



**Amended A G E N D A**  
**OCONEE COUNTY COUNCIL MEETING**  
**May 21, 2013**  
**6:00 PM**

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

Call to Order

Public Comment Session / Agenda Items & 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.*

Council Member Comments *[Council may take a recess after Public Comment & Council Comments]*

Moment of Silence

Pledge of Allegiance to the Flag of the United States of America

Approval of Minutes

- May 7, 2013: Regular Meeting

Administrator Report & Agenda Summary

Public Hearing Regarding the Following Ordinances

**Ordinance 2013-10** “AN ORDINANCE AUTHORIZING ACCEPTANCE OF TRANSFER OF AUTHORITY FOR MUNICIPAL ELECTIONS FOR THE CITY OF WALHALLA AND THE CITY OF WESTMINSTER AND AUTHORIZING AN INTERGOVERNMENT AGREEMENT OR EMBODYING DOCUMENT INCLUDING THE TERMS OF ANY AGREEMENT, WITH EACH; AND OTHER MATTERS RELATED THERETO”

Third & Final Reading of the Following Ordinances

**Ordinance 2013-10** *[caption above]*

Second Reading of the Following Ordinances

*[Note: Public Hearings will be scheduled at or before third & final reading for the following ordinances as required]*

**Ordinance 2013-01** “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, 2013 AND ENDING JUNE 30, 2014”

**Ordinance 2013-02** “AN ORDINANCE TO ESTABLISH THE BUDGET FOR THE SCHOOL DISTRICT OF OCONEE COUNTY (the “School District”) AND TO PROVIDE FOR THE LEVY OF TAXES FOR THE OPERATIONS OF THE SCHOOL DISTRICT OF OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2013 AND ENDING JUNE 30, 2014.”

**Ordinance 2013-03** “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, 2013 AND ENDING JUNE 30, 2014.”

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**Ordinance 2013-07** “AN ORDINANCE AUTHORIZING THE TRANSFER AND CONVEYANCE OF CERTAIN REAL PROPERTY; AND OTHER MATTERS RELATED THERETO”

**Consent Agenda Items: Ordinances 2013-11, 2013-12, 2013-13, 2013-14**

**Ordinance 2013-11** “AN ORDINANCE TO AUTHORIZE THE EXECUTION AND DELIVERY OF AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF WALHALLA FOR THE ADMINISTRATION AND ENFORCEMENT OF BUILDING CODES WITHIN THE CITY OF WALHALLA; TO AUTHORIZE OCONEE COUNTY BUILDING CODE PERSONNEL TO ADMINISTER AND ENFORCE BUILDING CODES WITHIN THE CITY OF WALHALLA; TO AMEND ARTICLE II, ENTITLED REGULATORY CODES, OF CHAPTER 6, ENTITLED BUILDINGS AND BUILDING REGULATIONS, OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, SO AS TO PROVIDE FOR THE AUTOMATIC ADOPTION OF THE LATEST EDITION OF CERTAIN INTERNATIONAL AND NATIONAL CODES APPROVED BY THE SOUTH CAROLINA BUILDING CODES COUNCIL OR THE APPROPRIATE AUTHORITY; AND OTHER MATTERS RELATED THERETO”

**Ordinance 2013-12** “AN ORDINANCE TO AUTHORIZE THE EXECUTION AND DELIVERY OF AN INTERGOVERNMENTAL AGREEMENT WITH THE TOWN OF WEST UNION FOR THE ADMINISTRATION AND ENFORCEMENT OF BUILDING CODES WITHIN THE TOWN OF WEST UNION; TO AUTHORIZE OCONEE COUNTY BUILDING CODE PERSONNEL TO ADMINISTER AND ENFORCE BUILDING CODES WITHIN THE TOWN OF WEST UNION; AND OTHER MATTERS RELATED THERETO”

**Ordinance 2013-13** “AN ORDINANCE TO AUTHORIZE THE EXECUTION AND DELIVERY OF AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF WESTMINSTER FOR THE ADMINISTRATION AND ENFORCEMENT OF BUILDING CODES WITHIN THE CITY OF WESTMINSTER; TO AUTHORIZE OCONEE COUNTY BUILDING CODE PERSONNEL TO ADMINISTER AND ENFORCE BUILDING CODES WITHIN THE CITY OF WESTMINSTER; AND OTHER MATTERS RELATED THERETO”

**Ordinance 2013-14** “AN ORDINANCE TO AUTHORIZE THE EXECUTION AND DELIVERY OF AN INTERGOVERNMENTAL AGREEMENT WITH THE TOWN OF SALEM FOR THE ADMINISTRATION AND ENFORCEMENT OF BUILDING CODES WITHIN THE TOWN OF SALEM; TO AUTHORIZE OCONEE COUNTY BUILDING CODE PERSONNEL TO ADMINISTER AND ENFORCE BUILDING CODES WITHIN THE TOWN OF SALEM; AND OTHER MATTERS RELATED THERETO”

**First Reading of the Following Ordinances**

**Ordinance 2013-09** [in title only] “AN ORDINANCE TO AMEND CHAPTER 38 "ZONING" OF THE OCONEE COUNTY CODE OF ORDINANCES, INCLUDING ALL ZONING MAPS INCORPORATED THEREIN AND THEREBY, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY; AND OTHER MATTERS RELATED THERETO ” *[Sub01]*

This is the first subsequent rezoning request that has come before Oconee County Council. Below is the section from the Zoning Enabling Ordinance that discusses subsequent requests:

Sec. 38-8.6. - Subsequent rezoning.

