



MINUTES
OCONEE COUNTY COUNCIL MEETING
Regular Meeting
September 20, 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 / Daily Journal.

Call to Order

Mr. Cain called the meeting to order at 6:00 p.m.

Public Comment Session

Ms. Jean Jennings addressed Council in opposition to the acceptance of the Oakway School from the School District of Oconee County [SDOC] and the county administering ATAX monies.

Ms. Susie Cornelius addressed Council in opposition to passage of **Ordinance 2016-22**.

Dr. David Oliver addressed Council in support for passage of **Ordinance 2016-26**.

Ms. Nanette Alexander addressed Council voicing concerns regarding spraying of insecticides and herbicides as they relate to public health.

Ms. Becky Ballenger addressed Council in opposition to Council accepting the Oakway School and that a member of Council has gotten involved in organizing the community.

Sheriff Mike Crenshaw addressed Council voicing concerns with the proposed changes in **Ordinance 2016-24** related to retiree health insurance coverage and costs.

County Council Response to Public Comment

Ms. Cammick responded to comments related to the Oakway School noting that Council has already accepted the school and that her role is only to facilitate and assist the community in getting organized.

Moment of Silence

Mr. Cain noted that Mr. Steve Moore, former Council Representative, DX I, passed away recently and read a brief statement [copy filed with these minutes]. He then 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:

Ms. Cammick led the Pledge of Allegiance to the Flag of the United States of America.

Approval of Minutes:

Mr. Dexter made a motion, seconded by Mr. Thrift, approved 5 – 0 to approve the September 6, 2016 meeting minutes as amended.

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:

- Third & Final Readings for Ordinances: 2016-22
- Second Reading for Ordinances: 2016-24
- First Reading of Ordinances [in title only]: 2016-25, 2016-26
- Discussion Regarding Action Items
- Council Committee Reports

Recycling Update:

Mr. Moulder provided a written report entitled "Recycling Improvements" [copy filed with these minutes] highlighting the following:

- Recycling New Materials
- Collecting Recyclables at New Places
- Forming New Partnerships
- Convenience Center Upgrades
- Annual Recycling Tonnages

In addition, he noted other brainstorming ideas to include contests for convenience centers to encourage assisting citizens with recycling; lottery for citizens who recycle the most, etc.

Request for Emergency Purchase of MSW Compactor

Mr. Moulder outlined the need for his request for approval for an emergency purchase of a MSW Compactor and upgrades to the electrical in a not to exceed amount of \$175,000. Discussion followed.

Motion to Amend Agenda

Mr. Thrift made a motion, seconded by Ms. Cammick, approved 5 – 0 to amend the agenda to include consideration for approval for an emergency purchase of a MSW Compactor and upgrades to the electrical in a not to exceed amount of \$175,000 to immediately follow the Quarry Rock Testing agenda item.

Third & Final 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. Cain recalled **Ordinance 2016-22** to the table for discussion noting that a motion to approve on third and final reading was made at the September 6, 2016 Council meeting therefore, the Ordinance is now on the floor for discussion.

Council discussed various aspects and options for this ordinance to include but not limited to:

- reduction of projects and bond amount;
- confusion related to various bond proposals;
- project needs vs. project wants;
- concerns related to the need for a tax increase in the next budget;
- reassessment and fee-in-lieu-of-tax [FILOT] revenue impacts for future budgets;
- historical debt millage;
- concerns that expenditures are being approved without identification of an ongoing revenue source vs. one time funding;
- local government funding shortfall;
- projects that generate revenue;
- need for a contract with Tri County Technical College [TCTC] for the Oconee County Campus;
- sewer infrastructure funding;
- grading to be done at the Oconee Industry & Technology Park [OITP];
- topographical issues at OITP

Ms. Cammick addressed the Administrator with several question to include:

1. Why can we not do the grading work at the OITP with county staff?
2. Do we really need to do all grading work at one time?
3. What are the costs for operation of a new TCTC Oconee County campus?

Mr. Moulder outlined his rational for not utilizing county staff for the grading work at the OITP to include the scope of the work and liability. He stated that if county staff performed the work that it would stop all other projects and additional costs would be incurred for equipment rental. The project involves two phases:

- Phase I: involves 54 acres & 400,000 cubic yards of dirt with cuts as high as 20 feet
- Phase II: involves 150 acres & 750,000 cubic yards of dirt with cuts as high as 40 feet

Additionally, he stated that an outside company specializing in this type of work will assume the liability for site preparation for the industrial site pads to compact them and make them ready for industry.

