



MINUTES

OCONEE COUNTY COUNCIL

Regular Meeting

September 7, 2021

MEMBERS, OCONEE COUNTY COUNCIL

Mr. John Elliott, Chairman, District I
Mr. Paul Cain, Vice Chairman, District III
Mr. Julian Davis III, Chairman Pro Tem, District IV
Mr. Glenn Hart, District V
Mr. Matthew Durham, District II

Oconee County Council met at 6:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members, County Administrator Amanda F. Brock and County Attorney David Root 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: Riley Morningstar / The Journal

Call to Order

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

Mr. Elliott opened the meeting reminding the public they have two opportunities to speak during Council meetings, which is during the public comment session and also during the public hearing session, if scheduled. Other than those two instances, the public should remain silent during the Council meeting. Anyone making a disturbance during the meeting will be asked to leave Council Chambers for the remainder of the meeting.

Moment of Silence

Mr. Elliott requested a moment of silence for thirteen (13) seconds in honor of thirteen (13) soldiers killed in Afghanistan, 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. Davis made a motion, seconded by Mr. Hart, approved 5 – 0, to approve the August 17, 2021 Regular Minutes as presented.

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Attorney's Comments

Mr. Root addressed Council regarding Ms. Brock and staff performing the duties of Council Clerk in the absence of an appointed Clerk, and that no appointment of the Council Clerk was necessary for the temporary coverage of the Clerk's duties during this meeting.

Additionally, Mr. Root, in light of prior public comment, provided background information regarding Ordinance 2021-19.

Administrator's Comments

Ms. Brock had no comments.

Proclamation 2021-11 20th Anniversary of September 11, 2001

Mr. Hart made a motion, seconded by Mr. Davis, approved 5 – 0, to approve **Proclamation 2021-11** on first and final reading.

Ms. Jill Miller, representing the Tamassee Chapter of the Daughters of the American Revolution, received a copy of Proclamation 2021-11.

Proclamation 2021-12 United States Constitution Week

Mr. Davis made a motion, seconded by Mr. Hart, approved 5 – 0, to approve **Proclamation 2021-12** on first and final reading.

Ms. Jill Miller, representing the Tamassee Chapter of the Daughters of the American Revolution, received a copy of Proclamation 2021-12.

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. James Smith addressed Council regarding his opinion of the negative impacts of land-application of rat feces on local pastures and farmlands in Oconee County.

Mr. Morris Oliver also addressed Council regarding rat feces and runoff into streams and waterways. He also expressed his frustration of the lack of regulation of rat feces in South Carolina.

Ms. Margaret Harper addressed Council regarding homelessness and the need for a task force, to include the American Red Cross, to develop a plan to alleviate the suffering of homeless people in Oconee County.

Mr. Tom Markovich addressed council regarding his opposition to development standards.

Ms. Patsy Davis addressed Council to express her appreciation to Mr. Davis, Mr. Cain and Ms. Brock for their help for the Utica community. She also addressed the audience to ask that each person act with love in their hearts.

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County Council Response to Public Comment

Mr. Durham responded to all citizen's comments that spoke during the Public Comment session.

Mr. Cain stated that he agreed to the formation of a Homeless Task Force, and expressed his appreciation to Ms. Davis for her kind words.

Presentation to Council

Perry Hill & Utica Mill Hill Villages Opportunity Zone

Ms. Helen Rosemond Saunders of the Blue Ridge Community Center opened the presentation with expressions of appreciation, and highlighted the process for citizen input for the Perry Hill & Utica Mill Hill Villages Opportunity Zone (copy filed with backup materials).

Dr. Hala Nassar, Professor of Landscape Architecture, School of Architecture, Clemson University then introduced Director Mike McGirr, Land Grant Local, College of Behavioral, Social and Health Sciences, Clemson University. Mr. McGirr highlighted the various means of communication and community input that developed the Opportunity Zone deliverables.

