ordinance 2012-03** “AN ORDINANCE TO PROVIDE FOR THE LEVY OF TAXES FOR THE KEOWEE FIRE SPECIAL TAX DISTRICT AND TO ESTABLISH THE BUDGET FOR THE KEOWEE FIRE SPECIAL TAX DISTRICT FOR THE FISCAL YEAR BEGINNING JULY 1, 2012 AND ENDING JUNE 30, 2013”

Public Hearings regarding this Ordinance along with Ordinances 2012-01 and 2012-02 are scheduled for Monday June 11, 2012. It is staff’s recommendation that Council take first reading of Ordinance 2012-01.

**First Reading [in title only] of Ordinance 2012-17** “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND PROJECT STAR; THE GRANTING OF SPECIAL SOURCE REVENUE CREDITS; AND OTHER MATTERS RELATING THERETO INCLUDING, WITHOUT LIMITATION, PAYMENT OF A FEE IN LIEU OF TAXES”

**First Reading of Ordinance 2012-18** “AN ORDINANCE TO AMEND THE FISCAL YEAR 2011-2012 BUDGET APPROPRIATIONS ORDINANCE FOR OCONEE COUNTY IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY; AND OTHER MATTERS RELATED THERETO”

**First Reading of Ordinance 2012-19** “ORDERING A REFERENDUM IN OCONEE COUNTY, SOUTH CAROLINA, TO SUBMIT TO THE ELECTORS OF THE COUNTY THE QUESTION OF WHETHER THE AUTHORIZATION PREVIOUSLY GRANTED IN A REFERENDUM HELD ON APRIL 13, 1976, SHALL BE MODIFIED TO AUTHORIZE AND EMPOWER THE COUNTY TO ACQUIRE, CONSTRUCT AND OPERATE WASTEWATER TREATMENT FACILITIES, TO PROVIDE WASTEWATER SERVICES IN THE UNINCORPORATED AREA OF THE COUNTY AND TO UTILIZE FUNDS FROM SPECIFIED SOURCES FOR SUCH PURPOSES; PROVIDING FOR THE FORM OF BALLOT TO BE USED; PROVIDING FOR NOTICE OF THE REFERENDUM; AND PROVIDING ALL OTHER THINGS NECESSARY TO SUBMIT THE AFORESAID QUESTION”

**First Reading [in title only] of Ordinance 2012-20** “AN ORDINANCE AUTHORIZING THE TRANSFER OF CERTAIN OCONEE COUNTY REAL PROPERTY; AUTHORIZING THE EXECUTION AND DELIVERY OF A PURCHASE AND SALE AGREEMENT, LIMITED WARRANTY DEED, AND OTHER DOCUMENTS RELATED TO THE TRANSFER OF THE PROPERTY; AND OTHER MATTERS RELATED THERETO”

This is an ordinance authorizing transfer of property from Oconee County [property located within the Echo Hills Industrial Park, indicated as Lot 1, TMS 221-00-01-001] to Mr. Thomas Underwood as previously authorized by County Council on December 20, 2011.

It is the staff’s recommendation that Council take first reading [in title only] of Ordinance 2012-20.

**First Reading [in title only] of Ordinance 2012-21** “AN ORDINANCE AUTHORIZING THE TRANSFER OF CERTAIN OCONEE COUNTY REAL PROPERTY; AUTHORIZING THE EXECUTION AND DELIVERY OF A PURCHASE AND SALE AGREEMENT, LIMITED WARRANTY DEED, AND OTHER DOCUMENTS RELATED TO THE TRANSFER OF THE PROPERTY; AND OTHER MATTERS RELATED THERETO”

This is an ordinance authorizing transfer of property from Oconee County [property located within the Echo Hills Industrial Park, indicated as Lot 2, TMS 221-00-01-001] to Mr. Randy Hopkins as previously authorized by County Council on December 20, 2011.

It is the staff’s recommendation that Council take first reading [in title only] of Ordinance 2012-21.

## 11. Discussion & Possible Action Items

### Local ATAX Grants / April, 2012 cycle / \$20,000

\$20,000 was available for recommendation and the Commission had over \$80,000 in request. Those eligible projects not funded were encouraged to re-apply at the next cycle. The requests were approved and recommended by the PRT Commission on 04/12/12.

A portion of Local and State ATAX revenues received by Geosce County are made available for ATAX grants through Ordinance 2011-12. All ATAX grants are to be tourism related grants that meet the ATAX guidelines specified by local and State mandates. Grants are recommended by the PRT Commission and approved by County Council. All ATAX grant recipients are required to turn in intermediate reports every 60 days to the progress of the grant and a final report upon completion of the grant. These reports are placed in the grant folder, which is kept active by the PRT staff until the grant is considered complete.

It is the staff's recommendation that Council approve the local/state ATAX grant requests as recommended on worksheet provided for Council's consideration as part of the agenda item in a total amount of \$20,000.

### Emergency Services / Long Creek Substation / \$ 170,800.94

Under the County Administrator's Fire Plan, the construction of two substations is included for Fiscal Year 2011-2012. The Administrator's Office determined the locations for these first two substations would be Foxwood Hills and Long Creek. Under the Request for Qualification #08-17, Joel Davis Construction of Westminster, SC, was selected as the Design Build Contractor to build the first two substations for Emergency Services. County staff met with Joel Davis during the Design Development and Schematic Phases to review a variety of cost saving ideas and different ways to meet the minimum requirements of each substation. County Council awarded the contract for Foxwood Hills Substation, in the amount of \$157,195.24, during the April 17, 2012 Council meeting. The Long Creek substation is the identical size of the Foxwood Hills substation but additional construction costs are due to adding a required new fire hydrant (required boring underneath the road) and different site work requirements. There are also additional costs for the environmental site assessment and geotechnical studies that were required for both sites.

It is the staff's recommendation that Council approve the award of \$170,800.94 to Joel Davis Construction of Westminster, SC to construct the Long Creek Substation.

## 12. Board & Commission Appointments

- Revised Questionnaire for Board/Commission *[request for immediate implementation of form]*
- Aeronautics Commission – District IV & At Large  
*[Commission recommendation for district moves based on new council districts & appointments to open seats. (Mr. Schmidt move to District IV, Mr. Luke move to At Large Position). Aeronautics Commission recommendation received regarding District III position.]*
- Board of Zoning Appeals – District I *[4 candidate questionnaires on file]*
- Building Codes Appeal Board – District III *[1 questionnaire on file]*
- Scenic Highway Committee – At Large *[1 questionnaire on file]*  
*[Council also needs to affirm Jeri Klaren - KOBA appointee]*

13. Commission / Board Reports to Council *[per minute manual]* *None scheduled for this meeting*

14. Council Committee Reports *None scheduled for this meeting.*

## 15. Administrator Report

## 16. Old Business

## 17. New Business

18. Executive Session *[for the purpose of receiving legal advice regarding a contractual matters and discussion of an Economic Development matter]*

- Vote / Action on matters discussed in Executive Session [if required]

## 19. 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. AED requests should be made to the Clerk to Council at least 30 minutes prior to the meeting start time.

Geosce County Council & Committee meeting schedules and agendas are posted at the Geosce County Administration Building and are available on the County Council Website. *[All upcoming meetings will be held in Council Chambers unless otherwise noted.]*