



MINUTES

OCONEE COUNTY COUNCIL

Regular Meeting

September 15, 2020

MEMBERS, OCONEE COUNTY COUNCIL
Mr. John Elliott, Chair Pro Tem, District I
Mr. Paul Cain, Vice Chair, District III
Mr. Julian Davis III, Chairman, District IV
Mr. Glenn Hart, District V
Mr. Wayne McCall, District II

Oconee County Council met at 6:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members [Mr. McCall came in late], County Administrator Amanda F. Brock, County Attorney David Root, & Katie D. Smith, 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.oconeesc.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: Jerry Edwards & Caitlin Herrington / The Journal

Call to Order

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

Public Comment Session

If you are not able to attend in person and you have a comment, you may submit it by contacting our Clerk to Council, Katie Smith at ksmith@oconeesc.com or 864-718-1023, so that she may receive your comment and read it into the record.

Mr. Jerry Barnett addressed Council comparing Oconee County & Pickens County budgets, salaries, and the recycling centers.

Mr. McCall came in during the Public Comment Session.

County Council Response to Public Comment

Mr. Elliott noted the article in the Editorial in today's newspaper regarding the proposed budget left out the headline of no tax increase and noted he supported the merit system in the budget.

Mr. Cain reminded the citizens of the "Team Up 2 Clean Up" in Utica on Saturday, September 19, 2020 from

Council's meetings shall be conducted pursuant to the South Carolina Freedom of Information Act, Council's Rules and the Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition. This agenda may not be inclusive of all issues which Council may bring up for discussion at this meeting. Items are listed on Council's agenda to give public notice of the subjects and issues to be discussed, acted upon, received as information and/or disposed of during the meeting. Items listed on Council's agenda may be taken up, tabled, postponed, reconsidered, removed or otherwise disposed of as provided for under Council's Rules, and Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition, if not specified under Council's rules.

A video recording of this meeting is available at www.oconeesc.com. Meetings have been live-streamed beginning January 17, 2017. Brought to you by Your Oconee.

7:30 a.m. to 12:00 p.m. The meeting location is Ann Hope United Methodist Church at 702 Goddard Avenue, Seneca, SC. and noted those who attend will receive a free t-shirt and water bottle and lunch will be provided.

Moment of Silence

Mr. Davis asked for a moment of silence prior to the Invocation by County Council Chaplain.

Invocation by County Council Chaplain

Mr. Root, County Council Chaplain, gave the invocation.

Pledge of Allegiance

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

Approval of Minutes

Mr. Hart made a motion, seconded by Mr. Elliott, approved 4 – 1 [Mr. McCall abstained; recusal form filed with minutes], to approve the September 1, 2020 Regular Minutes as presented.

Mr. Cain made a motion, seconded by Mr. Elliott, approved 5 – 0, to approve the September 8, 2020 Special Minutes as presented.

Administrator's Comments

Ms. Brock reminded Council and citizens about the Special Council meeting that is scheduled for Thursday, September 17, 2020 beginning at 6pm for setting of millage and Public Hearing & 3rd & final reading of the Oconee County budget.

Attorney's Comments

None at this meeting.

Proclamation 2020-08

Proclamation 2020-08 Recognizing National Suicide Prevention Awareness Month in Oconee County

Mr. Davis read **Proclamation 2020-08** into the record.

Mr. Hart made a motion, seconded by Mr. Cain, approved 5 – 0, to approve **Proclamation 2020-08**.

Moment of Silence

Mr. Davis asked for a moment of silence following Proclamation 2020-08.

Public Hearings for the Following Ordinances

If you are not able to attend in person and you would like to be heard during the public hearing, please contact Katie Smith at ksmith@oconeesc.com or 864-718-1023 so that she may coordinate your participation by telephone.

Council's meetings shall be conducted pursuant to the South Carolina Freedom of Information Act, Council's Rules and the Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition. This agenda may not be inclusive of all issues which Council may bring up for discussion at this meeting. Items are listed on Council's agenda to give public notice of the subjects and issues to be discussed, acted upon, received as information and/or disposed of during the meeting. Items listed on Council's agenda may be taken up, tabled, postponed, reconsidered, removed or otherwise disposed of as provided for under Council's Rules, and Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition, if not specified under Council's rules.

