



MINUTES
OCONEE COUNTY COUNCIL MEETING
Regular Meeting
October 20, 2015

MEMBERS, OCONEE COUNTY COUNCIL
Mr. Wayne McCall, District II, Council Chairman
Mr. Paul Cain, District III, Vice Chairman
Ms. Edda Cammick, District I, Chairman Pro Tem
Mr. Joel Thrift, District IV
Mr. Reg Dexter, District V

Oconee County Council met at 6:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members, County Administrator Scott Moulder, County Attorney Thomas Martin 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 [*upon request*] to the newspapers, radio stations, television stations and concerned citizens. Members of the press present: Ray Chandler / Anderson Independent & Stephen Bradley / The Daily Journal.

Call to Order

Mr. McCall called the meeting to order at 6:01 p.m.

Public Comment Session

Ms. Gwen McPhail addressed Council in support for passage of Ordinance 2015-33.

Mr. Chris Davis addressed Council in opposition to the closure by the School District of Oconee County [SDOC] of the Tamassee-Salem Middle/High School and his concerns regarding the SDOC spending transparency.

Ms. Darlene Chapman addressed Council in opposition to the closure by the SDOC of the Tamassee-Salem Middle/High School and his concerns regarding the SDOC spending transparency.

Mr. Jamie Crowe addressed Council in opposition to the closure by the SDOC of the Tamassee-Salem Middle/High School and his concerns regarding the SDOC spending transparency.

Mr. Eddie Martin addressed Council in opposition to the closure by the SDOC of the Tamassee-Salem Middle/High School and his concerns regarding the SDOC spending transparency.

Ms. Lynn Martin addressed Council in opposition to the closure by the SDOC of the Tamassee-Salem Middle/High School and his concerns regarding the SDOC spending transparency.

Ms. Diane Graham addressed Council in opposition to the closure by the SDOC of the Tamassee-Salem Middle/High School and his concerns regarding the SDOC spending transparency.

Mr. Dillon Donald addressed Council in support for passage of Ordinance 2015-33.

Ms. Kim Alexander addressed Council in opposition to the closure by the SDOC of the Tamassee-Salem Middle/High School and his concerns regarding the SDOC spending transparency.

Ms. Donna Grant addressed Council in opposition to the closure by the SDOC of the Tamassee-Salem Middle/High School and his concerns regarding the SDOC spending transparency.

Ms. Karen Jones addressed Council in opposition to the closure by the SDOC of the Tamassee-Salem Middle/High School and his concerns regarding the SDOC spending transparency.

Mr. Brian Patterson addressed Council in opposition to the closure by the SDOC of the Tamassee-Salem Middle/High School and his concerns regarding the SDOC spending transparency.

Mr. David MaMahan addressed Council in support for passage of Ordinance 2015-33.

Ms. Annette Phillips addressed Council in opposition to the closure by the SDOC of the Tamasee-Salem Middle/High School and his concerns regarding the SDOC spending transparency.

Chairman invited Salem Mayor Diane Head to address Council regarding her opposition to the closure by the SDOC of the Tamasee-Salem Middle/High School.

County Council Response to Public Comment

Mr. McCall thanked everyone for their attendance and stated that County Council has no control over the SDOC Board; Council only has control over their budget approval. He stated that Council will closely examine their budget presentation for the next fiscal year and the stated he would request a forensic audit to assist with transparency.

Mr. Cain, Ms. Cammick, Mr. Thrift and Mr. Dexter reiterated Mr. McCall's comments as they related to the closer of the Tamasee-Salem Middle/High School.

Moment of Silence

Mr. McCall asked for a moment of silence prior the Invocation by the County Chaplain.

Invocation by County Council Chaplain:

Mr. Tom Martin, County Council Chaplain, gave the invocation.

Pledge of Allegiance:

Mr. Dexter led the Pledge of Allegiance to the Flag of the United States of America.

Approval of Minutes:

Mr. Cain made a motion, seconded by Mr. Thrift, approved 5 – 0 to approve the October 6, 2015 regular meeting minutes as presented.

Presentations to Council

Noise Ordinance Decibel Testing Results / Sheriff Mike Crenshaw

Sheriff Crenshaw addressed Council utilizing a handout [copy filed with these minutes] regarding noise / decibel reading tests conducted throughout the county. Discussion followed. Council concurred with the Sheriff's request to continue the study and report back in late spring/early summer.

