



**MINUTES**  
**OCONEE COUNTY COUNCIL MEETING**  
**Regular Meeting**  
**August 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](http://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**

Mr. Julian Davis addressed Council voicing support for Council to accept the Oakway Intermediate School [Oakway School] from the School District of Oconee County [SDOC].

Mr. Tony Adams addressed Council in support for the acceptance of the Oakway School noting the need for civic groups committing to funding operations and maintenance.

Mr. C. W. Richards requested Council direct staff to work with the municipalities to identify ways to increase recycling in the cities and towns.

Mr. Bob Graves, Hidden Harbor Property Owners Association President, addressed Council in support of passage of **Ordinance 2016-21** and stated that many citizens would be happy to assist and provide letters of support for the project to be sent to the Federal Government if Council felt it would be of benefit.

Mr. Robert Hester was not present in Chambers when called [twice].

Mr. Stanley Gibson addressed Council in support for the Agriculture Center noting Council had received the feasibility study showing viability of the project.

Ms. Sharie Nickles addressed Council in opposition to **Ordinance 2016-08**; noting that their petition was signed without understanding the restrictions of the zoning classification. She requested that Council consider tabling the ordinance to allow time for more public education.

Mr. William Casey addressed Council in support for [1] passage of **Ordinance 2016-08** on first reading, and [2] acceptance by the County of the Oakway School.

Mr. Denver Powell addressed Council in support for **Ordinance 2016-08** but noted that some who signed were not aware of the specifics of the zoning classification requested.

## **County Council Response to Public Comment**

Mr. Dexter & Mr. McCall questioned Ms. Nickles and Mr. Powell regarding their zoning petitions.

Ms. Cammick questioned the County Attorney regarding the anticipated time for the National Telecommunications & Information Agency [NTIA] to provide approval of the agreement attached to **Ordinance 2016-21**. Mr. Root stated best estimate for final action by NTIA can be expected between 45-60 days.

## **Moment of Silence**

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

## **Invocation by County Council Chaplain:**

The County Council Chaplain gave the invocation.

## **Pledge of Allegiance:**

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

## **Approval of Minutes:**

Mr. Thrift made a motion, seconded by Ms. Cammick, approved 5 – 0 to approve the July 19, 2016 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:

- Public Hearings: Ordinance 2016-21
- Second Reading for Ordinances: 2016-22
- First Reading of Ordinances [in title only]: 2016-08, 2016-20, 2016-23
- First & Final Reading of Resolutions: R2016-08
- Board & Commission Appointments
- Council Committee Reports
- Executive Session
- Third & Final Readings for Ordinances: 2016-21

Additionally, Mr. Moulder asked Council to amend the agenda to include an Action Item for the Airport whereby Council would authorize him to accept an FAA \$28,797 Grant and to execute all necessary documents. Discussion followed

## **Motion to Amend Agenda**

Mr. McCall made a motion, seconded by Mr. Thrift, approved 5 – 0 to amend the agenda to include under Discussion Regarding Action Items the FAA \$28,797 Grant as outlined above.

## **Public Hearing for the Following Ordinances**

**Ordinance 2016-21** “AN ORDINANCE TO APPROVE THE AWARD OF **RFP #15-14 TO ONETONE TELECOM, INC.** AND AUTHORIZING THE EXECUTION AND DELIVERY OF A NETWORK MASTER AGREEMENT BETWEEN OCONEE COUNTY AND ONETONE TELECOM, INC; AND OTHER MATTERS RELATED THERETO”

Mr. Cain opened the floor for Public Comment.

Noting that no citizens signed up to address Council; Mr. Cain opened the floor for any citizen wishing to address Council regarding this ordinance.

Mr. Tony Adams addressed Council stating that this was not a necessary expense.

Mr. Fred Bland addressed Council in support for passage of **Ordinance 2016-21**.

No additional citizens spoke at this meeting.

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 2016-21**.