A video recording of this meeting is available at www.oconeesc.com. Meetings have been live-streamed beginning January 17, 2017. Brought to you by Your Oconee.

None at this meeting.

Third Reading of the Following Ordinances

None at this meeting.

Second Reading of the Following Ordinances

Ordinance 2020-15 “AN ORDINANCE AUTHORIZING AND CONSENTING TO OR RATIFYING THE CURRENT ASSIGNMENT AND ASSUMPTION OF AN INTEREST IN THAT CERTAIN AMENDED FEE AGREEMENT DATED AS OF DECEMBER 1, 2017, AS PREVIOUSLY ASSIGNED AND RATIFIED BY ORDINANCE 2019-15 DATED MAY 21, 2019, SUCH CURRENT ASSIGNMENT FROM PARKWAY REAL ESTATE HOLDINGS SOUTH CAROLINA, LLC, AND SUCH CURRENT ASSUMPTION BY DIVERSIFIED INDUSTRIAL PROPERTIES, LLC, AND CONFIRMED BY ITECH BUYER, LLC AS A CONTINUING CO-SPONSOR, AND AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGREEMENT MEMORIALIZING SUCH CURRENT ASSIGNMENT AND ASSUMPTION AND CURRENT CONSENT OR RATIFICATION; AND OTHER MATTERS RELATED THERETO.”

Mr. Cain made a motion, seconded by Mr. Elliott, approved 5 – 0, to approve **Ordinance 2020-15** on second reading.

Ordinance 2020-16 “AN ORDINANCE AMENDING THE OCONEE COUNTY CONSERVATION BANK ORDINANCE, O.C. CODE SECTIONS 2-398 THROUGH 2-409.”

Mr. Cain made a motion, seconded by Mr. Elliott, approved 5 – 0, to approve **Ordinance 2020-16** on second reading.

Ordinance 2020-17 “AN ORDINANCE AMENDING CHAPTER 32 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING THE ESTABLISHMENT OF RECREATIONAL VEHICLE PARK DEVELOPMENT STANDARDS; AND OTHER MATTERS RELATED THERETO.”

Mr. Elliott made a motion, seconded by Mr. Cain, to approve **Ordinance 2020-17** on second reading.

Mr. McCall noted he had concerns regarding this ordinance and enforcement of this ordinance.

Regarding the previous motion made by Mr. Elliott, seconded by Mr. Cain, it was approved 4 – 1 [Mr. McCall opposed] to approve **Ordinance 2020-17** on second reading.

First Reading for the Following Ordinances

None at this meeting.

First & Final Reading of the Following Resolutions

None at this meeting.

Council's meetings shall be conducted pursuant to the South Carolina Freedom of Information Act, Council's Rules and the Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition. This agenda may not be inclusive of all issues which Council may bring up for discussion at this meeting. Items are listed on Council's agenda to give public notice of the subjects and issues to be discussed, acted upon, received as information and/or disposed of during the meeting. Items listed on Council's agenda may be taken up, tabled, postponed, reconsidered, removed or otherwise disposed of as provided for under Council's Rules, and Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition, if not specified under Council's rules.

A video recording of this meeting is available at www.oconeesc.com. Meetings have been live-streamed beginning January 17, 2017. Brought to you by Your Oconee.

Discussion Regarding Action Items

Hitachi ZW370-6 Wheel Loader / Rock Quarry / \$373,451.00

Budget: \$470,000.00 / **Project Cost:** \$373,451.00 / **Balance:** \$96,549.00

This Wheel Loader is a Hitachi ZW370-6. Its main use will be used in the yard to load customer's trucks. This loader will enable the Rock Quarry staff to load customer dump trucks in timely fashion. This machine will have a scale on the bucket which will provide more accuracy in amount of product loaded. The County will be trading in a 1992 CAT 985F Wheel Loader. May Equipment has agreed to \$20,000.00 for the trade-in.

After researching the necessary horse power and operating weights of a two pass Wheel Yard Loader that can safely handle an 8 cubic yard bucket, it was determined that the Hitachi ZW370-6, will best meet the needs of the Oconee Quarry.

