



MINUTES

OCONEE COUNTY COUNCIL

Regular Meeting

April 05, 2022

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, County Attorney David Root, & Jennifer C. Adams, 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: 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 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. Cain led the Pledge of Allegiance to the Flag of the United States of America.

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Brought to you by Your Oconee.**

Approval of Minutes

Mr. Cain made a motion, seconded by Mr. Davis, approved 5 - 0, to approve the March 15, 2022 regular minutes as presented.

Mr. Cain made a motion, seconded by Mr. Davis, approved 5 - 0, to approve the March 25, 2022 special minutes as presented.

Attorney's Comments

Mr. Root noted that a motion will be needed to amend **Section 32-179**, within **Ordinance 2022-09**, at the time of second reading during the meeting.

Administrator's Comments

None at this meeting.

Proclamations

PROCLAMATION 2022-03 A PROCLAMATION HONORING MS. BRENDA LEE, OCONEE COUNTY BOOK MOBILE AND OUTREACH MANAGER UPON HER RETIREMENT.

Mr. Davis made a motion, seconded by Mr. Hart, approved 5 – 0, to approve **Proclamation 2022-03** on first and final reading.

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, Jennifer C. Adams at jennifercadams@oconeesc.com or 864-718-1023, so that she may receive your comment and read it into the record.

Mr. David Dial addressed Council regarding an article he read in The Journal, on March 24, 2022, related to the OJRSA, that claimed there was a potential denial of sewer service to a proposed housing development.

Presentation to Council

Mr. Steve Pelissier, Executive Director of the Appalachian Council of Governments (“ACOG”), presented an Annual Report on ACOG’s services to Oconee County.

Mr. Pelissier addressed Council utilizing a handout entitled “2021 Oconee County Services” [copy filed in backup] and presented an update of the various services that were impacted in Oconee County by the return on the County’s investment with ACOG.

Mr. Elliott, Mr. Davis, and Mr. Cain extended their thanks to Mr. Pelissier and the Appalachian Council of Governments for their services to Oconee County.

Mr. Cain inquired if Mr. Pelissier was aware of any other county in South Carolina that has designated funding to their municipalities, out of the ARPA funds, to assist in water and waste water infrastructure improvements.

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Mr. Pelissier responded to Mr. Cain's question stated above, that he is not aware of any other South Carolina county that has designated funding to their municipalities out of the ARPA funds to assist in water and waste water infrastructure improvements and that he mainly works with smaller communities on the distribution of their ARPA funds.

Council Members Comments

Mr. Elliott noted that it is each Councilman and citizen's responsibility to make an appointment with the County Administrator to discuss any budget line questions that they may have.

Mr. Elliott also stated the growth in the FY 2022-2023 budget will be funded by the growth in the County and not by the reassessment.

Mr. Elliott added that he is against increasing Council member's salaries and suggested the \$4000 proposed increase per Council member be added to the Sheriff's salary, increasing it by \$20,000.

Mr. Elliott also noted that the Law Enforcement, Public Safety, Health and Welfare Committee is working on the request, made by a citizen several meetings ago, regarding the need for a Convenience Center in the Tamassee area.

Mr. Hart inquired about the halt in production at the Rock Quarry.

Ms. Brock provided a detailed description related to the broken belt and cracked dust seal on the crusher and that repairs are being made as quickly as possible.

Mr. Durham addressed Mr. Dial regarding his questions related to the OJRSA and growth in the County.

Mr. Davis noted that permits for sewer go through the OJRSA and they make the decisions on approval of sewer permits.

Mr. Davis also stated, in relation to the Rock Quarry, that machines do break down and unless another crusher is purchased as a backup, there will be a delay in service until the machine is fixed.

Mr. Cain stated that the topic of sewer seems to be coming up frequently at Council meetings, even though sewer services are not provided by the County, and it is frustrating to hear that proposed projects are being denied throughout the County due to lack of sewer capacity.

Third Reading of the Following Ordinances

None scheduled for this meeting.

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Second Reading of the Following Ordinances

ORDINANCE 2022-09 AN ORDINANCE AMENDING CHAPTER 32, ARTICLE V OF THE OCONEE COUNTY CODE OF ORDINANCES GOVERNING GROUP RESIDENTIAL DEVELOPMENTS.

