



MINUTES
OCONEE COUNTY COUNCIL MEETING
Regular Meeting
September 3, 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, Dick Mangrum – WGOG Radio, Ashton Hester – Keowee Courier & Norman Cannada -The Daily Journal.

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

Public Comment Session [related to specific agenda items]:

Mr. Brit Adams addressed Council in opposition to Resolution R2013-17.
Ms. Tejal Patel, GM Days Inn, addressed Council in opposition to R2013-17.
Mr. Nitesh Naik, Owner Best Western, addressed Council in opposition to R2013-17.

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

Mr. Lyn Morrey addressed Council requesting Council pass a resolution preventing the Federal & State Governments infringement on the Second Amendment. Ms. Morrey exceeded her allotted time and relinquished the floor. Lastly, Ms. Morrey presented copies of petitions to the chair [filed with these minutes].

Mr. Randy Gilchrist stated he was not prepared to address Council at this time; requesting additional time be given to Ms. Morrey. Chairman Thrift noted that this is not permitted.

Mr. John Morrey presented a public service award to Councilman McCall for his assistance with the pavilion construction at the Mountain Rest Community Club.

Mr. B. J. Littleton addressed Council regarding the Pledge of Allegiance.

County Council Response to Public Comment:

Mr. Corbeil addressed concerns related to Resolution R2013-17 noting that no Oconee County general fund or economic development monies are being paid to the developer of the Hampton Inn in Seneca. The company is requesting an infrastructure tax credit agreement which is not designed to favor one business over another and is being requested per South Carolina Code of Laws.

Meeting Recess

Mr. Thrift announced a brief recess at 6:19 p.m.

Meeting Reconvenes

Mr. Thrift reconvened the meeting at 6:21 p.m.

Pledge of Allegiance:

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

Minutes:

Mr. Dexter made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve the minutes from the August 20, 2013 regular meeting as presented.

Presentation by Outside Organizations

Oconee Alliance Update & Request for Action / Mr. Robert Halfacre, Chairman

Mr. Halfacre addressed Council utilizing a PowerPoint presentation [copy filed with these minutes] outlining the following topics:

- Mission
- Goals
- Accomplishments
- Looking Forward
- Next Steps

Discussion followed. Council requested that Mr. Halfacre and Mr. Blackwell report in November 2013 to Council regarding progress in merging the Oconee Alliance & the Oconee County Economic Development Commission.

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	First & Final Readings for Resolutions
Third and Final Reading for Ordinance	Discussion / Action Items
Second Readings for Ordinances	Executive Session
First Readings for Ordinances	

Mr. Moulder also addressed with Council a proposed membership for the Transit Advisory Task Force Committee as created at the last meeting. Discussion followed. Council approved the membership as presented on a motion by Mr. Barron, seconded by Mr. Corbeil, approved 5 – 0.

Mr. Moulder lastly reviewed with Council a recent publication, South Carolina: Our Amazing Agriculture [copy filed with these minutes] highlighting pages 38-41 [Chattooga Belle Farm], page 49 [top broiler in SC], and page 56 [one of top six in beef cattle].

Public Hearing and Third & Final Reading of the Following Ordinances

Ordinance 2013-14 "AN ORDINANCE TO AUTHORIZE THE EXECUTION AND DELIVERY OF AN INTERGOVERNMENTAL AGREEMENT WITH THE TOWN OF SALEM FOR THE ADMINISTRATION AND ENFORCEMENT OF BUILDING CODES WITHIN THE TOWN OF SALEM; TO AUTHORIZE OCONEE COUNTY BUILDING CODE PERSONNEL TO ADMINISTER AND ENFORCE BUILDING CODES WITHIN THE TOWN OF SALEM; 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 other citizens addressed Council regarding this ordinance.

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 2013-14**.

Third & Final Reading of the Following Ordinances

Ordinance 2013-14 “AN ORDINANCE TO AUTHORIZE THE EXECUTION AND DELIVERY OF AN INTERGOVERNMENTAL AGREEMENT WITH THE TOWN OF SALEM FOR THE ADMINISTRATION AND ENFORCEMENT OF BUILDING CODES WITHIN THE TOWN OF SALEM; TO AUTHORIZE OCONEE COUNTY BUILDING CODE PERSONNEL TO ADMINISTER AND ENFORCE BUILDING CODES WITHIN THE TOWN OF SALEM; AND OTHER MATTERS RELATED THERETO”

Mr. McCall made a motion, seconded by Mr. Dexter, approved 5 – 0 to approve **Ordinance 2013-14** on third and final reading.