The County is utilizing the North Carolina Sheriffs' Association contract through a cooperative purchasing agreement. The contract discount is 38% off the list price of the equipment and 10% off the list price of attachments. National Equipment Dealers (dba: May/RHI) are also offering an additional dealer discount of \$17,046.64 off of the contract price for the wheel loader and the attachments.

It is the staff's recommendation that Council approve the purchase of the Hitachi ZW370-6 Wheel Loader from National Equipment Dealers (dba: May/RHI) of Columbia, SC in the amount of \$373,451.00.

Mr. McCall made a motion, seconded by Mr. Cain, to approve the purchase of the Hitachi ZW370-6 Wheel Loader from National Equipment Dealers (dba: May/RHI) of Columbia, SC in the amount of \$373,451.00.

Discussion continued to include:

- Amount of rock being produced
- Broken additional records
- Staff is aware of the issues

Regarding the previous motion made by Mr. McCall, seconded by Mr. Cain, it was approved 5 – 0, to approve the purchase of the Hitachi ZW370-6 Wheel Loader from National Equipment Dealers (dba: May/RHI) of Columbia, SC in the amount of \$373,451.00.

Local ATAX Grants / Fall 2020 Cycle / \$73,000

Beginning Local ATAX balance: \$342,287

If all grants/projects approved/new balance will be: \$269,287

A portion of Local ATAX revenues received by Oconee County are made available for ATAX grants through Ordinance 2011-12. 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 based on tourism impact of the project and approved by County Council. All external 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

Council's meetings shall be conducted pursuant to the South Carolina Freedom of Information Act, Council's Rules and the Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition. This agenda may not be inclusive of all issues which Council may bring up for discussion at this meeting. Items are listed on Council's agenda to give public notice of the subjects and issues to be discussed, acted upon, received as information and/or disposed of during the meeting. Items listed on Council's agenda may be taken up, tabled, postponed, reconsidered, removed or otherwise disposed of as provided for under Council's Rules, and Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition, if not specified under Council's rules.

**A video recording of this meeting is available at www.oconeesc.com. Meetings have been live-streamed beginning January 17, 2017.
Brought to you by Your Oconee.**

the grant.

It is staff's recommendation of approval of ATAX grant recommendations per the attached spreadsheet.

Mr. Cain made a motion, seconded by Mr. Elliott, to approve the local ATAX grant for the Fall 2020 cycle.

Ms. Brock noted that due to COVID-19, any of the remaining funds or unused funds for this year, the State did allow any of the granting agencies an additional year to expend the funds or the option to return them.

Regarding the previous motion made by Mr. Cain, seconded by Mr. Elliot, it was approved 5 – 0, to approve the local ATAX grant for the Fall 2020 cycle.

Request for Council to approve a letter of support to be sent to the Oconee County Legislative Delegation regarding the creation of a State wide “Agricultural Disclosure” when real property is being transferred

The Oconee County Agricultural Advisory Board voted unanimously to request Council to support the creation of an “Agricultural Disclosure” when real property is being transferred. This will add a layer of protection for our farmers and farmlands, not just in Oconee County, but across the state. This would be similar in nature to the existing “lead-paint” and “asbestos” disclosure relators are required to provide.

It is staff's recommendation that Council approve a letter of support to be sent to the Oconee County Legislative Delegation regarding the creation of a State wide “Agricultural Disclosure” when real property is being transferred.

Mr. Cain made a motion, seconded by Mr. Elliott, approved 5 – 0, to approve a letter of support to be sent to the Oconee County Legislative Delegation regarding the creation of a State wide “Agricultural Disclosure” when real property is being transferred.

Discussion regarding Communication Strategy for Information to Citizens

Ms. Brock noted there is a communication problem in Oconee County. She noted there are lots of things we want and need to tell the public. She suggested a communication plan to make sure what we are doing is getting out to our citizens.