Dr. Nassar provided media for the presentation with a PowerPoint Presentation, a web-based video, as well as snapshots of demographic data throughout the entire Opportunity Zone. Dr. Nassar also emphasized the need for planned development along East South Sixth Street [Dr. Martin Luther King, Jr. Way] as that's the main artery from the City of Seneca to the Utica / Perry Hill communities.

Mr. Elliott expressed his appreciation for providing the blueprint for successful actions.

Mr. Cain also expressed his appreciation to the entire Clemson University team, as well as the community members' contributions to the charrette and presentation. Mr. Cain further expressed the need for continued investment into redevelopment and the expansion of public infrastructure.

Mr. Davis recognized Mr. Cain's efforts and positive impacts on the Utica community. Further, he expressed the need to maintain the fabric of the community while consistently making improvements simultaneously.

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 hearings, please contact Katie Smith at or 864-718-1023 so that she may coordinate your participation by telephone.

Ordinance 2021-16 "AN ORDINANCE AUTHORIZING THE CONVEYANCE OF EASEMENT RIGHTS TO THE OCONEE JOINT REGIONAL SEWER AUTHORITY FOR THE PURPOSE OF SEWER INFRASTRUCTURE CONSTRUCTION AND MAINTENANCE AT THE GOLDEN CORNER COMMERCE PARK; AND OTHER MATTERS RELATED THERETO."

General Government matter

Mr. Elliott opened the floor for Public Comment.

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

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

Mr. Elliott closed the Public Hearing regarding **Ordinance 2021-16**.

Third Reading of the Following Ordinances

Ordinance 2021-16 *[see caption above]*

Mr. Davis made a motion, seconded by Mr. Hart, approved 5 – 0, to approve **Ordinance 2021-16** on third and final reading.

Second Reading of the Following Ordinances

Ordinance 2021-17 “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDED FEE AGREEMENT BETWEEN OCONEE COUNTY AND PREZERO US SERVICES, LLC, AND AMENDING THE AMENDED FEE AGREEMENT DATED AS OF OCTOBER 1, 2019; AND OTHER MATTERS RELATED THERETO.”

General Government matter

Mr. Davis made a motion, seconded by Mr. Cain, approved 5 – 0, to approve **Ordinance 2021-17** on second reading.

Ordinance 2021-18 “AN ORDINANCE TO REZONE PARCEL 192-00-04-028 FROM THE CONSERVATION DISTRICT TO THE LAKE RESIDENTIAL DISTRICT, PURSUANT TO OCONEE COUNTY CODE OF ORDINANCES CHAPTER 38, ARTICLE 8.”

Forwarded from the Planning Commission

Mr. Cain made a motion, seconded by Mr. Davis, approved 5 – 0, to approve **Ordinance 2021-18** on second reading.

First Reading of the Following Ordinances

Ordinance 2021-19 “AN ORDINANCE AMENDING CHAPTER 32 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING THE ESTABLISHMENT OF DEVELOPMENT STANDARDS IN RELATION TO LIGHTING, SCREENING, AND BUFFERING; AND OTHER MATTERS RELATED THERETO.”

Forwarded from the Planning & Economic Development Committee

Mr. Cain made a motion, seconded by Mr. Davis, to approve **Ordinance 2021-19** on first reading.

Discussion regarding buffer requirements followed, as well as a statement made by Mr. Elliott as to an “escape clause” that may be approved by the Board of Zoning Appeals. Mr. Hart requested that **Ordinance 2021-19** be returned to the Planning Commission for further review. Discussion followed.

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Mr. Hart made a subsidiary motion, seconded by Mr. Davis, approved 5 – 0, to refer **Ordinance 2021-19** to the Planning Commission to conduct a public hearing and prepare a report on the public hearing and the proposed ordinance, to be submitted to Council.