Administrator's Report & Agenda Summary

Mr. Moulder briefly reviewed with Council and for the public's benefit specifics related to the following matters before Council at this meeting:

- Public Hearings for Ordinances: 2015-26, 2015-29, 2015-30, 2015-31
- Third & Final Reading of Ordinances: 2015-26, 2015-29, 2015-30, 2015-31
- Second Reading for Ordinances: 2015-28, 2015-32, 2015-33
- First Reading of Ordinances: 2015-34 [title only]
- Council Committee Reports
- Board / Commission Appointments
- Old Business
- New Business
- Executive Session

Public Hearing Regarding the Following Ordinances

Ordinance 2015-26 “AN ORDINANCE CANCELLING, REVOKING, AND RESCINDING OCONEE COUNTY ORDINANCE 2012-28 AND ITS SUBSEQUENT CODIFICATION; AND OTHER MATTERS RELATED THERETO”
[STONE POND SPECIAL TAX DISTRICT]

Mr. McCall opened the floor for Public Comment.

Noting that no citizens signed up to address Council; Mr. McCall opened the floor for any citizen wishing to address Council regarding this ordinance. No citizen addressed Council.

Mr. McCall asked if any citizens wished to submit written comments regarding this ordinance; no citizen presented any written comments for the record.

Mr. McCall closed the Public Hearing regarding **Ordinance 2015-26**.

Ordinance 2015-29 “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDMENT TO THE FEE AGREEMENT BETWEEN OCONEE COUNTY AND **ULBRICH PRECISION FLAT WIRE, LLC, ULBRICH SOLAR WIRE, LLC AND PLANT ROAD, LLC**, TO INCLUDE THE ADDITION OF ULBRICH SOLAR TECHNOLOGIES, INC., AS A SPONSOR, AMENDING THE FEE AGREEMENT DATED AS OF NOVEMBER 1, 2013; AND OTHER MATTERS RELATED THERETO”

Mr. McCall opened the floor for Public Comment.

Noting that no citizens signed up to address Council; Mr. McCall opened the floor for any citizen wishing to address Council regarding this ordinance. No citizen addressed Council.

Mr. McCall asked if any citizens wished to submit written comments regarding this ordinance; no citizen presented any written comments for the record.

Mr. McCall closed the Public Hearing regarding **Ordinance 2015-29**.

Ordinance 2015-30 “AN ORDINANCE DIRECTING THAT THE IMPLEMENTATION OF REAL PROPERTY REASSESSMENT IN OCONEE COUNTY BE DELAYED FOR ONE (1) YEAR, AS AUTHORIZED BY STATUTE; AND OTHER MATTERS RELATED THERETO.”

Mr. McCall opened the floor for Public Comment.

Noting that no citizens signed up to address Council; Mr. McCall opened the floor for any citizen wishing to address Council regarding this ordinance. No citizen addressed Council.

Mr. McCall asked if any citizens wished to submit written comments regarding this ordinance; no citizen presented any written comments for the record.

Mr. McCall closed the Public Hearing regarding **Ordinance 2015-30**.

Ordinance 2015-31 “AUTHORIZING THE ISSUANCE AND SALE OF NOT EXCEEDING \$900,000 GENERAL OBLIGATION BONDS, SERIES 2015, OF OCONEE COUNTY, SOUTH CAROLINA; FIXING THE FORM AND DETAILS OF THE BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS; AUTHORIZING THE CHAIRMAN OF COUNTY COUNCIL OR COUNTY ADMINISTRATOR TO DETERMINE CERTAIN MATTERS RELATING TO THE BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS; THE DISPOSITION OF THE PROCEEDS OF THE BONDS; AND OTHER MATTERS RELATING THERETO”

Mr. McCall opened the floor for Public Comment.

Mr. Frankie Pearson addressed Council in opposition to bonding; stating that the county needs to live within its means.

Noting that no additional citizens signed up to address Council; Mr. McCall opened the floor for any citizen wishing to address Council regarding this ordinance. No citizen addressed Council.

Mr. McCall asked if any citizens wished to submit written comments regarding this ordinance; no citizen presented any written comments for the record.

Mr. McCall closed the Public Hearing regarding **Ordinance 2015-31**.

Third & Final Reading of the Following Ordinances

Ordinance 2015-26 "AN ORDINANCE CANCELLING, REVOKING, AND RESCINDING OCONEE COUNTY ORDINANCE 2012-28 AND ITS SUBSEQUENT CODIFICATION; AND OTHER MATTERS RELATED THERETO"
[STONE POND SPECIAL TAX DISTRICT]

Mr. Cain made a motion, seconded by Ms. Cammick, approved 5 – 0 to approve **Ordinance 2015-26** on third and final reading.

Ordinance 2015-29 "AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDMENT TO THE FEE AGREEMENT BETWEEN OCONEE COUNTY AND **ULBRICH PRECISION FLAT WIRE, LLC, ULBRICH SOLAR WIRE, LLC AND PLANT ROAD, LLC**, TO INCLUDE THE ADDITION OF ULBRICH SOLAR TECHNOLOGIES, INC., AS A SPONSOR, AMENDING THE FEE AGREEMENT DATED AS OF NOVEMBER 1, 2013; AND OTHER MATTERS RELATED THERETO"

Mr. Cain made a motion, seconded by Ms. Cammick, approved 5 – 0 to approve **Ordinance 2015-29** on third and final reading.

