



MINUTES
OCONEE COUNTY COUNCIL MEETING
Regular Meeting
May 15, 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, Thomas L. Martin County Attorney, County Administrator Scott Moulder 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.oconeese.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 & LaDonna Beeker, Mike Eads - Daily Journal.

Call to Order: Mr. Thrift called the meeting to order at 6:00 p.m.

Extended Public Comment Session: None scheduled at this meeting.

Public Comment Session [related to specific agenda items]:

Mr. John Dalen addressed Council reading from a prepared statement [copy filed with these minutes] in opposition to passage of 2012-14.

Ms. Sheperd Chuites addressed Council asking questions regarding 2012-08. Mr. Thrift directed her to the Administrator and/or Planning Department to address her questions; noting that this was a comment period only.

Mr. George Schiller addressed Council asking questions regarding 2012-08. Mr. Thrift directed him to the Administrator and/or Planning Department to address her questions; noting that this was a comment period only.

Mr. Staley Powell addressed Council in support of 2012-08.

Mr. Raymond Loudermilk addressed Council in support of 2012-10; noting that if his property was not included that he would exercise options provided in 2012-14 to rezone his property.

Mr. Greg Hammill addressed Council in support of passage of 2012-03.

Mr. Richard Marcengill addressed Council in opposition to passage of 2012-19.

Mr. Mark Pelfrey addressed Council voicing concerns with the sewer construction for the new Walhalla High School adjacent to his property.

Ms. Delaine Gedding addressed Council asking questions regarding 2012-08. Mr. Thrift directed her to the Administrator and/or Planning Department to address her questions; noting that this was a comment period only.

Ms. Susie Cornelius addressed Council regarding several two issues: [1] 2012-21: concerns voiced regarding public hearings, and [2] 2012-01: concerns voiced regarding an across the board 25% cut.

Public Comment Session [related to non-agenda items]:

Mr. Ben Turetzky addressed Council reading from a prepared statement [copy filed with these minutes] in support of a Memorandum of Understanding with Duke Energy.

Mr. B. J. Littleton addressed Council regarding various issues to include Echo Hills, zoning and democracy.

County Council Response to Public Comment:

Mr. McCall addressed Mr. Marcengill's statement that a sewer treatment facility would never be located in District I; noting that there is currently a facility in Keowee Key.

Meeting Recess:

Mr. Thrift announced a recess at 6:35 p.m.

Meeting Reconvene:

Mr. Thrift reconvened the meeting at 6:45 p.m.

Pledge of Allegiance:

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

Minutes:

Mr. Barron made a motion, seconded by Mr. Corbeil, approved 4 – 0 – 1 [Mr. McCall abstained – form filed with these minutes] to approve the minutes from the May 1, 2012 special and regular meetings as presented.

Consideration of the Following Proclamations:

Proclamation P2012-05

Mr. McCall made a motion, seconded by Mr. Dexter, approved 5 – 0 to approve **P2012-05** "A PROCLAMATION DECLARING MAY 22, 2012, AS FREE CLINIC AWARENESS DAY IN OCONEE COUNTY" on first and final reading. Ms. Vicki Thompson, Executive Director Rosa Clark Clinic, and Mr. Ken Nix, Rosa Clark Board President were on had to receive the proclamation.

Public Hearing regarding the Following Ordinances:

Ordinance 2012-07 "AN ORDINANCE TO AMEND THE OCONEE COUNTY ZONING ENABLING ORDINANCE, ORDINANCE 2007-18, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, AS TO REZONE A SERIES OF PARCELS SPECIFIED HEREIN, AND TO RATIFY AND AFFIRM ALL OTHER PROVISIONS OF ORDINANCE 2007-18 NOT AMENDED OR MODIFIED HEREBY; AND OTHER MATTERS RELATING THERETO"
[Saxony Forest Rezoning Request]

Mr. Thrift opened the floor for Public Comment.

Mr. Thrift asked if any citizens wished to address Council regarding this ordinance; no citizen stepped forward.

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

Mr. Thrift closed the Public Hearing regarding Ordinance 2012-07.

Ordinance 2012-08 [*Captioned as 2012-07*] [*Dr. Johns & Lonesome Valley Rezoning Request*]

Mr. Thrift left chambers during this public hearing.

Mr. Corbeil opened the floor for Public Comment.

Mr. Doyle Barnes addressed Council regarding concerns with run off from one of the properties included in this rezoning ordinance.

Mr. Corbeil asked if any additional citizens wished to address Council regarding this ordinance; no citizen stepped forward.

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

Mr. Corbeil closed the Public Hearing regarding Ordinance 2012-08.

Mr. Thrift returned to chambers.

Ordinance 2012-09 [*Captioned as 2012-07*] [*Camp Creek Farm Rezoning Request*]

Mr. Thrift opened the floor for Public Comment.

