



MINUTES
OCONEE COUNTY COUNCIL MEETING
Regular Meeting
June 18, 2013

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, County Administrator Scott Moulder, Assistant Administrator Glenn Breed, Thomas L. Martin County Attorney, and Clerk to Council Elizabeth G. 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 & Norman Cannada - The Daily Journal.

Call to Order:

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

Public Comment Session [related to specific agenda items]:

Mr. Berry Nichols addressed Council in opposition to passage of Ordinance 2013-01; specifically funds for facilities maintenance.

Mr. Randy Gilchrist addressed Council in opposition to passage of Ordinance 2013-01; specifically funds allocated for charity organizations and for private companies.

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

Mr. B. J. Littleton addressed Council regarding fire departments issues.

County Council Response to Public Comment:

Mr. Corbeil responded to Mr. Nichols stating that he had reviewed notes Mr. Nichols made in his FY2013-2014 budget booklet and is willing to discuss them with him if he wishes.

Meeting Recess

Mr. Thrift announced a brief recess at 6:14 p.m.

Meeting Reconvenes

Mr. Thrift reconvened the meeting at 6:20 p.m.

Pledge of Allegiance:

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

Minutes:

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 4 – 0 [Mr. Dexter abstained – form filed with these minutes] to approve the minutes from the June 4, 2013 regular meeting as presented.

Mr. Barron made a motion, seconded by Mr. Corbeil, approved 4 – 0 [Mr. McCall abstained – form filed with these minutes] to approve the minutes from the June 11, 2013 special meeting as presented.

Administrator's Report & Agenda Summary

Mr. Moulder initially updated Council utilizing five photographs [copies filed with these minutes] regarding progress at the Five Forks Landfill with the removal of old dilapidated trailers.

Next, 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: 2013-07, 2013-11, 2013-12, 2013-13 & 2013-15

Third & Final Readings for Ordinance: 2013-01 [amendment required], 2013-02 [amendment required], 2013-03, 2013-07, 2013-07, 2013-11, 2013-12, 2013-13 & 2013-15

Second Reading for Ordinance 2013-16

First Reading in Title Only for Ordinance 2013-17

Discussion Items to include:

Keowee Toxaway Relicensing / Stakeholder Agreement in Principal
Keowee Falls Substation

Council Committee Report: Law Enforcement, Public Safety, Health & Welfare
Executive Session

Lastly, Mr. Moulder requested a motion to amend the agenda:

- [1] to remove **Ordinance 2013-15** from consideration at this meeting but to go forward with the public hearing,
- [2] to move consideration of **Ordinance 2013-07** after the Executive Session,
- [3] to add discussion regarding a contractual matter related to **Ordinance 2013-07** to the stated purpose for the Executive Session, and
- [4] to add to Old Business consideration of a request from the Stone Pond Road Owners Association to approve the expenditure of funds for a full engineering study.

Mr. Corbeil made a motion, seconded by Mr. Dexter, approved 5 – 0 to amend the agenda as outlined above [items 1-4] in the Administrator's Report.

Public Hearing and Third & Final Reading of the Following Ordinances

Ordinance 2013-07 "AN ORDINANCE AUTHORIZING THE TRANSFER AND CONVEYANCE OF CERTAIN REAL PROPERTY; AND OTHER MATTERS RELATED THERETO"

Mr. Thrift opened the floor for Public Comment.

Mr. Glen McPheeters addressed Council reading from a statement [copy filed with these minutes] voicing support for passage of Ordinance 2013-07.

Mr. Thrift opened the floor for any citizen wishing to address Council regarding this ordinance. No citizen addressed Council.

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 2013-07**.

Ordinance 2013-11 "AN ORDINANCE TO AUTHORIZE THE EXECUTION AND DELIVERY OF AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF WALHALLA FOR THE ADMINISTRATION AND ENFORCEMENT OF BUILDING CODES WITHIN THE CITY OF WALHALLA; TO AUTHORIZE OCONEE COUNTY BUILDING CODE PERSONNEL TO ADMINISTER

AND ENFORCE BUILDING CODES WITHIN THE CITY OF WALHALLA; TO AMEND ARTICLE II, ENTITLED *REGULATORY CODES*, OF CHAPTER 6, ENTITLED *BUILDINGS AND BUILDING REGULATIONS*, OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, SO AS TO PROVIDE FOR THE AUTOMATIC ADOPTION OF THE LATEST EDITION OF CERTAIN INTERNATIONAL AND NATIONAL CODES APPROVED BY THE SOUTH CAROLINA BUILDING CODES COUNCIL OR THE APPROPRIATE AUTHORITY; AND OTHER MATTERS RELATED THERETO”

Mr. Thrift opened the floor for Public Comment.