Ordinance 2015-30 "AN ORDINANCE DIRECTING THAT THE IMPLEMENTATION OF REAL PROPERTY REASSESSMENT IN OCONEE COUNTY BE DELAYED FOR ONE (1) YEAR, AS AUTHORIZED BY STATUTE; AND OTHER MATTERS RELATED THERETO."

Mr. Cain made a motion, seconded by Mr. Thrift, approved 5 – 0 to approve **Ordinance 2015-30** on third and final reading.

Ordinance 2015-31 "AUTHORIZING THE ISSUANCE AND SALE OF NOT EXCEEDING \$900,000 GENERAL OBLIGATION BONDS, SERIES 2015, OF OCONEE COUNTY, SOUTH CAROLINA; FIXING THE FORM AND DETAILS OF THE BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS; AUTHORIZING THE CHAIRMAN OF COUNTY COUNCIL OR COUNTY ADMINISTRATOR TO DETERMINE CERTAIN MATTERS RELATING TO THE BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS; THE DISPOSITION OF THE PROCEEDS OF THE BONDS; AND OTHER MATTERS RELATING THERETO"

Mr. Cain made a motion, seconded by Mr. Thrift, to approve **Ordinance 2015-31** on third and final reading.

Ms. Cammick made a motion, seconded by Mr. Cain, approved 5 – 0 to amend **Ordinance 2015-31** as follows:

- Bountyland Fire Substation \$500,000
 - South Cove County Park Improvements \$250,000
 - Library Repairs \$150,000
- \$900,000

Mr. McCall called for the vote on **Ordinance 2015-31** as amended. The motion as amended passed 5 – 0.

Second Reading of the Following Ordinances

Ordinance 2015-28 "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"
[Gardiner Group PDD]

Mr. Dexter made a motion, seconded by Ms. Cammick, approved 5 – 0 to approve **Ordinance 2015-28** on second reading.

Ordinance 2015-32 “AUTHORIZING THE SALE BY OCONEE COUNTY OF CERTAIN REAL PROPERTY AND IMPROVEMENTS THEREON AND THE GRANT BY THE COUNTY OF CERTAIN EASEMENTS AFFECTING REAL PROPERTY, OWNED BY THE COUNTY AND LOCATED IN THE CITY OF WALHALLA, SOUTH CAROLINA, TO **HISTORIC OCONEE COURTHOUSE LLC** (THE “COMPANY”); AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGREEMENT FOR THE PURCHASE AND SALE OF REAL PROPERTY AND ONE OR MORE EASEMENT AGREEMENTS TO BE ENTERED INTO BY AND BETWEEN THE COUNTY AND THE COMPANY; AUTHORIZING THE EXECUTION AND DELIVERY OF ONE OR MORE INCENTIVE AGREEMENTS BY AND BETWEEN THE COUNTY AND THE COMPANY FOR THE PURPOSES OF MAKING AVAILABLE TO THE COMPANY CERTAIN PROJECT INFRASTRUCTURE GRANT FUNDS AND CERTAIN SPECIAL SOURCE REVENUE CREDITS; AUTHORIZING, RATIFYING AND AFFIRMING ALL PRIOR ACTS OF OCONEE COUNTY AND ITS OFFICERS AND ELECTED OFFICIALS WITH REGARD TO THE FOREGOING; AUTHORIZING THE EXECUTION AND DELIVERY OF ANY AND ALL DOCUMENTS, INSTRUMENTS OR CERTIFICATES NECESSARY OR DESIRABLE TO ACCOMPLISH THE FOREGOING; AND OTHER MATTERS RELATED THERETO”

Mr. Thrift made a motion, seconded by Mr. Dexter, approved 5 – 0 to approve **Ordinance 2015-32** on second reading.

Ordinance 2015-33 “AN ORDINANCE AMENDING OCONEE COUNTY ORDINANCE 2015-01 IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, BY TRANSFERRING \$700,000 BETWEEN FUNDS AND BY AMENDING REVENUE NUMBERS, AND AUTHORIZING THE PURCHASE OF CERTAIN REAL PROPERTY (PATILLO PURCHASE); AND OTHER MATTERS RELATED THERETO”

Mr. Cain made a motion, seconded by Ms. Cammick, to approve **Ordinance 2015-33** on third and final reading.

Mr. Thrift made a motion, seconded by Ms. Cammick, approved 5 – 0 to amend **Ordinance 2015-33** as follows:

- \$150,000 transfer from the Tri-County Technical College to Library Improvements, and
- Remove \$150,000 from the Tri-County Technical College Revenue line item.