## **Second Reading for the Following Ordinances**

**Ordinance 2016-22** “AUTHORIZING THE ISSUANCE AND SALE OF NOT EXCEEDING \$16,000,000 GENERAL OBLIGATION BONDS, IN ONE OR MORE SERIES, OF OCONEE COUNTY, SOUTH CAROLINA; FIXING THE FORM AND DETAILS OF THE BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS; AUTHORIZING THE CHAIRMAN OF COUNTY COUNCIL OR COUNTY ADMINISTRATOR TO DETERMINE CERTAIN MATTERS RELATING TO THE BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS; THE DISPOSITION OF THE PROCEEDS OF THE BONDS; AND OTHER MATTERS RELATING THERETO”

Mr. Dexter made a motion, seconded by Mr. Thrift, approved 5 – 0 to approve **Ordinance 2016-22** on second reading.

## **First Reading for the Following Ordinances**

**Ordinance 2016-08 [title only]** “AN ORDINANCE TO **AMEND CHAPTER 38** "ZONING" OF THE OCONEE COUNTY CODE OF ORDINANCES, INCLUDING ALL ZONING MAPS INCORPORATED THEREIN AND THEREBY, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY; AND OTHER MATTERS RELATED THERETO”

*[Tokeena-Dairy Farm]*

Mr. Dexter made a motion, seconded by Ms. Cammick, approved 5 – 0 to bring **Ordinance 2016-08** on first reading in title only to the floor for discussion.

Lengthy discussion followed with various opinions and options offered to also include some additional citizen comments.

Mr. Moulder offered three options for Council to consider regarding this ordinance:

1. Table and request staff contact petitioners providing additional information regarding the zoning classification
2. Remove the Ordinance from consideration permanently.
3. Approve on 1<sup>st</sup> reading in title only; request staff contact petitioners providing additional information regarding the zoning classification, and forward to the Planning Commission for their review and recommendation.

Additional discussion followed.

Mr. Dexter made a motion, seconded by Mr. McCall, approved 5 – 0 to [1] table **Ordinance 2016-08** on first reading, and [2] request staff contact petitioners providing additional information regarding the zoning classification.

**Ordinance 2016-20 [title only]** "AN ORDINANCE AMENDING ARTICLE II OF CHAPTER 12 OF THE OCONEE COUNTY CODE OF ORDINANCES, REGARDING NOISE REGULATION WITHIN THE UNINCORPORATED AREAS OF THE COUNTY; AND OTHER MATTERS RELATED THERETO"

Mr. Thrift made a motion, seconded by Ms. Cammick, approved 5 – 0 to approve **Ordinance 2016-20** on first reading in title only.

**Ordinance 2016-23 [title only]** "AN ORDINANCE TO AUTHORIZE THE CONVEYANCE OF EASEMENT RIGHTS FOR THE PURPOSE OF INSTALLATION AND MAINTENANCE OF NATURAL GAS FACILITIES."

Mr. McCall made a motion, seconded by Mr. Thrift, approved 5 – 0 to approve **Ordinance 2016-23** on first reading in title only.

### **First & Final Reading for the Following Resolutions**

**Resolution R2016-08** "A RESOLUTION AUTHORIZING THE PURCHASE OF CERTAIN REAL PROPERTY IN OCONEE COUNTY, SOUTH CAROLINA, BY OCONEE COUNTY"

Mr. Dexter made a motion, seconded by Ms. Cammick, approved 5 – 0 to approve **Resolution R2016-08** on first & final reading.

### **Discussion Regarding Action Items:**

#### **\$28,797 FAA Grant Acceptance & Document Execution by Administrator**

Mr. McCall made a motion, seconded by Mr. Thrift, approved 5 – 0 to [1] authorize the Administrator to accept an FAA Grant Award in the amount for \$28,797, and [2] authorize the County Administrator to execute any necessary documents related to the grant.

### **Old Business:**

#### **Letter of Support for Sanctuary Point**

Mr. Cain requested Council consider approving a letter of support from the County for the Sanctuary Point development off Exit 1 on I85. Discussion followed.

Mr. Cain made a motion, seconded by Mr. Thrift, approved 5 – 0 to [1] direct the administrator to draft a letter of support from the county for the Sanctuary Point project [copy filed with these minutes], and [2] direct the Administrator to provide a copy of the letter to Council members prior to mailing.

### **New Business:**

None discussed at this meeting.

### **Board & Commission Appointments**

#### **Agriculture Advisory Board**

The following nominations were made for open seats on this board:

Ms. Cammick nominated Ms. Debbie Sewell for District I.

Mr. Cain nominated Mr. Michael Marshall for District III.

Mr. Thrift nominated Mr. Ed Land for District IV.