Mr. Thrift asked if any citizens wished to address Council regarding this ordinance; no citizen stepped forward.

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

Mr. Thrift closed the Public Hearing regarding Ordinance 2012-09.

Ordinance 2012-10 [*Captioned as 2012-07*] [*Erwin Rogers Drive Rezoning Request*]

Mr. Thrift opened the floor for Public Comment.

Mr. Thrift asked if any citizens wished to address Council regarding this ordinance; no citizen stepped forward.

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

Mr. Thrift closed the Public Hearing regarding Ordinance 2012-10.

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”

Mr. Thrift opened the floor for Public Comment.

Mr. Thrift asked if any citizens wished to address Council regarding this ordinance; no citizen stepped forward.

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

Mr. Thrift closed the Public Hearing regarding Ordinance 2012-14.

Ordinance 2012-15 “AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CERTAIN PROPERTY TO NEW HORIZON ELECTRIC”

Mr. Thrift opened the floor for Public Comment.

Mr. Thrift asked if any citizens wished to address Council regarding this ordinance; no citizen stepped forward.

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

Mr. Thrift closed the Public Hearing regarding Ordinance 2012-15.

Consideration of the Following Ordinances:

Ordinance 2012-07

Mr. Dexter made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve **Ordinance 2012-07** “AN ORDINANCE TO AMEND THE OCONEE COUNTY ZONING ENABLING ORDINANCE, ORDINANCE 2007-18, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, AS TO REZONE A SERIES OF PARCELS SPECIFIED HEREIN, AND TO RATIFY AND AFFIRM ALL OTHER PROVISIONS OF ORDINANCE 2007-18 NOT AMENDED OR MODIFIED HEREBY; AND OTHER MATTERS RELATING THERETO” [*Saxony Forest Rezoning Request*] on third and final reading.

Ordinance 2012-08

Mr. Thrift stated that he had a family member involved in this rezoning request therefore he stated that he was abstaining from voting on this matter and left chambers during discussions.

Mr. Barron made a motion, seconded by Mr. Dexter, approved 4 – 0 – 1 [Mr. Thrift abstained – form filed with these minutes] to approve **Ordinance 2012-08** “AN ORDINANCE TO AMEND THE OCONEE COUNTY ZONING ENABLING ORDINANCE, ORDINANCE 2007-18, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, AS TO REZONE A SERIES OF PARCELS SPECIFIED HEREIN, AND TO RATIFY AND AFFIRM ALL OTHER PROVISIONS OF ORDINANCE 2007-18 NOT AMENDED OR MODIFIED HEREBY; AND OTHER MATTERS RELATING THERETO” [*Dr. Johns & Lonesome Valley Rezoning Request*] on third and final reading.

Mr. Thrift returned to Chambers after the vote.

Ordinance 2012-09

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve **Ordinance 2012-09** “AN ORDINANCE TO AMEND THE OCONEE COUNTY ZONING ENABLING ORDINANCE, ORDINANCE 2007-18, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, AS TO REZONE A SERIES OF PARCELS SPECIFIED HEREIN, AND TO RATIFY AND AFFIRM ALL OTHER PROVISIONS OF ORDINANCE 2007-18 NOT AMENDED OR MODIFIED HEREBY; AND OTHER MATTERS RELATING THERETO” [*Camp Creek Farm Rezoning Request*] on third and final reading.

Ordinance 2012-10

Mr. Barron made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve **Ordinance 2012-10** “AN ORDINANCE TO AMEND THE OCONEE COUNTY ZONING ENABLING ORDINANCE, ORDINANCE 2007-18, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, AS TO REZONE A SERIES OF PARCELS SPECIFIED HEREIN, AND TO RATIFY AND AFFIRM ALL OTHER PROVISIONS OF ORDINANCE 2007-18 NOT AMENDED OR MODIFIED HEREBY; AND OTHER MATTERS RELATING THERETO” [*Erwin Rogers Drive Rezoning Request*] on third and final reading.

Ordinance 2012-14

Mr. Dexter made a motion, seconded by Mr. Corbeil, approved 5 - 0 to approve **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 third and final reading.

Ordinance 2012-15

Mr. Corbeil made a motion, seconded by Mr. McCall, approved 5 – 0 to approve **Ordinance 2012-15** “ “AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CERTAIN PROPERTY TO NEW HORIZON ELECTRIC” on third and final reading.

Ordinance 2012-01

Mr. Dexter made a motion, seconded by Mr. Corbeil, 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”.

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 4 – 1 [Mr. Barron opposed] to amend **Ordinance 2012-01** to remove the one mill tax increase recommended for Rural Fire and expend the necessary monies required to fund the two fire substations from the 2.9 mill fund balance.

