



MINUTES
OCONEE COUNTY COUNCIL MEETING
Regular Meeting
January 19, 2016

MEMBERS, OCONEE COUNTY COUNCIL
Mr. Paul Cain, District III, Chairman
Mr. Wayne McCall, District II, 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 David Root 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. Cain called the meeting to order at 6:00 p.m.

Public Comment Session None at this meeting.

County Council Response to Public Comment

Mr. Cain thanked Governor Haley for her support and intent to fully fund the Local Government Fund [LGF] for fiscal year 2016-2017.

Moment of Silence

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

Invocation by County Council Chaplain:

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

Pledge of Allegiance:

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

Approval of Minutes:

Mr. Thrift made a motion, seconded by Mr. McCall, approved 5 – 0 to approve the January 5, 2016 regular meeting minutes as presented.

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:

- Second Readings: Ordinance 2015-36
- First Readings: Ordinance 2015-35 – he asked for a motion to amend the agenda to have first reading of this ordinance after the scheduled Executive Session.
- Council Committee Reports
- Discussion / Action Items
- Executive Session

Ms. Cammick made a motion, seconded by Mr. Thrift, approved 5 – 0 to amend the agenda to hold first reading of Ordinance 2015-35 after the scheduled Executive Session at this meeting.

Second Reading for the Following Ordinances

Ordinance 2015-36 “AN ORDINANCE CONSENTING TO THE CONVERSION BY THE COUNTY OF CERTAIN RIGHTS OF **BORGWARNER TORQTRANSFER SYSTEMS, INC.** (THE “COMPANY”) UNDER AN EXISTING LEASE PURCHASE AGREEMENT WITH THE COUNTY TO A FEE AGREEMENT PURSUANT TO TITLE 12, CHAPTER 44, SOUTH CAROLINA CODE, 1976, AS AMENDED (THE “ACT”), AS PROVIDED IN THE ACT, AUTHORIZING THE EXECUTION AND DELIVERY OF SUCH FEE AGREEMENT BETWEEN THE COUNTY AND THE COMPANY IN PLACE OF SAID LEASE PURCHASE AGREEMENT, AND AUTHORIZING THE RECONVEYANCE BY THE COUNTY TO THE COMPANY OF THE PROPERTY SUBJECT TO SUCH LEASE PURCHASE AGREEMENT; AND OTHER MATTERS RELATING THERETO”

Mr. Dexter made a motion, seconded by Mr. McCall, approved 5 – 0 to approve **Ordinance 2015-36** on second reading.

First Reading for the Following Ordinances

Ordinance 2015-36 “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A REFORMED AND RESTATED GROUND LEASE AGREEMENT BETWEEN OCONEE COUNTY, AS LESSOR, AND HANGAR III, LLC, AS LESSEE, AND AUTHORIZING THE CONTEMPORANEOUS EXECUTION AND DELIVERY OF A RELEASE AND STIPULATION OR ORDER OF DISMISSAL WITH PREJUDICE, ENDING THE LITIGATION CAPTIONED *OCONEE COUNTY, KEVIN ROBINSON, OCONEE COUNTY DELINQUENT TAX COLLECTOR V. HANGAR III, LLC, 25 EP CORP., BDS, JERRY EDWARDS, AND STEVE EDWARDS*, C.A. NO. 2014-CP-37-539; AND OTHER MATTERS RELATING THERETO”

Deferred to after the Executive Session [see page #3 for action].

Council Committee Reports

Transportation Committee / Mr. Thrift

Mr. Thrift read from a prepared statement [copy filed with these minutes] highlighting discussions that took place at the January 12, 2016 meeting.

Mr. Thrift made a motion, seconded by Mr. McCall, approved 5 – 0 to affirm the Transportation Committee’s recommendation to remove Coneross Farm Road and replacing it with Kelly Ridge Road.

Discussion Regarding Action Items:

RECONSIDERATION for Engineering Services approved at the January 5, 2016 Council meeting: Addition of Kelly7 Ridge Road [in an amount not to exceed \$45,000] and removal of Coneross Farm Road [not to exceed \$90,690]

Ms. Cammick made a motion, seconded by Mr. Thrift, approved 5 – 0 to amend the previous approval for Engineering Services approved at the January 5, 2016 regular council meeting to remove Coneross Farm Road [not to exceed \$90,690] and add Kelly Ridge Road [in an amount not to exceed \$45,000] for Davis & Floyd, Inc., of Greenwood, SC.

Old Business:

None addressed at this meeting.

New Business:

Local Government Fund [LGF]

Mr. Dexter made a motion, seconded by Mr. Thrift, approved 5 – 0 to direct the Administrator to draft a thank you letter to Governor Haley for her support for fully funding the LGF for fiscal year 2016-2017.

Executive Session:

Ms. Cammick made a motion, seconded by Mr. Thrift, 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.

Council entered Executive Session at 6:17 p.m.

Council returned from Executive Session at 7:23 p.m. on a motion by Mr. McCall, seconded by Mr. Thrift, approved 5 – 0.

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

First Reading for the Following Ordinances

Ordinance 2015-36 “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A REFORMED AND RESTATED GROUND LEASE AGREEMENT BETWEEN OCONEE COUNTY, AS LESSOR, AND HANGAR III, LLC, AS LESSEE, AND AUTHORIZING THE CONTEMPORANEOUS EXECUTION AND DELIVERY OF A RELEASE AND STIPULATION OR ORDER OF DISMISSAL WITH PREJUDICE, ENDING THE LITIGATION CAPTIONED *OCONEE COUNTY, KEVIN ROBINSON, OCONEE COUNTY DELINQUENT TAX COLLECTOR V. HANGAR III, LLC, 25 EP CORP., BDS, JERRY EDWARDS, AND STEVE EDWARDS*, C.A. NO. 2014-CP-37-539; AND OTHER MATTERS RELATING THERETO”

Mr. McCall made a motion, seconded by Ms. Cammick to approve **Ordinance 2015-35** on first reading.

Mr. Dexter made a motion, seconded by Ms. Cammick, approved 5 – 0 to require inclusion with the ordinance for second reading all referenced attachments.

Mr. Cain called for the vote. **Ordinance 2015-35** was approved 5 – 0 on first reading as amended.

Adjourn

Mr. McCall made a motion, approved unanimously 5 – 0, to adjourn at 7:24 p.m.

Respectfully Submitted:

Elizabeth G. Hulse
Clerk to Council