Mr. Cain recognized Dr. Ronnie Booth, TCTC President, who confirmed that based on enabling legislation in 1962 that Oconee County's portion of operating expenses for all TCTC facilities is 25%.

After further discussion, Mr. Moulder noted that the items contained in the bond were based on Council's strategic plan, discussions at several Council and Committee meetings, Council's Resolution R2016-07 along with various emails and discussions. He noted that with the proposed 3-year budget cycle that he is implementing that capital project needs will be identified and planned for in a more efficient manner.

Recess

Ms. Cammick made a motion, seconded by Mr. Thrift, approved 5 – 0 to take a brief recess. Council recessed at 7:56 p.m.

Mr. Thrift made a motion, seconded by Ms. Cammick, approved 5 – 0 to return from Recess at 8:08 p.m.

Third & Final Reading for the Following Ordinances *[continued]*

Ordinance 2016-22

Mr. Thrift made a motion, seconded by Ms. Cammick, approved 5 – 0 to table further discussion of **Ordinance 2016-22** until after discussion of **Ordinance 2016-26**.

Second Reading for the Following Ordinances

Ordinance 2016-24 “AN ORDINANCE TO AMEND **ORDINANCE 2016-01** WHICH ESTABLISHED THE BUDGET FOR OCONEE COUNTY AND TO PROVIDE FOR THE LEVY OF TAXES FOR ORDINARY COUNTY PURPOSES, FOR THE TRI-COUNTY TECHNICAL COLLEGE SPECIAL REVENUE FUND, FOR THE EMERGENCY SERVICES PROTECTION SPECIAL REVENUE FUND, FOR THE ROAD MAINTENANCE SPECIAL REVENUE FUND, FOR THE VICTIM SERVICES SPECIAL REVENUE FUNDS, FOR THE BRIDGE AND CULVERT CAPITAL PROJECT FUND, GENERAL CAPITAL PROJECT FUND, AND FOR THE ECONOMIC DEVELOPMENT CAPITAL PROJECT FUND, ALL IN OCONEE COUNTY FOR THE **FISCAL YEAR BEGINNING JULY 1, 2016 AND ENDING JUNE 30, 2017**, IN CERTAIN LIMITED REGARDS; AND OTHER MATTERS RELATED THERETO”

Mr. Moulder noted that bond financing is included within **Ordinance 2016-24** therefore he recommended that Council table action regarding this ordinance to immediately follow **Ordinance 2016-22**.

Ms. Cammick made a motion, seconded by Mr. Thrift, approved 5 – 0 to table further discussion of **Ordinance 2016-24** until after discussion of **Ordinance 2016-22**.

First Reading for the Following Ordinances

Ordinance 2016-25 *[title only]* “AN ORDINANCE TO **AMEND CHAPTER 16** OF THE CODE OF ORDINANCES OF OCONEE COUNTY (**FLOOD DAMAGE PREVENTION**), PERTAINING TO ADOPTING UPDATED FLOOD INSURANCE RATE MAPS AND CHANGES ASSOCIATED WITH MAINTAINING GOOD STANDING IN THE NATION FLOOD INSURANCE PROGRAM; AND OTHER MATTERS RELATED THERETO”

Mr. Dexter made a motion, seconded by Ms. Cammick, approved 5 – 0 to approve **Ordinance 2016-25** on first reading in title only.

Ordinance 2016-26 *[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”

[Burns Mill Rd Sub.2016-01]

Mr. Dexter made a motion, seconded by Mr. McCall, approved 5 – 0 to [1] approve **Ordinance 2016-26** on first reading in title only, and [2] refer the matter to the Planning Commission for their required review and recommendation.

Third & Final Reading for the Following Ordinances *[continued]*

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 recall **Ordinance 2016-22** for further discussion.

Mr. Cain requested that Mr. Moulder review with Council his bond proposal.