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 2012-17 “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN INFRASTRUCTURE TAX CREDIT AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND **SERENE HOSPITALITY, LLC**; AND OTHER MATTERS RELATING THERETO INCLUDING, WITHOUT LIMITATION, AUTHORIZATION OF AN INFRASTRUCTURE TAX CREDIT”

Mr. Corbeil made a motion, seconded by Mr. Barron to approve **Ordinance 2012-17**.

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 5 – 0 to amend the caption for **Ordinance 2012-17** as presented above.

Mr. Thrift called for the vote. The motion passed 5 – 0 to approve **Ordinance 2012-17** as amended on second reading.

Ordinance 2013-18 “AN ORDINANCE TO AMEND ARTICLE 1, ENTITLED *IN GENERAL*, OF CHAPTER 20, ENTITLED *OFFENSES AND MISCELLANEOUS PROVISIONS*, OF THE OCONEE COUNTY CODE OF ORDINANCES BY ADDING NEW SECTIONS PERTAINING TO DRUG PARAPHERNALIA; AND OTHER MATTERS RELATED THERETO”

Mr. Dexter made a motion, seconded by Mr. McCall, approved 5 – 0 to approve **Ordinance 2013-18** on second reading.

Ordinance 2013- 22 “AN ORDINANCE AUTHORIZING THE ACQUISITION OF CERTAIN REAL PROPERTY IN OCONEE COUNTY AND THE CONVEYANCE OF CERTAIN REAL PROPERTY WITHIN THE GOLDEN CORNER COMMERCE PARK; AND OTHER MATTERS RELATED THERETO”

Mr. McCall made a motion, seconded by Mr. Dexter, approved 5 – 0 to approve **Ordinance 2013-22** on second reading.

Ordinance 2013-23 “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDED FEE AGREEMENT BETWEEN OCONEE COUNTY AND GREENFIELD INDUSTRIES, INC., INCLUDING THE INCLUSION OF TDC CLEMSON LAND COMPANY,

LLC, GREENTECH METAL RECYCLING, LLC AND TDC SAWS, LLC, AS CO-SPONSORS, AMENDING THE FEE AGREEMENT DATED AS OF DECEMBER 1, 2009; AND OTHER MATTERS RELATED THERETO”

Mr. Barron made a motion, seconded by Mr. McCall, approved 5 – 0 to approve **Ordinance 2013-23** on second reading.

Ordinance 2013-25 “AUTHORIZING THE ISSUANCE AND SALE OF GENERAL OBLIGATION BONDS (STONE POND SPECIAL TAX DISTRICT); SERIES 2014, OF OCONEE COUNTY, SOUTH CAROLINA, IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING \$1,000,000; FIXING THE FORM AND CERTAIN DETAILS OF THE BONDS; AUTHORIZING THE CHAIRMAN OF COUNTY COUNCIL TO DETERMINE CERTAIN MATTERS RELATING TO THE BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS AND THE DISPOSITION OF THE PROCEEDS THEREOF; AMENDING ORDINANCE NO. 2012-28 OF THE COUNTY; AND OTHER MATTERS RELATING THERETO”

Mr. Dexter made a motion, seconded by Mr. Barron, approved 5 – 0 to approve **Ordinance 2013-25** on second reading.

First Reading of the Following Ordinances

Ordinance 2013-24 [TITLE ONLY] “ AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND **PROJECT GAMMA**; AND OTHER MATTERS RELATING THERETO INCLUDING, WITHOUT LIMITATION, PAYMENT OF A FEE IN LIEU OF TAXES RELATED TO THE PROJECT”

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve **Ordinance 2013-24** on first reading in title only.

Ordinance 2013-26 “AN ORDINANCE TO AMEND THE AGREEMENT AUTHORIZED BY ORDINANCES NO. 2006-027, 2008-017, 2010-04, 2010-24, 2010-32, 2011-09, 2011-15, 2011-34 and 2013-06 RELATING TO THE INDUSTRIAL/BUSINESS PARK OF OCONEE AND PICKENS COUNTIES SO AS TO ENLARGE THE PARK *[re: Project GAMMA]*”

Mr. Barron made a motion, seconded by Mr. Dexter, approved 5 – 0 to approve **Ordinance 2013-26** on first reading.

Ordinance 2013-27 “AN ORDINANCE AUTHORIZING ACCEPTANCE OF THE TRANSFER OF AUTHORITY FOR MUNICIPAL ELECTIONS FOR THE TOWN OF WEST UNION AND AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT OR EMBODYING DOCUMENT INCLUDING THE TERMS OF ANY AGREEMENT, WITH EACH; AND OTHER MATTERS RELATED THERETO.”

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve **Ordinance 2013-27** on first reading.

