



MINUTES
OCONEE COUNTY COUNCIL MEETING
Regular Meeting
February 16, 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

None at this meeting.

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. Dexter 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. Dexter, approved 5 – 0 to approve the February 2, 2016 regular meeting minutes as presented.

Recognition of Emergency Services Personnel re: 500 Year Flood Event

Chief Charlie King along with Battalion Chief Jon Ryan [Dorchester County] and Division Chief Jamie Helms [City of Columbia] recognized those 30 Oconee County personnel who responded and assisted in various functions for six days following the initial rain storm. A complete listing of personnel is filed with these minutes.



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:

- Public Hearing & Third Readings: Ordinance 2015-35
- First Readings: Ordinance 2016-09 [in title only]
- First & Final Reading of Resolutions: R2016-02
- Council Committee Reports
- Board & Commission Appointments
- Executive Session

Public Hearings regarding the Following Ordinances

Ordinance 2015-35 "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. Cain opened the floor for Public Comment.

Mr. Jim Schoonover addressed Council reading from a prepared statement [copy filed with these minutes].

Mr. Paul Corbeil addressed Council reiterating some of the history with the issues related to this ordinance and offering a compromise solution.

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

Mr. Cain closed the Public Hearing regarding **Ordinance 2015-35**.

Third & Final Reading for the Following Ordinances

Ordinance 2015-35 “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 third and final reading.

Mr. Thrift made a motion, seconded by Dexter to table the ordinance and direct the Administrator to direct the County Attorney to draft a letter to the Attorney General requesting review of the ordinance and associated documents in their entirety. Mr. Cain questioned the County Attorney if debate was permissible with a motion to table. Mr. Root stated that debate was not allowed and that the vote needed to be called. The motion failed 2 – 3 [Mr. Cain, Mr. McCall and Ms. Cammick opposed].

Mr. Cain opened the floor for discussion on the main motion. Ms. Cammick read from a prepared statement [copy filed with these minutes] highlighting her views and support for passage of the ordinance on third and final reading. Mr. Dexter addressed his concerns with the process and the ordinance language and his opposition to passage. Lastly, Mr. Dexter asked Council to consider sending the ordinance to the Attorney General after passage at this meeting. Mr. Cain voiced concerns that the motion to send the ordinance to the Attorney General was a delaying tactic and should have been brought before Council prior to third reading.

Mr. Cain called for the vote on **Ordinance 2015-25** for third and final reading. The motion passed 3 – 2 [Mr. Thrift & Mr. Dexter opposed].

Mr. Cain made a motion, seconded by Mr. Dexter, approved 5 – 0 to submit Ordinance 2015-35 and associated documents to the Attorney General for review to ensure legality.

First Reading for the Following Ordinances

Ordinance 2016-09 [*title only*] “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND **PROJECT THERMAL**; AND OTHER MATTERS RELATING THERETO INCLUDING, WITHOUT LIMITATION, PAYMENT OF A FEE IN LIEU OF TAXES; THE PLACEMENT OF THE PROJECT IN A JOINT COUNTY INDUSTRIAL AND BUSINESS PARK; AND RELATED MATTERS”

Mr. McCall made a motion, seconded by Mr. Thrift, approved 5 – 0 to approve **Ordinance 2016-09** on first reading in title only.

First & Final Reading for the Following Resolutions

Resolution R2016-02 “**PROJECT THERMAL** INDUCEMENT RESOLUTION”

Mr. McCall made a motion, seconded by Ms. Cammick, approved 5 – 0 to approve **Resolution R2016-02** on first and final reading.

Discussion Regarding Action Items:

None at this meeting.

Council Committee Reports

Real Estate, Facilities & Land Management / Ms. Cammick

Ms. Cammick read from a prepared statement [copy filed with these minutes] highlighting the activities and discussions at the February 9, 2016 committee meeting.

Budget, Finance & Administration / Mr. Cain

Mr. Cain read from a prepared statement [copy filed with these minutes] highlighting the activities and discussions at the February 9, 2016 committee meeting.

Board & Commission Appointments

Planning Commission

Mr. Cain made a motion, seconded by Mr. McCall, to appoint Mr. Mike Johnson to the At Large Seat on the Planning Commission with their term being co-terminus with Districts II, IV & V.

Mr. Dexter noted that historically the Planning Commission makes a recommendation for the open at large seat. Mr. Josh Stephens, Deputy Community Relations Director, concurred and noted that this matter is on the Planning Commission's meeting agenda in March for review and recommendation.

Mr. Cain removed his motion and Mr. McCall removed his second to allow time for the Planning Commission's review of the candidates.

Ms. Cammick made a motion, seconded by Mr. Cain, approved 5 – 0 to table this appointment until a recommendation is received by Council.

Conservation Bank Board

Mr. McCall requested this appointment be deferred until a qualified candidate submits a questionnaire.

Old Business:

None at this meeting.

New Business:

Oconee Economic Alliance

Mr. Dexter noted that a press release was distributed today [copy filed with these minutes] stating that the Oconee Economic Alliance [OEA] was named among "America's Top Economic Development Corporations: by Global Trade Magazine. Council congratulated Mr. Richard Blackwell, OEA Director, and his staff on their hard work and dedication.

Executive Session:

Mr. McCall 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] for the purpose of discussing a contractual matter related to property purchase options
- [2] for the purpose of discussing a contractual matter related to property on Highway 123, and
- [3] for the purpose of discussing an Economic Development matter related to Project Endurance.

Council entered Executive Session at 7:02 p.m.

Council returned from Executive Session at 7:44 p.m. on a motion by Ms. Cammick, seconded by Mr. McCall, approved 5 – 0.

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

Mr. Dexter made a motion, seconded by Ms. Cammick, approved 5 – 0 to proceed as discussed in Executive Session regarding property purchase options.

Adjourn

Mr. Thrift made a motion, approved unanimously 5 – 0, to adjourn at 7:45 p.m.

Respectfully Submitted:

Elizabeth G. Hulse
Clerk to Council