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

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 2013-11**.

Ordinance 2013-12 “AN ORDINANCE TO AUTHORIZE THE EXECUTION AND DELIVERY OF AN INTERGOVERNMENTAL AGREEMENT WITH THE TOWN OF WEST UNION FOR THE ADMINISTRATION AND ENFORCEMENT OF BUILDING CODES WITHIN THE TOWN OF WEST UNION; TO AUTHORIZE OCONEE COUNTY BUILDING CODE PERSONNEL TO ADMINISTER AND ENFORCE BUILDING CODES WITHIN THE TOWN OF WEST UNION; AND OTHER MATTERS RELATED THERETO”

Mr. Thrift opened the floor for Public Comment.

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

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 2013-12**.

Ordinance 2013-13 “AN ORDINANCE TO AUTHORIZE THE EXECUTION AND DELIVERY OF AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF WESTMINSTER FOR THE ADMINISTRATION AND ENFORCEMENT OF BUILDING CODES WITHIN THE CITY OF WESTMINSTER; TO AUTHORIZE OCONEE COUNTY BUILDING CODE PERSONNEL TO ADMINISTER AND ENFORCE BUILDING CODES WITHIN THE CITY OF WESTMINSTER; AND OTHER MATTERS RELATED THERETO”

Mr. Thrift opened the floor for Public Comment.

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

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 2013-13**.

Ordinance 2013-15 “AN ORDINANCE AUTHORIZING THE TRANSFER OF EASEMENTS FOR INGRESS, EGRESS AND UTILITIES ACROSS CERTAIN OCONEE COUNTY REAL PROPERTY AND AUTHORIZING THE EXECUTION AND DELIVERY OF AGREEMENTS RELATED TO THE SAME; AND OTHER MATTERS RELATED THERETO”

Mr. Thrift opened the floor for Public Comment.

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

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 2013-15**.

First Reading of the Following Resolutions

Resolution R2013-15 “A RESOLUTION TO APPROVE MODIFICATIONS TO THE OCONEE COUNTY HEALTH INSURANCE PLAN AND ADOPT RETIREE HEALTH INSURANCE PLAN GUIDELINES”

Mr. Barron made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve **Resolution R2013-15** on first and final reading.

Third & Final Reading of the Following Ordinances

Ordinance 2013-01 “AN ORDINANCE TO ESTABLISH 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, 2013 AND ENDING JUNE 30, 2014”

Mr. Dexter made a motion, seconded by Mr. Corbeil, to approve **Ordinance 2013-01** on third & final reading.

Mr. Dexter made a motion, seconded by Mr. Corbeil, approved 5 – 0 to amend **Ordinance 2013-01** on as follows: [1] Amend the Caption for Ordinance 2013-01 as stated above, [2] Remove the current Attachment B and replace in its entirety with updated Fee Schedule for FY 2013-2014 as presented, [3] Remove the current Attachment C and replace in its entirety with Resolution R2013-15 as approved earlier in this meeting, [4] State that upon receipt of the “Employee Benefit Plan” from Blue Cross Blue Shield, that it will be incorporated as part of this ordinance as Exhibit E.

Mr. Thrift called for the vote. **Ordinance 2013-01** was approved 4 – 1 [Mr. McCall opposed] on third & final reading as amended.

Ordinance 2013-02 “AN ORDINANCE TO ESTABLISH THE BUDGET FOR THE SCHOOL DISTRICT OF OCONEE COUNTY (the “School District”) AND TO PROVIDE FOR THE LEVY OF TAXES FOR THE OPERATIONS OF THE SCHOOL DISTRICT OF OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2013 AND ENDING JUNE 30, 2014”

Mr. Dexter made a motion, seconded by Mr. Corbeil, to approve **Ordinance 2013-02** on third & final reading.

Mr. Barron made a motion, seconded by Mr. Dexter, approved 5 – 0 to amend the caption for Ordinance as stated above.

Mr. Thrift called for the vote. **Ordinance 2013-02** was approved 5 – 0 on third & final reading as amended.