Mr. McCall called for the vote on **Ordinance 2015-33** as amended. The motion as amended passed 5 – 0.

First Reading of the Following Ordinances

Ordinance 2015-34 [title only] “AN ORDINANCE AUTHORIZING A FEE-IN-LIEU-OF-TAX ARRANGEMENT ON BEHALF OF **PROJECT MACKINAW** (“COMPANY”) PURSUANT TO A FEE-IN-LIEU-OF-TAX AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA (“COUNTY”) AND THE COMPANY; AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY; AND OTHER MATTERS RELATING TO THE FOREGOING”

Mr. Dexter made a motion, seconded by Ms. Cammick, approved 5 – 0 to approve **Ordinance 2015-34** on first reading in title only.

Council Committee Reports

Transportation Committee / Mr. Thrift

Mr. Thrift read from a prepared statement [copy filed with these minutes] highlighting discussions at the October 13, 2015 committee meeting.

Mr. Thrift made a motion, seconded by Ms. Cammick, approved 5 – 0 to affirm the Committee’s recommendation that Council will to the Fendley’s request for abandonment; noting that Council will be required to pass a resolution.

Mr. Thrift made a motion, seconded by Ms. Cammick, approved 5 – 0 to affirm the Committee’s recommendation [1] that staff work with the county attorney to develop draft language to address sub-standard road where right of ways exist, and [2] to report back to the Transportation Committee at a future meeting.

Budget Committee / Ms. Cammick

Ms. Cammick read from a prepared statement [copy filed with these minutes] highlighting discussions at the October 13, 2015 committee meeting.

Board / Commission Appointments

Board of Zoning Appeals

Mr. Dexter made a motion, seconded by Mr. Cain, approved 5 – 0 to appoint Mr. W. John Menzies to the District V Board of Zoning Appeals open seat; noting the term is co-terminus with the District V Council seat.

Old Business:

Recycling Program Update

Mr. McCall requested an update from Mr. Moulder regarding the status of the recycling program. Mr. Moulder noted that he is working with Clemson University to identify ways to partner with them and he is working on an industrial cardboard hauling program and will be meeting with the County Industrial Group this week. Lastly, he noted again that significant resources will need to be identified and in place to meet the goal of 85% county wide recycling.

Nuisance Property Ordinance Update

Mr. Dexter requested an update from Mr. Moulder regarding this issue. Mr. Moulder noted that staffing is an issue along with state law restrictions regarding cost recovery from problem properties. The property maintenance code prohibits the county from recovering costs associated with enforcement. Mr. Thrift noted that SCAC is currently supporting a bill that would allow counties to recover costs as municipalities do.

New Business:

Long Creek Community Club Request for County Assistance

Mr. Thrift provided a copy of a letter to all council members [copy filed with these minutes] outlining the Clubs request for county assistance in developing a walking track. Discussion followed.

Mr. Thrift made a motion, seconded by Mr. Cain, approved 5 – 0 to instruct the Administrator to provide assistance to the Long Creek Community Club as outlined in their letter utilizing the county's Road Department.

Sheriff Deputy Retention

Mr. Cain stated that he has been made aware that up to 5 county sheriff's deputies will leave the department by year end due to low salaries. Mr. Moulder questioned if Council had a funding mechanism in mind to address these concerns. Mr. Thrift stated that once the plan is developed that Council will look at funding options. Discussion followed.

Mr. Cain made a motion, seconded by Mr. McCall, approved 5 – 0 to direct the Administrator work with Sheriff Crenshaw to identify short term and long term retention strategies to address the ongoing loss of deputies due to low pay.

Executive Session:

Mr. Cain made a motion, seconded by Ms. Cammick, approved 5 – 0 to enter Executive Session as allowed for in §30-4-70 (a) of the Code of Laws of South Carolina, as amended, 1976 for the purpose of:

- [1] discussion regarding pending litigation related to Oconee County v Hanger III, et. al., and
- [2] discussion regarding an Economic Development matter: specifically Project Endurance.

Council entered Executive Session at 8:18 p.m.

Council returned from Executive Session at 8:36 p.m. on a motion by Mr. Cain, seconded by Mr. Thrift, approved 4 – 1 [Mr. Dexter opposed].

Mr. McCall stated that no action was taken in Executive Session.

Mr. Cain made a motion, seconded by Ms. Cammick, approved 5 – 0 to direct the Administrator to proceed with the purchase option extension related to Project Endurance as discussed in Executive Session.

Adjourn

Mr. Thrift made a motion, approved unanimously 5 – 0, to adjourn at 8:38 p.m.

Respectfully Submitted:

Elizabeth G. Hulse
Clerk to Council