Mr. Davis made a motion, seconded by Mr. Cain, to approve **Ordinance 2022-09** on second reading.

Mr. Root noted a motion is needed consistent with Mr. Hart’s request to remove certain wording within **Ordinance 2022-09, Section 32-179**.

Mr. Durham made a motion, seconded by Mr. Cain, approved 5 – 0, to amend **Ordinance 2022-09, Section 32-179**, by striking the language “at a scale of not less than two miles to one inch” from the second sentence of the first paragraph.

Amended motion approved 5 – 0.

ORDINANCE 2022-10 AN ORDINANCE AMENDING CHAPTER 40, ARTICLE V, OF THE OCONEE COUNTY CODE OF ORDINANCES, ENTITLED “PROTECTION OF HISTORICAL MEMORIALS.”

Mr. Durham made a motion, seconded by Mr. Hart, approved 5 - 0, to approve **Ordinance 2022-10** on second reading.

First Reading of the Following Ordinances

ORDINANCE 2022-11 AN ORDINANCE AUTHORIZING THE RECONVEYANCE BY OCONEE COUNTY OF CERTAIN REAL PROPERTY PREVIOUSLY TRANSFERRED TO OCONEE COUNTY BY THE FOXWOOD HILLS PROPERTY OWNERS ASSOCIATION; AND OTHER MATTERS RELATED THERETO.

Mr. Davis made a motion, seconded by Mr. Hart, approved 5 - 0, to approve **Ordinance 2022-11** on first reading.

ORDANANCE 2022-12 AN ORDINANCE TO SUPPLEMENT ORDINANCE 2022-07, WHICH APPROPRIATED AND AUTHORIZED THE EXPENDITURE OF \$1,710,000 OF LOCAL FISCAL RECOVERY FUNDING RECEIVED UNDER THE AMERICAN RESCUE PLAN ACT OF 2021 (“ARPA”) FOR PURPOSES OF PROVIDING PREMIUM PAY TO ELIGIBLE COUNTY EMPLOYEES, BY APPROPRIATING AN ADDITIONAL \$276,632, SO THAT THE PREMIUM PAY APPROPRIATION AND AUTHORIZATION FOR EXPENDITURE NOW TOTALS \$1,986,632; AND OTHER MATTERS RELATED THERETO.

Mr. Davis made a motion, seconded by Mr. Hart, to approve **Ordinance 2022-12** on first reading.

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Ms. Brock informed Council that the Premium Pay appropriation funding amount has changed to include employees that are retired, but worked within the required dates of March 20, 2020 to October 4, 2021, recalculations of time for the 66 active employees and staff changes that occurred during these dates have been addressed as well.

Mr. Elliott clarified that the Premium Pay appropriation for employees is coming from ARPA funding and not County funds.

Mr. Davis stated that he put in the request for Ms. Brock to include retired employees that worked during the required dates receive the Premium Pay appropriation.

Mr. Elliott also noted that he and Mr. Durham also put in the request for Ms. Brock to include retired employees that worked during the required dates receive the Premium Pay appropriation.

Motion to approve **Ordinance 2022-12** approved, 5 – 0, on first reading.

First & Final Reading for the Following Resolutions

None scheduled for this meeting.

Discussion Regarding Action Items

Council consideration and approval of Escrow Funding in an amount not to exceed One Million Five Hundred Thousand dollars (\$1,500,000) to the Oconee Joint Regional Sewer Authority for funding required for construction of Sewer South Phase II.

Ms. Brock provided an overview regarding the request of Escrow Funding to the Oconee Joint Regional Sewer Authority (“OJRSA”), stating that Oconee County is currently in a partnership grant with OJRSA from the Federal EDA and SCRIA.

Ms. Brock provided background information on approvals of funding to the OJRSA that Council approved in 2018 and 2019 related to the Sewer South Phase II Project.

Ms. Brock noted that as the Sewer Authority has expended its funds, they provide a reimbursement request to the County, with copies of checks, and this information is diligently kept in a spreadsheet.