Ordinance 2013-03 “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, 2013 AND ENDING JUNE 30, 2014”

Mr. Dexter made a motion, seconded by Mr. Barron, approved 5 – 0 to approve **Ordinance 2013-03** on third & final reading.

Ordinance 2013-07 “AN ORDINANCE AUTHORIZING THE TRANSFER AND CONVEYANCE OF CERTAIN REAL PROPERTY; AND OTHER MATTERS RELATED THERETO”

Action regarding this item will be taken up after Executive Session.

[See Administrator’s Report section for motion to move consideration of this ordinance.]

Ordinance 2013-11 “AN ORDINANCE TO AUTHORIZE THE EXECUTION AND DELIVERY OF AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF WALHALLA FOR THE ADMINISTRATION AND ENFORCEMENT OF BUILDING CODES WITHIN THE CITY OF WALHALLA; TO AUTHORIZE OCONEE COUNTY BUILDING CODE PERSONNEL TO ADMINISTER AND ENFORCE BUILDING CODES WITHIN THE CITY OF WALHALLA; TO AMEND ARTICLE II, ENTITLED *REGULATORY CODES*, OF CHAPTER 6, ENTITLED *BUILDINGS AND BUILDING REGULATIONS*, OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, SO AS TO PROVIDE FOR THE AUTOMATIC ADOPTION OF THE LATEST EDITION OF CERTAIN INTERNATIONAL AND NATIONAL CODES APPROVED BY THE SOUTH CAROLINA BUILDING CODES COUNCIL OR THE APPROPRIATE AUTHORITY; AND OTHER MATTERS RELATED THERETO”

Mr. Corbeil made a motion, seconded by Mr. Dexter, approved 5 – 0 to approve

Ordinance 2013-11 on third & final reading.

Ordinance 2013-12 “AN ORDINANCE TO AUTHORIZE THE EXECUTION AND DELIVERY OF AN INTERGOVERNMENTAL AGREEMENT WITH THE TOWN OF WEST UNION FOR THE ADMINISTRATION AND ENFORCEMENT OF BUILDING CODES WITHIN THE TOWN OF WEST UNION; TO AUTHORIZE OCONEE COUNTY BUILDING CODE PERSONNEL TO ADMINISTER AND ENFORCE BUILDING CODES WITHIN THE TOWN OF WEST UNION; AND OTHER MATTERS RELATED THERETO”

Mr. Dexter made a motion, seconded by Mr. Barron, approved 5 – 0 to approve

Ordinance 2013-12 on third & final reading.

Ordinance 2013-13 “AN ORDINANCE TO AUTHORIZE THE EXECUTION AND DELIVERY OF AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF WESTMINSTER FOR THE ADMINISTRATION AND ENFORCEMENT OF BUILDING CODES WITHIN THE CITY OF WESTMINSTER; TO AUTHORIZE OCONEE COUNTY BUILDING CODE PERSONNEL TO ADMINISTER AND ENFORCE BUILDING CODES WITHIN THE CITY OF WESTMINSTER; AND OTHER MATTERS RELATED THERETO”

Mr. Dexter made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve

Ordinance 2013-13 on third & final reading.

Ordinance 2013-15 “AN ORDINANCE AUTHORIZING THE TRANSFER OF EASEMENTS FOR INGRESS, EGRESS AND UTILITIES ACROSS CERTAIN OCONEE COUNTY REAL PROPERTY AND AUTHORIZING THE EXECUTION AND DELIVERY OF AGREEMENTS RELATED TO THE SAME; AND OTHER MATTERS RELATED THERETO”

Ordinance 2013-15 was removed from consideration at this meeting. [See

Administrator’s Report section for motion to remove this ordinance from consideration at this meeting.]

Second Reading of the Following Ordinances

[Note: Public Hearings will be scheduled at or before third & final reading for the following ordinances as required]

Ordinance 2013-16 “AN ORDINANCE TO AMEND CHAPTER 26 OF THE OCONEE COUNTY CODE OF ORDINANCES IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, AS TO THE AMENDMENT OF SECTION 26-2 – PRIVATE ROAD STANDARDS AND REGULATIONS, THE AMENDMENT OF SECTION 26-7(E) ENCROACHMENTS., AND THE ESTABLISHMENT OF

FUNDING AND FEES POLICY RELATING TO ENCROACHMENT POLICIES OF OCONEE COUNTY;
AND OTHER MATTERS RELATED THERETO”

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 5 – 0 to approve **Ordinance 2013-16** on second reading. Mr. Thrift noted that questions arose that need to be addressed prior to scheduling this ordinance for a public hearing and third & final reading.