Mr. Dexter nominated Ms. Vickie Willoughby for District V.

Ms. Cammick made a motion, seconded by Mr. Thrift, approved 5 – 0 to appoint the nominees listed above to the Agriculture Advisory Board.

Mr. McCall deferred appointment for District II.

Council deferred appointment for the two At Large open seats.

### **Planning Commission / District IV Seat**

Mr. Thrift asked that this be deferred pending receipt of citizen questionnaires.

### **Council Committee Reports:**

#### **Real Estate, Facilities & Land Management Committee**

Ms. Cammick read from a prepared statement [copy filed with these minutes] highlighting activities of the committee meeting held on August 9, 2016. Discussion followed.

Ms. Cammick made a motion, seconded by Mr. Cain, approved 5 – 0 to affirm the Committee's recommendation to authorize the County Administrator to proceed with auctioning 102 Lura Lane.

Ms. Cammick questioned the County Attorney if action could be taken at this meeting regarding acceptance of the Oakway School even though action was not being recommended by the Committee at this time. Mr. Root noted that it was not advertised on the agenda for action; therefore, he recommended that this be added to the next Council meeting agenda.

Ms. Cammick asked that this be placed on the September 6, 2016 regular meeting agenda.

#### **Budget, Finance & Administration Committee**

Mr. Cain read from a prepared statement [copy filed with these minutes] highlighting activities of the committee meeting held on August 9, 2016.

### **Executive Session:**

Mr. McCall made a motion, seconded by Mr. Thrift, approved 5 – 0 enter into 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] receiving legal advice regarding a lease for property located on Hwy 123

[2] receiving legal advice regarding a contractual matter related to Ordinance 2016-21

[3] receiving legal advice & discuss resolution of contractual dispute with Oconee Joint Regional Sewer Authority [OJRSA]

Council entered Executive Session at 7:28 p.m.

Council returned from Executive Session at 8:12 p.m. on a motion by Mr. Dexter, seconded by Mr. McCall, approved 5 – 0.

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

Ms. Cammick made a motion, seconded by Mr. Dexter, approved 5 – 0 to [1] resolve the ongoing dispute between the OJRSA and Oconee County by "the County" paying to the OJRSA \$1.9 million, and [2] the parties rescinding their November 18, 2008 Intergovernmental Agreement [copy filed with these minutes as **Exhibit A**].

### **Third & Final Reading for the Following Ordinances**

**Ordinance 2016-21 "AN ORDINANCE TO APPROVE THE AWARD OF RFP #15-14 TO ONETONE TELECOM, INC. AND AUTHORIZING THE EXECUTION AND DELIVERY OF A NETWORK MASTER AGREEMENT BETWEEN OCONEE COUNTY AND ONETONE TELECOM, INC; AND OTHER MATTERS RELATED THERETO"**

Ms. Cammick made a motion, seconded by Mr. Dexter, to amend **Ordinance 2016-21**. The County attorney noted that the Ordinance was not on the floor for action. Ms. Cammick and Mr. Dexter both rescinded their motion and second.

Ms. Cammick made a motion, seconded by Mr. Dexter, approved 5 – 0 to bring **Ordinance 2016-21** to the floor for discussion.

Ms. Cammick made a motion, seconded by Mr. Dexter, approved 5 – 0 to amend **Ordinance 2016-21** to conform to the document presented at this meeting in the backup material and entitled “*DRAFT [proposed amendments herein]*”.

Ms. Cammick made a motion, seconded by Mr. Dexter, approved 5 – 0 to further amend the agreement attached to **Ordinance 2016-21**, amending as follows:

*6.2.4. Publicly-funded schools, located within Oconee County, which are not part of the School District of Oconee County “(Non-SDOC Public Schools)”. The expense of connecting a Non-SDOC Public School, including construction and electronics, will be the responsibility of the school, not One Tone, and will be provided by One Tone at its cost. One Tone shall offer competitively priced services to these sites.*

Ms. Cammick made a motion, seconded by Mr. Dexter, approved 5 – 0 to table **Ordinance 2016-21**.

### **Adjourn**

Ms. Cammick made a motion, approved unanimously 5 – 0, to adjourn at 8:17 p.m.

Respectfully Submitted:

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Elizabeth G. Hulse  
Clerk to Council