



MINUTES
OCONEE COUNTY COUNCIL MEETING
Regular Meeting
May 1, 2012

MEMBERS, OCONEE COUNTY COUNCIL

Mr. Joel Thrift, District IV, Council Chairman
Mr. Paul Corbeil, District I, Vice Chairman
Mr. Wayne McCall, District II, Chairman Pro Tem
Mr. Archie Barron, District III
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 [except Mr. McCall], Thomas L. Martin County Attorney, County Administrator Scott Moulder, Assistant Administrator Glenn Breed and Clerk to Council, Elizabeth Hulse 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.oconeesc.com/council]. In addition it was made available [upon request] to the newspapers, radio stations, television stations and concerned citizens.

Member of the press present: Ray Chandler – Anderson Independent, Dick Mangrum – WGOG Radio, Ashston Hester – Keowee Courier & Carlos Galarza, Mike Eads - Daily Journal.

Call to Order: Mr. Thrift called the meeting to order at 6:01 p.m.

Extended Public Comment Session: None scheduled at this meeting.

Public Comment Session [related to specific agenda items]:

Ms. Donna Linsin addressed Council reading from a prepared statement [copy filed with these minutes] voicing concern regarding a definition in the amended Ordinance 2012-14.

Mr. Berry Nichols addressed Council voicing opposition to Ordinance 2012-19.

Mr. Tom Markovich addressed Council voicing concerns that Council follow all ordinances regarding subdivision regulations & zoning as it applies to Ordinances 2012-20 & 2012-21.

Mr. Bo Horne addressed Council in opposition to increased taxes as they relate to Ordinance 2012-01 and 2012-02. Chairman Thrift admonished Mr. Horne for personal attacks against specific council members which are prohibited by county ordinance.

Mr. Brit Adams addressed Council in opposition to increased taxes.

Mr. B. J. Littleton addressed Council regarding Ordinance 2012-14.

Public Comment Session [related to non-agenda items]: None at this meeting.

County Council Response to Public Comment:

Mr. Dexter addressed comments regarding place of worship definitions; noting that a local attorney stated that there was no definition.

Meeting Recess: Mr. Thrift announced a recess at 6:25 p.m.

Meeting Reconvene: Mr. Thrift reconvened the meeting at 6:35 p.m.

Pledge of Allegiance:

Mr. Corbeil led the Pledge of Allegiance to the United States of America.

Minutes:

Mr. Corbeil made a motion, seconded by Mr. Dexter, approved 4 – 0 to approve the minutes from the April 16, 2012 meeting as presented.

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 4 – 0 to approve the minutes from the April 17, 2012 meeting as presented.

Mr. Dexter made a motion, seconded by Mr. Corbeil, approved 3 – 0 – 1 [Mr. Thrift abstained – copy of form filed with these minutes] to approve the minutes from the April 24, 2012 meeting as presented.

Consideration of the Following Ordinances:

Ordinance 2012-14

[see page 5 of 5 for additional action regarding this ordinance]

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 4 – 0 to bring Ordinance 2012-14 to the floor for discussion.

Mr. Dexter made a motion, seconded by Mr. Corbeil, approved 4 – 0 to amend as presented **Ordinance 2012-14** “AN ORDINANCE TO REWRITE AND REVISE CHAPTER 38 ZONING OF THE OCONEE COUNTY CODE OF ORDINANCES IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY; AND OTHER MATTERS RELATED THERETO.” on second reading.

Ordinance 2012-01

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 4 – 0 to approve **Ordinance 2012-01** “AN ORDINANCE TO ESTABLISH THE BUDGET FOR OCONEE COUNTY AND TO PROVIDE FOR THE LEVY OF TAXES FOR ORDINARY COUNTY PURPOSES IN OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2012 AND ENDING JUNE 30, 2013” on first reading in title only.

Ordinance 2012-02

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 4 – 0 to approve **Ordinance 2012-02** “AN ORDINANCE TO ESTABLISH THE BUDGET FOR THE SCHOOL DISTRICT OF OCONEE COUNTY AND TO PROVIDE FOR THE LEVY OF TAXES FOR THE SCHOOL DISTRICT OF OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2012 AND ENDING JUNE 30, 2013” on first reading in title only.

Ordinance 2012-03

Mr. Corbeil made a motion, seconded by Mr. Dexter, approved 4 – 0 to approve **Ordinance 2012-03** “AN ORDINANCE TO PROVIDE FOR THE LEVY OF TAXES FOR THE KEOWEE FIRE SPECIAL TAX DISTRICT AND TO ESTABLISH THE BUDGET FOR THE KEOWEE FIRE SPECIAL TAX DISTRICT FOR THE FISCAL YEAR BEGINNING JULY 1, 2012 AND ENDING JUNE 30, 2013” on first reading in title only.

Ordinance 2012-17

Mr. Barron made a motion, seconded by Mr. Corbeil, approved 4 – 0 to approve **Ordinance 2012-17** “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND PROJECT STAR; THE GRANTING OF SPECIAL SOURCE REVENUE CREDITS; AND OTHER MATTERS RELATING THERETO INCLUDING, WITHOUT LIMITATION, PAYMENT OF A FEE IN LIEU OF TAXES” on first reading in title only.

Ordinance 2012-18

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 4 – 0 to approve **Ordinance 2012-18** “AN ORDINANCE TO AMEND THE FISCA-18L YEAR 2011-2012 BUDGET APPROPRIATIONS ORDINANCE FOR OCONEE COUNTY IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY; AND OTHER MATTERS RELATED THERETO” on first reading.