Lengthy discussion continued to include:

- How-to system
- Public Information Officer
- Media sources in our area that are readily used
- Communication is key but is also difficult
- Study the target audience for the particular message
- Existing staff member or new staff member as primary point of contact
- Chart breaking down how much the County pays and what we are paying
- County Administrator to provide Council with recommendations for community strategies at a later date

Council's meetings shall be conducted pursuant to the South Carolina Freedom of Information Act, Council's Rules and the Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition. This agenda may not be inclusive of all issues which Council may bring up for discussion at this meeting. Items are listed on Council's agenda to give public notice of the subjects and issues to be discussed, acted upon, received as information and/or disposed of during the meeting. Items listed on Council's agenda may be taken up, tabled, postponed, reconsidered, removed or otherwise disposed of as provided for under Council's Rules, and Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition, if not specified under Council's rules.

A video recording of this meeting is available at www.oconeesc.com. Meetings have been live-streamed beginning January 17, 2017. Brought to you by Your Oconee.

Board & Commission Appointments

Building Codes Appeal Board

No questionnaires were submitted for the 1 At Large seat.

Board of Zoning Appeals

No questionnaires were submitted for the District 5 seat.

Conservation Bank Board

No questionnaires were submitted for the District 5 or 1 At Large seat.

Arts & Historical Commission

No questionnaires were submitted for the District 4 seat.

Mr. Davis asked if Council decides whether or not to keep the At-Large seats on the Boards/Commissions and just have the five district seats. Mr. Root noted the ordinances would have to be amended but could be across the board for the Boards/Commissions.

Executive Session:

Mr. Cain made a motion, seconded by Mr. Elliott, approved 5 – 0, to enter into Executive Session for the following purposes, as allowed for in § 30-4-70(a) of the South Carolina Code of Laws:

[1] Discussion regarding an Economic Development matter, Project Dolly.

[2] Discussion regarding an Economic Development matter, Project Ed.

[3] Discussion regarding an Economic Development matter, Project Lime.

[4] Discussion regarding an Economic Development matter, Project Aztec.

[5] Receive legal advice and discuss contractual matter, and related potential contractual matter, with respect to the disposition of certain County-owned property.

Council entered Executive Session at 6:38 p.m.

Council returned from Executive Session at 7:20 p.m. on a motion made by Mr. Cain, seconded by Mr. Elliott, approved 5 – 0.

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

Mr. Davis made a motion, seconded by Mr. Cain, approved 5 – 0, for staff to continue negotiations as discussed regarding Project Ed.

Council's meetings shall be conducted pursuant to the South Carolina Freedom of Information Act, Council's Rules and the Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition. This agenda may not be inclusive of all issues which Council may bring up for discussion at this meeting. Items are listed on Council's agenda to give public notice of the subjects and issues to be discussed, acted upon, received as information and/or disposed of during the meeting. Items listed on Council's agenda may be taken up, tabled, postponed, reconsidered, removed or otherwise disposed of as provided for under Council's Rules, and Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition, if not specified under Council's rules.

A video recording of this meeting is available at www.oconeesc.com. Meetings have been live-streamed beginning January 17, 2017. Brought to you by Your Oconee.

Mr. Elliott made a motion, seconded by Mr. Cain, approved 5 – 0, to proceed as discussed regarding Project Aztec.

Adjourn:

Mr. Hart made a motion, approved unanimously, to adjourn at 7:22 p.m.

Respectfully Submitted:

Katie D. Smith
Clerk to Council

Council's meetings shall be conducted pursuant to the South Carolina Freedom of Information Act, Council's Rules and the Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition. This agenda may not be inclusive of all issues which Council may bring up for discussion at this meeting. Items are listed on Council's agenda to give public notice of the subjects and issues to be discussed, acted upon, received as information and/or disposed of during the meeting. Items listed on Council's agenda may be taken up, tabled, postponed, reconsidered, removed or otherwise disposed of as provided for under Council's Rules, and Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition, if not specified under Council's rules.

A video recording of this meeting is available at www.oconeesc.com. Meetings have been live-streamed beginning January 17, 2017. Brought to you by Your Oconee.



OCONEE COUNTY COUNCIL
RECUSAL FORM

Council Member Name: Wayne McCall
(Please Print)

Council Member Signature: 

Meeting Date: 09.15.2020

Item for Discussion/Vote: Approval of Minutes of
the September 1, 2020
Regular Minutes

Reason for Recusal I was not present for original meeting/discussion

I have a personal/familial interest in the issue.

Other: _____


Katie Smith
Clerk to Council