Ms. Brock went on to inform Council that the permit from the Army Corps of Engineers has been received, and it will soon be time to start purchasing materials for actual construction and that some of the up-front costs may put the Sewer Authority in a position where they may not have sufficient funds on hand to satisfy their account balance requirements.

Ms. Brock referenced the two letters [copies filed in backup], one from ACOG and one from Payne, White & Schmutz CPA, noting that both support the request for funding to the OJRSA.

Ms. Brock relayed to Council that she was recently informed by Mr. Eleazer with OJRSA, that there is a possibility that the RIA may provide an up-front amount of \$990,000 to OJRSA, rather than a reimbursable.

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Ms. Brock stated that her recommendation would be to reduce the requested \$1.5 million dollars by \$990,000, if that is an up-front amount that the RIA will provide to the Sewer Authority, but this would be contingent on that approval from RIA.

Ms. Brock offered another option that Oconee County would wire the money for every pay application request, which would allow the Sewer Authority to get reimbursement in a 24-hour period versus the average reimbursement time of 10-14 days.

Ms. Brock noted that the \$1.5 million dollars would be funded from Economic Development as designated by the approval of the partnership grant with OJRSA.

Mr. Davis made a motion, seconded by Mr. Cain, contingent on the response from RIA, to allow County Administrator to decide on the funding level up to \$1 million to OJRSA for funding required for the construction of Sewer South Phase II.

Short discussion followed by Council, Ms. Brock, and Mr. Root concerning the request for escrow funding from the OJRSA.

Mr. Elliott made a motion, seconded by Mr. Hart, to amend Mr. Davis' motion to direct County Administrator to escrow up to \$1.5 million dollars, to be reduced contingent on any available funding to be received by OJRSA from the RIA, for rapid payment to the OJRSA on request with invoices.

Mr. Cain offered his opinion that this project needs to get going urgently and that if this request for escrow funding will help to expedite Phase II, and the risk to the County is minimal. He believes the County has no choice other than to approve funding.

Ms. Brock noted that there will be two more requests related to Sewer South Phase II at the next Council meeting.

Motion to amend Mr. Davis' motion approved, 5 – 0.

Amended motion to direct County Administrator to escrow up to \$1.5 million dollars, to be reduced contingent on any available funding to be received by OJRSA from the RIA, for rapid payment to the OJRSA on request with invoices approved 5 – 0.

Council Committee Reports

Mr. Cain provided information outlining discussions held at the March 15, 2022 Planning and Economic Development Committee meeting referencing a chart [copy filed in backup] from Mr. Coley displaying the number of plat and subdivision reviews dating from 2015 – 2022 and gave a brief overview related to the increase in reviews.

Mr. Durham provided information outlining discussions held at the March 15, 2022 Real Estate, Facilities, and Land Management meeting.

Mr. Elliott provided information outlining discussions held at the March 18, 2022 Budget Workshop.

Board & Commission Appointments

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Building Codes Appeal Board

1 At-Large Seat: No questionnaire on file for this seat

Arts and Historical Commission

District 3 Seat: One questionnaire on file for this seat

Mr. Cain nominated Natalie Anne Arnold (Schwartz), seconded by Mr. Davis, approved 5 – 0, to elect Ms. Natalie Anne Arnold (Schwartz) to serve on the Arts and Historical Commission District 3 Seat.

At-Large Seat: No questionnaire on file for this seat

Executive Session:

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

- [1] Discussion regarding a personnel matter related to the Sherriff's Office and other elected officials.*
- [2] Receive legal advice and discuss litigation matter related to Oconee County Sheriff's Office.*
- [3] Receive legal advice and discuss personnel matter regarding boards and commissions.*
- [4] Discussion regarding an Economic Development matter, Project Polo.*
- [5] Receive legal advice and discuss personnel matter regarding departed employee claim(s).*
- [6] Receive legal advice and discuss code enforcement litigation matter.*

Council entered into Executive Session at 7:08 p.m.

Council returned from Executive Session at 8:19 p.m. on a motion made by Mr. Cain, seconded by Mr. Hart, approved 5 – 0.

Adjourn:

Mr. Hart made a motion, approved unanimously, to adjourn at 8:19 p.m.

Respectfully Submitted:

Jennifer C. Adams
Clerk to Council

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