Ordinance 2012-19

Mr. Corbeil made a motion, seconded by Mr. Dexter, approved 4 – 0 to approve **Ordinance 2012-19** “ORDERING A REFERENDUM IN OCONEE COUNTY, SOUTH CAROLINA, TO SUBMIT TO THE ELECTORS OF THE COUNTY THE QUESTION OF WHETHER THE AUTHORIZATION PREVIOUSLY GRANTED IN A REFERENDUM HELD ON APRIL 13, 1976, SHALL BE MODIFIED TO AUTHORIZE AND EMPOWER THE COUNTY TO ACQUIRE, CONSTRUCT AND OPERATE WASTEWATER TREATMENT FACILITIES, TO PROVIDE WASTEWATER SERVICES IN THE UNINCORPORATED AREA OF THE COUNTY AND TO UTILIZE FUNDS FROM SPECIFIED SOURCES FOR SUCH PURPOSES; PROVIDING FOR THE FORM OF BALLOT TO BE USED; PROVIDING FOR NOTICE OF THE REFERENDUM; AND PROVIDING ALL OTHER THINGS NECESSARY TO SUBMIT THE AFORESAID QUESTION” on first reading.

Ordinance 2012-20

Mr. Dexter made a motion, seconded by Mr. Barron, approved 4 – 0 to approve **Ordinance 2012-20** “AN ORDINANCE AUTHORIZING THE TRANSFER OF CERTAIN OCONEE COUNTY REAL PROPERTY; AUTHORIZING THE EXECUTION AND DELIVERY OF A PURCHASE AND SALE AGREEMENT, LIMITED WARRANTY DEED, AND OTHER DOCUMENTS RELATED TO THE TRANSFER OF THE PROPERTY; AND OTHER MATTERS RELATED THERETO” on first reading in title only.

Ordinance 2012-21

Mr. Barron made a motion, seconded by Mr. Corbeil, approved 4 – 0 to approve **Ordinance 2012-21** “AN ORDINANCE AUTHORIZING THE TRANSFER OF CERTAIN OCONEE COUNTY REAL PROPERTY; AUTHORIZING THE EXECUTION AND DELIVERY OF A PURCHASE AND SALE AGREEMENT, LIMITED WARRANTY DEED, AND OTHER DOCUMENTS RELATED TO THE TRANSFER OF THE PROPERTY; AND OTHER MATTERS RELATED THERETO” on first reading in title only.

Discussion & Possible Action Items

Local ATAX Grants / April, 2012 cycle / \$20,000

Mr. Barron made a motion, seconded by Mr. Corbeil, approved 4 – 0 to approve the local/state ATAX grant requests as recommended on worksheet provided for Council’s consideration as part of the agenda item in a total amount of \$20,000.

Emergency Services / Long Creek Substation / \$ 170,800.94

Mr. Corbeil made a motion, seconded by Mr. Dexter, approved 4 – 0 to approve the award of \$170,800.94 to Joel Davis Construction of Westminster, SC to construct the Long Creek Substation.

Board & Commission Appointments

Revised Questionnaire for Board/Commission

Council unanimously approved the immediate implementation of the updated form; requesting the Clerk to Council to distribute and post to the council webpage.

Aeronautics Commission

Mr. Thrift made a motion, seconded by Mr. Corbeil, approved 4 – 0 to re-appoint Mr. Daniel Schmiedt as the District IV representative on this commission.

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 4 – 0 to re-appoint Mr. Thomas Luke as an At Large representative with his term ending in 2014.

Mr. Barron made a motion, seconded by Mr. Dexter, approved 4 – 0 to appoint Mr. Edward Perry as the District III representative to this commission.

The remaining At Large position appointment was deferred to a future meeting.

Board of Zoning Appeals

The open District I position was deferred to a future meeting.

Building Codes Appeal Board

The open District III position was deferred to a future meeting.

Scenic Highway Committee

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 4 – 0 to approve the recommendation from KOBA and appoint Ms. Jeri Klaren to this committee.

Library Board

Mr. Thrift stated that Mr. Lee Barrett resigned from this board.

Mr. Thrift made a motion, seconded by Mr. Barron, approved 4 – 0 to appoint Ms. Sally Long to the Library Board.

Commission & Board Reports to Council

None scheduled for this meeting.

Council Committee Reports:

None scheduled for this meeting.

Administrator's Report:

Mr. Moulder had no report at this meeting.

Old Business:

None scheduled for this meeting.

New Business:

None scheduled for this meeting.

Executive Session:

Mr. Dexter made a motion, seconded by Mr. Barron, approved 4 – 0 to enter into Executive Session for the purpose of receiving legal advice regarding a contractual matters and discussion of an Economic Development matter.

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

Council returned from Executive Session at 7:39 p.m. on a motion by Mr. Corbeil, seconded by Mr. Barron, approved 4 – 0.

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

Mr. Corbeil made a motion, seconded by Mr. Barron to authorize the County Administrator to proceed with the contractual matter as discussed in Executive Session including expending earnest monies within the Administrator's authority.

Motion to Reconsider

After returning from Executive Session the County Attorney requested that Council reconsider **Ordinance 2012-14** to clearly vote on the ordinance as amended for second reading. *[see page 2 of 5 for additional action regarding this ordinance]*

Mr. Dexter made a motion, seconded by Mr. Corbeil, approved 4 – 0 to move to reconsider **Ordinance 2012-14**.

Mr. Barron made a motion, seconded by Mr. Dexter, approved 4 – 0 to approve on second reading as amended and presented in the agenda packets **Ordinance 2012-14** "AN ORDINANCE TO REWRITE AND REVISE CHAPTER 38 ZONING OF THE OCONEE COUNTY CODE OF ORDINANCES IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY; AND OTHER MATTERS RELATED THERETO."

Adjourn:

Mr. Dexter made a motion, approved unanimously to adjourn at 7:41 p.m.

Respectfully Submitted:



Elizabeth G. Hulse

Clerk to Council