First Reading of the Following Ordinances

Ordinance 2013-17 [in title only] “AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY INTERESTS; AND OTHER MATTERS RELATED THERETO”

Mr. Dexter made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve **Ordinance 2013-17** on first reading in title only.

Discussion Regarding Action Items

Keowee Toxaway Relicensing / Stakeholder Agreement in Principal

Mr. Art Holbrooks, Strategic Planner & Special Projects, addressed Council utilizing a PowerPoint presentation and handouts [copies filed with these minutes] highlighting key aspects of the Agreement in Principal before council at this meeting.

Mr. Corbeil addressed Council and the public present reading from a prepared statement [copy filed with these minutes] in support for the process that led to the development of the Agreement in Principal as discussed.

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 5 – 0 to authorize the Council Chairman to execute the Keowee-Toxaway Agreement in Principal rating letter; noting the rating as a number One.

Keowee Falls Substation

Mr. Moulder & Mr. Breed addressed Council utilizing a handout [copy filed with these minutes] regarding this revised request for construction of the Keowee Falls Fire Substation. Discussion followed.

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 5 – 0 to revise the scope of work with road construction and other aspects of the project to be done in house by the county Road Department. \$155,376 is recommended to be awarded to contractor; \$26,534 allocated for in house work for a total project cost of \$181,910.

Mr. Moulder recommended at this time that Council make a motion to reiterate the award for this project to the selected contractor.

Mr. Corbeil made a motion, seconded by Mr. McCall, approved 5 – 0 to reiterate the award for the construction of the Keowee Falls Substation to Joel Davis as discussed at the June 4, 2013 meeting and to authorize the Administrator to execute the contract.

Council Committee Reports

Law Enforcement, Public Safety, Health & Welfare Committee / Mr. McCall

Mr. McCall updated Council reading from a prepared statement [copy filed with these minutes] regarding discussions that took place regarding various topics at the June 10, 2013 meeting.

Mr. McCall made a motion, seconded by Mr. Thrift, approved 5 – 0 to approve the execution of the Mosquito Point Memorandum of Lease as presented.

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 5 – 0 to encourage the County Delegation to move forward with a state wide distracting driving ban.

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 5 – 0 to direct the Sheriff to work with the county attorney to draft an ordinance to be brought to Council for approval regarding the prohibition of the sale and/or ownership of drug paraphernalia and loitering.

Old Business

Stone Pond Road Owners Association / \$207,585 / Engineering Study

Mr. Moulder and Mr. Breed addressed Council regarding this engineering study [copy of quote filed with these minutes]. Lengthy discussion followed.

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve the expenditure of a not to exceed amount of \$207,585 to Davis & Floyd for an engineering study for the Stone Pond subdivision roads; noting that tax revenues will reimburse this expense as received.

New Business

Budget, Finance & Administration Committee

Mr. Dexter announced that the **Budget, Finance & Administration Committee** meeting scheduled for August 13, 2013 has been canceled and rescheduled for Tuesday, July 23, 2013 at 6:00 p.m. in County Council Chambers.

Executive Session:

Mr. Dexter made a motion, seconded by Mr. Corbeil, approved 5 – 0 enter into Executive Session for the purpose of receiving legal advice regarding a potential litigation matter and to discuss a contractual matter related to **Ordinance 2013-07**.

Council entered Executive Session at 7:46 p.m.

Council returned from Executive Session at 8:30 p.m. on a motion by Mr. Barron, seconded by Mr. McCall, approved 5 – 0. Mr. Thrift stated that no action was taken in Executive Session.

Mr. Corbeil made a motion, seconded by Mr. Dexter, approved 5 – 0 to authorize the County Administrator to proceed as discussed in Executive Session regarding the potential litigation matter.

Mr. Thrift made a motion, seconded by Mr. McCall, approved 5 – 0 to table action at this meeting regarding **Ordinance 2013-07** and schedule third reading for the July 16, 2013 Council meeting.

Adjourn

Mr. McCall made a motion, approved unanimously 5 - 0, to adjourn at 8:33 p.m.

Respectfully Submitted:

Elizabeth G. Hulse
Clerk to Council