(a) Subsequent to the initial change of zoning of any parcel or group of parcels following adoption of these regulations, any individual property owner may make application for rezoning of a parcel(s). All such rezonings shall be subject to the standards set forth in these regulations and South Carolina Code of Laws, 1976, as amended.

(b) Notwithstanding any effort to accomplish a prior rezoning, county council may at any time rezone a parcel or group of parcels pursuant to the goals established in the Oconee County Comprehensive Plan.

The proposed ordinance, 2013-09 (Sub01), stems from a subsequent rezoning request submitted by Mr. Jess Neville. The request consists of part of a parcel totaling 7.55 acres in the vicinity of the Melton Rd in the West Union area. This parcel is located in the residential area on the Future Land Use Map and is currently zoned in the Residential District. As submitted, the area would be zoned into the Traditional Rural District. There is a signed

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petition for the area submitted in the proposed request.

Also, this is the first case in which split-zoning has occurred in Oconee County. Split-zoning occurs when a parcel contains more than one zoning district. In this particular case, a deed was recorded on 12/31/12 which combined two parcels. One parcel is in the Traditional Rural District (~250 acres) and the other parcel is in the Residential District (~7.55). The deed combined the Residential District parcel into the Traditional Rural District parcel resulting in two zoning classifications being present on one parcel.

The request is to zone the portion of the parcel that is in Residential District into the Traditional Rural District. A number of South Carolina counties have addressed split-zoning. Staff emailed all 46 counties the question of how they handle split-zoning. Some counties have chosen to allow split-zoning by either policy or by ordinance while other counties have chosen not to allow it by either policy or by ordinance. Below is a list of the Counties who responded regarding split-zoning: **Allow Split-Zoning:** Abbeville, Fairfield, Greenville; **Not Allow Split-Zoning:** Florence, Charleston; **No Zoning:** Cherokee, Laurens, Dillon, Darlington.

**It is staff's recommendation that Council [1] take first reading (in title only) of Ordinance 2013-09, and [2] refer the matter to the Planning Commission for the required review.**

## First & Final Reading of the Following Resolutions

### **Resolution R2013-13 "A RESOLUTION TO APPROVE A MUTUAL AID AGREEMENT BETWEEN THE OCONEE COUNTY SHERIFF'S OFFICE AND THE CITY OF SENECA"**

## Discussion Regarding Action Items

### **RFP 12-09 / Pumper Truck for Station 14 for Emergency Services / \$418,835.00**

This Request for Proposals was issued March 7, 2013 for one Commercial Top Mount Pumper/Tanker Truck for Rural Fire Station 14, Pickett Post/Camp Oak. This station currently has a 1991 Ford Pumper, a 2004 Freightliner Pumper and a 2000 Tanker truck. This new Pumper will replace the older model Pumper which will be used as a spare. The apparatus, which includes a 2000 gallon water tank, has the versatility to function as an engine or tanker to support rural fire operations. The specifications included an option of a Foam Pro Injection System and a Top/Side Mount for the pump, along with a loose equipment list of 27 items such as hoses, nozzles, pike poles, hand lights and wheel chocks.

On April 9, 2013, formal sealed proposals were opened for this Pumper truck. Fifteen firms were originally notified of this opportunity and six firms submitted proposals. Evaluation criteria included: Compliance with Specifications (40%), Cost Requirements (20%), Service and Support Requirements (20%), and Capabilities of the Firm (20%). An Evaluation Committee consisting of Charlie King and Grahl Haney from Emergency Services, Jeff Heaton from Station 14 and Ronnie Smith from Fleet Maintenance unanimously voted to recommend Kovatch Mobile Equipment Corporation of Nesquehoning, PA for this award. The truck will be delivered and serviced by Safe Industries of Piedmont, SC.

**It is the staff's recommendation that Council approve the award of RFP 12-09 for a Pumper/Tanker Truck for Rural Fire Station 14 to Kovatch Mobile Equipment Corporation of Nesquehoning, PA, in the amount of \$418,835.00.**

### **ITB 97-35 / Hauling & Disposal of Solid Waste / Estimated \$1,160,000**

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. 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 was in 2008 and the second renewal will be for 2013. County staff including the Assistant County Administrator, Solid Waste Director and Procurement Director met with Mindy Miller, the Account Manager for Waste Management on April 15 and April 26 to discuss whether the County would renew this contract or re-bid it. Waste Management offered a reduction in the disposal fee per ton from the current rate of \$34.40 to \$31.15 for fiscal year 2013-2014. This rate is a significant decrease and is less than the 2007-2008 rate of \$31.54. The Solid Waste department estimates that Oconee County disposes of approximately 37,000 tons of waste each year. At the new rate of \$31.15, this would be an annual amount of \$1,152,550.00.

**It is the staff's recommendation that Council approve the second five year renewal of ITB 97-35 for the Hauling and Disposal of Waste to Waste Management, Inc. of Homer, GA. The amount of this contract is estimated, but will not exceed the amount budgeted for each fiscal year. Staff also recommends that Council authorize the County Administrator to renew this contract for the next four years and the fifth year it will be brought back to Council for approval.**

## Council Committee Reports

- Budget, Finance & Administration Committee / Mr. Dexter
- Transportation Committee / Mr. Thrift

## Old Business

*[to include Vote and/or Action on matters brought up for discussion, if required]*

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**New Business** [to include Vote and/or Action on matters brought up for discussion, if required]

**Executive Session** [Council Members & County Attorney only]  
[for the purpose of discussing a contractual matter related to the Administrator's employment agreement]

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

## Adjourn

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 & are available on the County Council Website. [All upcoming meetings will be held in Council Chambers unless otherwise noted]