



MINUTES
OCONEE COUNTY COUNCIL
SPECIAL MEETING
Friday, March 31, 2017
2:00 p.m.

MEMBERS, OCONEE COUNTY COUNCIL
Mr. Paul Cain, District III
Mr. Wayne McCall, District II
Ms. Edda Cammick, Chairwoman, District I
Mr. Julian Davis III, Vice Chair, District IV
Mr. Glenn Hart, Chair Pro Tem, District V

Oconee County Council met at 2:00 P.M. in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members, County Administrator Scott Moulder, County Attorney David Root, and 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.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, Dick Mangrum / WGOG & Stephen Bradley / Daily Journal.

Call to Order

Ms. Cammick called the meeting to order at 2:04 p.m.

Discussion Regarding proposed Pioneer Rural Water District Water Treatment Plant

Ms. Cammick opened the floor for discussion.

Mr. Davis wanted to explain his position on the Pioneer Water Plant before entering into Executive Session. He reported he started receiving calls in February 2017 relating to the water plant. Mr. Davis began his research to see if the concerns were justified. He noted he did not know the plant was being constructed and graded until he was notified in early February. He noted in 2008 Pioneer began a feasibility study of a water plant. He spoke at the next March meeting and spoke about the project and financial transparency. Mr. Davis noted when he began his research he could not find a lot of information pertaining to the project or the financials of Pioneer. He noted he found it difficult to even look at what they were doing thru their minutes on the board and there was not a lot of back up material or studies. He also noted that it was difficult to try to contact the board as there were no board members phone numbers or any phone number besides what was listed on the website, which was the main number, noting he left several messages with no return call. He received a call back from Mr. Pruitt once he sent a message online. Mr. Davis noted he has been a Pioneer customer since 2004 and understands that the rate increases are a way of doing business. Mr. Davis noted he firmly believes the reason for the special meeting is lack of communication.

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.

He noted he has had 12 meetings in the last two months to bring a solution that would not only be better for Seneca and Westminster but also for Pioneer customers as well. He noted that he has spent countless hours trying to negotiate a solution to the issue and if a compromise been reached as early as six months ago, there would be no need for a special meeting. He noted he understands the construction contracts have been signed, the dirt has been moved, and there are lines in the grounds. He felt the majority of the talks were if Pioneer stops, who pays the cost. He noted there have been more communication between Pioneer and the two municipalities in the last two months than there have been in the last ten years. Mr. Davis noted if we are going to move Oconee County forward, we are going to have to work together to create solutions and not problems. Mr. Davis added it would be a like a “domino effect” because we are going to feel this all the way thru the county, whether it be Westminster or Seneca.

Mr. Hart made a motion, seconded by Mr. Davis, 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 relating to potential claim(s) and/or lawsuits regarding Pioneer Rural Water District’s water treatment facilities.

Council entered Executive Session at 2:10 p.m.

Council returned from Executive Session at 3:23 p.m. on a motion made by Mr. Davis, seconded by Mr. Hart, approved 5 – 0.

Ms. Cammick stated that no action was taken in Executive Session.

Mr. Cain made a motion, seconded by Mr. Davis, approved 5 – 0, to join the cities of Seneca and Westminster to file a declaratory action against Pioneer Rural Water District seeking an injunction to stop construction of the Pioneer Water Plant in violation of their charter.

Mr. Root updated Council on other issues relative to staff’s investigation of Pioneer Rural Water District’s construction of the water plant. He stated that during the last special meeting on this issue, staff was instructed to investigate all means possible to enjoin or stop the construction of the water treatment facility. This lawsuit is one of the avenues that is being pursued, and others continue to be under review. He noted that research regarding the issuance or non-issuance of the building permit revealed no legal basis for Council to direct non-issuance, that it was an administrative decision for the Planning Department to make. He further noted that the Planning Department had not received the required approval from outside entities necessary to issue the permit. Finally, he stated that he is awaiting materials from DHEC and the Office of Regulatory Staff for purposes of further reviewing this project.

Adjourn

Mr. Davis made a motion, approved unanimously, to adjourn at 3:26 p.m.

Respectfully Submitted:

Katie D. Smith
Clerk to Council

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