Ordinance 2013-28 “ AN ORDINANCE TO DEVELOP A JOINTLY OWNED AND OPERATED INDUSTRIAL/BUSINESS PARK IN CONJUNCTION WITH PICKENS COUNTY, SUCH INDUSTRIAL/ BUSINESS PARK TO BE GEOGRAPHICALLY LOCATED IN OCONEE COUNTY AND ESTABLISHED PURSUANT TO SOUTH CAROLINA CODE OF LAWS OF 1976 §4-1-170, ET SEQUITUR, AS AMENDED; TO PROVIDE FOR A WRITTEN AGREEMENT WITH PICKENS COUNTY PROVIDING FOR THE EXPENSES OF THE PARK, THE PERCENTAGE OF REVENUE APPLICATION, AND THE DISTRIBUTION OF FEES IN LIEU OF AD VALOREM TAXES TO

THE COUNTIES AND RELEVANT TAXING ENTITIES; TO PROVIDE THAT JOB TAX CREDITS ALLOWED BY LAW BE PROVIDED FOR BUSINESSES LOCATING IN SAID PARK; TO PERMIT A USER FEE IN LIEU OF *AD VALOREM* TAXATION WITHIN SAID PARK; AND TO AUTHORIZE THE EXECUTION AND DELIVERY OF AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF SENECA RELATED TO THE CREATION OF THE PARK WITHIN THE CITY LIMITS OF THE CITY OF SENECA AND THE DISTRIBUTION OF CERTAIN FEES IN LIEU OF *AD VALOREM* TAXES DUE TO OCONEE COUNTY FROM THE PARK, AND THE PAYMENT BY OCONEE COUNTY TO THE CITY OF SENECA AND OTHER TAX PAYING ENTITIES IN OCONEE COUNTY OF FEE IN LIEU OF TAXATION DERIVED WITHIN THE PARK ; AND OTHER MATTERS RELATED THERETO.” [Re: *SERENE HOSPITALITY, LLC*]

Mr. Barron made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve **Ordinance 2013-28** on first reading.

First Reading of the Following Resolutions

Resolution R2013-17 “A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN INDUCEMENT AGREEMENT BY AND BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND **PROJECT GAMMA**, WHEREBY, UNDER CERTAIN CONDITIONS, OCONEE COUNTY WILL EXECUTE A FEE IN LIEU OF TAX AGREEMENT FOR A PROJECT INVOLVING NOT LESS THAN FIVE MILLION DOLLARS (\$5,000,000) INVESTMENT” including an Inducement Agreement”

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve **Resolution R2013-17** on first and final reading.

Discussion Regarding Action Items

Oconee County Proposed Millage for Tax Year 2013

Mr. Ken Nix, County Auditor, addressed Council utilizing a PowerPoint presentation [copy filed with these minutes] highlighting the following topics:

- Property Millage
- County Millage Breakdown
- School District of Oconee [SDOC] Millage
- Total Millage
- Keowee Fire District
- Assessed Value / Mill Value
- Assessed Mill Value Trend Graph
- Duke Energy Assessment
- Millage Examples [\$100,000 and \$250,000]
- Highpointe / Pointe West Assessment
- State Ranking by County
- City Millage

Discussion followed.

Mr. Dexter made a motion, seconded by Mr. Barron, approved 5 – 0 to adopt millage as presented by the County Auditor [*copy of executed copy of Approved Millage Rates for Fiscal Year for 2013-2014 filed with these minutes*].

Roads & Bridges Various Equipment / \$681,601.00

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve the purchases of the equipment as listed on the Agenda Item Summary from Blanchard Machinery of Simpsonville, SC in the total amount of \$681,601.

Multiple Ford Vehicles / Multiple Departments / \$275,665.00

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve the purchases of these Ford vehicles as listed on the Agenda Item Summary to Vic Bailey Ford, of Spartanburg, SC, in the amount of \$275,665.00, per State Contracts # 4400005808, 4400005812, 4400004309 and 4400004337.

Old Business

Capital Project Sales Tax Commission

Mr. Dexter requested an update regarding municipality appointments to the Capital Project Sales Tax Commission at the September 17, 2013 meeting.

New Business

None at this meeting.

Executive Session:

Mr. Corbeil made a motion, seconded by Mr. McCall, approved 5 – 0 to amend the purpose of Executive Session for the purpose of a potential litigation matter and a contractual matter.

Mr. Barron made a motion, seconded Mr. Corbeil, approved 5 – 0 enter into Executive Session for the purpose stated above.

Council entered Executive Session at 7:16 p.m.

Council returned from Executive Session at 7:56 p.m. on a motion by Mr. McCall, seconded by Mr. Corbeil, approved 5 – 0.

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

Adjourn

Mr. McCall made a motion, approved unanimously 5 - 0, to adjourn at 7:57 p.m.

Respectfully Submitted:

Elizabeth G. Hulse
Clerk to Council