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 5 – 0 to amend **Ordinance 2012-01** to add \$6,500 for Blue Ridge Arts Council and \$15,000 for the Heritage Corridor included within the PRT [202] budget.

Mr. Thrift called for the vote on **Ordinance 2012-01** as amended. The amended ordinance passed 5 – 0.

Ordinance 2012-02

Mr. Barron made a motion, seconded by Mr. Corbeil, approved 3 – 2 [Mr.’s Dexter & McCall opposed] 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 second reading.

Ordinance 2012-03

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 5 – 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 second reading.

Ordinance 2012-18

Mr. Corbeil made a motion, seconded by Mr. Dexter, approved 5 – 0 to approve **Ordinance 2012-18** “AN ORDINANCE TO AMEND THE FISCAL YEAR 2011-2012 BUDGET APPROPRIATIONS ORDINANCE FOR OCONEE COUNTY IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY; AND OTHER MATTERS RELATED THERETO” on second reading.

Ordinance 2012-19

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 4 – 1 [Mr. McCall opposed] 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 second reading.

Ordinance 2012-21

Mr. Corbeil made a motion, seconded by Mr. Thrift, approved 5 – 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.

Discussion & Possible Action Items

Library / \$15,000 / Request to Apply for SC State LSTA Grant (Library Services and Technology Act)

Mr. Barron made a motion, seconded by Mr. Dexter, approved 5 – 0 to approve the Library’s application to the South Carolina State Library for the LSTA grant in the amount of \$15,000.

Board & Commission Appointments

Capital Project Advisory Committee

Mr. Barron made a motion, seconded by Mr. Thrift, approved 5 – 0 to reappoint Mr. Paul Corbeil to the Capital Project Advisory Committee for a second one year term; and reappoint Mr. David Mead and Mr. John Rau as At Large / Citizen Representatives to the Capital Project Advisory committee each for a second one year term.

Aeronautics Commission

This item was deferred to the next Council meeting after Mr. McCall withdrew a nomination. Council discussed requiring all interested applicants to complete a Board/Commission Questionnaire prior to being considered for appointment.

BOARD / COMMISSION QUESTIONNAIRES

Mr. Barron made a motion, seconded by Mr. Corbeil, approved 5 – 0 to require that all interested candidates for appointment to Oconee County Boards and/or Commission must complete the Questionnaire to be considered for appointment. Council also directed the County Attorney to incorporate this change in an ordinance currently be worked on that would amend Chapter 2 of the Oconee County Code of Ordinances.

Board of Zoning Appeals

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 5 – 0 to appoint Mr. Allen Medford to the co-terminus District I seat on the Board of Zoning Appeals.

Building Codes Appeal Board

This item was deferred to the next Council meeting.

Scenic Highway Committee

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 5 – 0 to appoint Ms. Judy Koepnick as an At Large representative with her term being co-terminus with Districts II, IV & V.

Commission & Board Reports to Council

Planning Commission Recommendation re: Capital Projects

The Planning Commission provided a written report [copy filed with these minutes] to Council recommending Capital Projects for Council consideration for funding.

Council Committee Reports:

Budget, Finance & Administration Committee / Mr. Dexter

Mr. Dexter read from a prepared statement outlining the activities of the committee at their May 3, 2012 meeting.

Administrator's Report:

Mr. Moulder addressed Council utilizing several handouts [copies filed with these minutes].

Mr. Moulder also addressed the following two issues:

- Behavioral Health Services / Bond Request: Mr. Moulder stated that he reviewed the financial statement provided and stated his confidence that the organization would be able to make all required payments related to any bond debt. Discussion followed. Council directed the Administrator to prepare summary paperwork outlining how the “conduit” bond would work and report at the next Council meeting.
- Sewer South: Mr. Moulder announced that he is developing an agreement with the assistance of the County Attorney for the Sewer South project.

Old Business:

None scheduled for this meeting.

New Business:

None scheduled for this meeting.

Executive Session:

Mr. Barron made a motion, seconded by Mr. Dexter, approved 5 – 0 to enter into Executive Session for the purpose of receiving legal advice regarding a contractual matter and discussion of several Economic Development matters.

Council entered Executive Session at 8:31 p.m.

Council returned from Executive Session at 9:41 p.m. on a motion by Mr. Dexter, seconded by Mr. Corbeil, approved 5 – 0.

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

Mr. Corbeil made a motion, seconded by Mr. McCall to authorize the County Administrator to proceed negotiating acquisition of property using grant funds as discussed in Executive Session.

Adjourn:

Mr. McCall made a motion, approved unanimously to adjourn at 9:43 p.m.

Respectfully Submitted:

Elizabeth G. Hulse
Clerk to Council