Ordinance 2021-20 “AN ORDINANCE TO APPROPRIATE AND AUTHORIZE THE EXPENDITURE OF A PORTION OF LOCAL CORONAVIRUS FISCAL RECOVERY FUNDING THAT HAS BEEN ALLOCATED TO OCONEE COUNTY UNDER THE AMERICAN RESCUE PLAN ACT OF 2021 (“ARPA”), AS FOLLOWS: (1) APPROPRIATING THREE MILLION AND 00/100 (\$3,000,000.00) DOLLARS OF COUNTY ARPA FUNDING FOR PURPOSES OF NECESSARY WATER AND WASTEWATER INFRASTRUCTURE IMPROVEMENTS FOR THE CITY OF SENECA (“SENECA WATER AND WASTEWATER INFRASTRUCTURE PROJECT”); (2) AUTHORIZING THE EXPENDITURE, SUBJECT TO CERTAIN TERMS AND CONDITIONS, OF UP TO THREE MILLION AND 00/100 (\$3,000,000.00) DOLLARS OF SUCH APPROPRIATED FUNDS FOR THE SENECA WATER INFRASTRUCTURE PROJECT; AND (3) OTHER MATTERS DIRECTLY RELATED THERETO.”

As directed by Council on August 17, 2021

Mr. Cain made a motion, seconded by Mr. Davis, to approve **Ordinance 2021-20** on first reading.

Mr. Bob Faires, Seneca Light & Water Director, addressed council utilizing engineering documents and maps [copy filed with backup materials] detailing the potential water and wastewater infrastructure projects, and the anticipated benefit to customers.

Mr. Hart inquired of Mr. Faires and Seneca City Administrator Scott Moulder, regarding specific projects as well as funding resources. Mr. Moulder addressed Mr. Hart’s comments.

Lengthy discussion regarding American Rescue Plan Act funds, capital appropriations per district, and infrastructure expansion ensued.

Regarding the motion made by Mr. Cain, Council unanimously approved **Ordinance 2021-20** on first reading.

First & Final Reading of the Following Resolutions

Resolution 2021-09 “A RESOLUTION APPOINTING AND COMMISSIONING GABRIEL HERNANDEZ AS A CODE ENFORCEMENT OFFICER FOR THE PROPER SECURITY, GENERAL WELFARE, AND CONVENIENCE OF OCONEE COUNTY; AND OTHER MATTERS RELATED THERETO.”

Mr. Davis made a motion, seconded by Mr. Cain, approved 5 – 0, to approve **Resolution 2021-09** on first and final reading.

Discussion Regarding Action Items

County Attorney discussion regarding Redistricting

Mr. Root addressed Council outlining the upcoming redistricting process and relayed that the Office of Revenue and Fiscal Affairs will be assisting.

No action was taken regarding redistricting.

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Council consideration and approval for funding allocation in an amount not to exceed \$2,474,080 to the City of Walhalla for critical water infrastructure improvements throughout the unincorporated and incorporated service area from the Coronavirus State and Local Fiscal Recovery Fund

Mr. Davis made a motion, seconded by Mr. Cain, approved 5 – 0, to direct the County Attorney to draft an appropriation and expenditure ordinance.

Council Committee Reports

Mr. Cain read from a prepared statement [copy filed with backup materials] outlining discussions held at the August 17, 2021 Planning & Economic Development Committee meeting.

Board & Commission Appointments

Aeronautics Commission

No nomination was made for the District 5 seat during this meeting.

Building Codes Appeal Board

No nomination was made for the At-Large seat during this meeting.

Executive Session:

Mr. Davis made a motion, seconded by Mr. Cain, 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] Receive legal advice and discuss opioid litigation.

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

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

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

Council entered Executive Session at 7:44 p.m.

Council returned from Executive Session at 7:59 p.m. on a motion made by Mr. Hart, seconded by Mr. Cain, approved 5 – 0.

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

Mr. Davis made a motion, seconded by Mr. Hart, approved 5 – 0, to instruct the County Attorney to relay the County's consent to the opioid litigation attorneys regarding the bankruptcy plan options.

Adjourn:

Mr. Hart made a motion, approved unanimously, to adjourn at 8:01 p.m.

Respectfully Submitted:

Acting Clerk to Council

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