Mr. Moulder addressed Council explaining in detail his proposal as outlined on several handouts [copies filed with these minutes]:

- Administrator Memo: Bond & Millage Proposal
- FY 2017 General Obligation Bond Proposal
- FY 2018 Millage Allocation Proposal

He summarized his proposal for **Ordinance 2016-24** as follows:

- Fund \$6 Million for the TCTC Oconee Campus
- Remove all other projects from the Bond
- Make our portion of the annual payments to TCTC for the county’s portion of their Student Success Center TCTC bond.
- Permanently relocate the \$610,000 previously designated for infrastructure to the General Fund
- Permanently reduce debt millage to 3.5 mills.

Lengthy discussion followed with various opinions offered.

Mr. Dexter made a motion, seconded by Mr. Cain, to Call the Question. Mr. Root noted that a motion to Call the Question is non-debatable and requires a super majority 2/3 vote. Mr. Cain called for the vote to approve **Ordinance 2016-24** on third and final reading. The motion to Call the Question failed 3 – 2 [Mr. McCall and Ms. Cammick opposed].

Additional discussion followed.

Mr. Cain called for the vote on **Ordinance 2016-24** on third and final reading. The motion failed 2 – 3 [Mr. Cain, Mr. McCall and Ms. Cammick opposed]. The Ordinance is removed from consideration.

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Second Reading for the Following Ordinances [continued]

Ordinance 2016-24 “AN ORDINANCE TO AMEND **ORDINANCE 2016-01** WHICH ESTABLISHED THE BUDGET FOR OCONEE COUNTY AND TO PROVIDE FOR THE LEVY OF TAXES FOR ORDINARY COUNTY PURPOSES, FOR THE TRI-COUNTY TECHNICAL COLLEGE SPECIAL REVENUE FUND, FOR THE EMERGENCY SERVICES PROTECTION SPECIAL REVENUE FUND, FOR THE ROAD MAINTENANCE SPECIAL REVENUE FUND, FOR THE VICTIM SERVICES SPECIAL REVENUE FUNDS, FOR THE BRIDGE AND CULVERT CAPITAL PROJECT FUND, GENERAL CAPITAL PROJECT FUND, AND FOR THE ECONOMIC DEVELOPMENT CAPITAL PROJECT FUND, ALL IN OCONEE COUNTY FOR THE **FISCAL YEAR BEGINNING JULY 1, 2016 AND ENDING JUNE 30, 2017**, IN CERTAIN LIMITED REGARDS; AND OTHER MATTERS RELATED THERETO”

Ms. Cammick made a motion, seconded by Mr. Cain, approved 5 – 0 to recall **Ordinance 2016-22** for discussion. Lengthy discussion followed.

Ms. Cammick made a motion, seconded by Mr. McCall, approved 5 – 0 to amend **Ordinance 2016-22** as follows: Section II, General Fund Expenditures; \$90,407 for bond payment for TCTC Pendleton Campus; and, \$1,365,593 for General Fund balance replenishment.

Mr. Cain called for the vote. The motion passed 5 – 0 to approve **Ordinance 2016-24** as amended on second reading.

Discussion Regarding Action Items:

SMART911 Software System / Communications / \$65,785.77

Mr. Dexter made a motion, seconded by Ms. Cammick, approved 5 – 0 to approve the purchase of the Smart911 software system to Lyme Computer Systems of Lyme, NH, in the amount of \$65,785.77, per GSA Contract # GS-35F-4754G.

Quarry Rock Testing & Asphalt Mix Design / \$64,250

Mr. Thrift made a motion, seconded by Mr. Dexter, approved 5 – 0 to approve the payment of \$64,250.00 to Tri County Technical College Research Foundation for the described Rock Testing and Asphalt Mix Design proposal.

Emergency Purchase / MSW Compactor / Not to Exceed \$175,000

Mr. Dexter made a motion, seconded by Mr. Thrift, approved 5 – 0 to approve the emergency purchase of a MSW Compactor and upgrading electrical to support the compactor in a not to exceed amount of \$175,000 per the Administrator’s request.

Old Business:

None discussed at this meeting.

New Business:

None discussed at this meeting.

Council Committee Reports

Planning & Economic Development Committee: Meeting Cancelled / No Report

Adjourn Mr. Thrift made a motion, approved unanimously 5 – 0, to adjourn at 8:56 p.m.

Respectfully Submitted:

Elizabeth G. Hulse
Clerk to Council