



MINUTES
OCONEE COUNTY COUNCIL MEETING
Regular Meeting
September 17, 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 & 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]: None at this meeting.

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

Ms. Nanette Alexander had the Clerk to Council read into the record a prepared statement [copy filed with these minutes] related to events at her home in early 2013.

Mr. B. J. Littleton thanked Councilman Dexter for advice resulting in his improved health.

County Council Response to Public Comment:

Mr. Thrift read a statement [copy filed with these minutes] into the record related ongoing comments/requests from a citizen to pass a resolution related to second amendment rights noting that such a resolution is not within the jurisdiction of the county. Mr. Thrift provided citizens with contact information for their state and federal delegates so that their concerns may be addressed to the appropriate legislators.

Lastly, prior to the Moment of Silence, Mr. Thrift honored Chief David Wright, a 23 year veteran of the Seneca Fire Department and long-time chief of the Friendship Volunteer Fire Department died in a wreck the previous night.



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. Dexter, approved 5 – 0 to approve the minutes from the September 3, 2013 regular meeting as presented.

Presentation by Outside Organizations

Comprehensive Economic Development Strategy [CEDS] / Mr. David Shellhorse, ACOG

Mr. Shellhorse addressed Council summarizing key aspects of the Comprehensive Economic Development Strategy and asked for a letter of support from Council. Discussion followed. Council thanked Mr. Shellhorse for his presentation.

Mr. Barron made a motion, seconded by Mr. Corbeil, approved 5 – 0 to direct the chair to execute a letter of support for the CEDS.

Drug Paraphernalia Ordinance 2013-18 Presentation / Sheriff Mike Crenshaw

Sheriff Crenshaw, along with Lt. Jeremy Chapman and Capt. Ken Washington, addressed Council utilizing a PowerPoint presentation [copy filed with these minutes] along with actual confiscated drug paraphernalia highlighting the types of items the ordinance would prohibit.

Council thanked Sheriff Crenshaw for his presentation.

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	Discussion / Action Items
Third and Final Reading for Ordinance	Committee Reports
Second Readings for Ordinances	Commission/Board Appointments
First Readings for Ordinances	Executive Session
First & Final Readings for Resolutions	

Public Hearing and Third & Final Reading of the Following Ordinances

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. Thrift opened the floor for Public Comment.

Mr. Brit Adams addressed Council in opposition to **Ordinance 2012-17** noting several objections related to the hotel designation and financial stability of one of the primary investors. While addressing Council during the hearing, Mr. Adams claimed that no public hearing was held regarding this matter.

Noting that no other 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 2013-17**.

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. Thrift opened the floor for Public Comment.

Mr. Frankie Pearson addressed Council in support of Council’s action to pass **Ordinance 2013-18**.

Noting that no other 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 2013-18**.

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”

Prior to beginning the Public Hearing, Mr. Moulder outlined in greater detail the 57 acre land swap between the County [Golden Corner Commerce Park parcel] and Patillo [property located on Highway 123 across from Schneider Electric].

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 2013-22**.

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. 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 2013-23**.

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. 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 2013-25**.

Third & Final Reading of the Following Ordinances

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. Barron made a motion, seconded by Mr. Corbeil, to approve **Ordinance 2012-17** on third & final reading.

Mr. McCall addressed concerns raised by Mr. Adams during the public hearing. Mr. McCall made a motion, seconded by Mr. Corbeil, to table third reading and forward Mr. Adam’s documents to the county attorney for review. Discussion followed.

Mr. Barron made a motion to call the question, seconded by Mr. Thrift, approved 3 – 2 [Mr. McCall and Mr. Dexter opposed].

Mr. Thrift called for a vote on Mr. McCall’s motion to table third reading and forward Mr. Adam’s documents to the county attorney for review. The motion failed 1 – 4 [Mr. Barron, Mr. Corbeil, Mr. Thrift and Mr. Dexter opposed].

Mr. Thrift called for a vote on the main motion to approve **Ordinance 2012-17** on third & final reading. The motion passed 4 – 1 [Mr. McCall opposed].

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. Corbeil, approved 5 – 0 to approve **Ordinance 2013-18** on third & final 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. Barron made a motion, seconded by Mr. Dexter, approved 5 – 0 to table **Ordinance 2013-22** for third & final reading until the first meeting in October 2013.

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. Corbeil, approved 5 – 0 to approve **Ordinance 2013-23** on third & final 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. Corbeil, approved 5 – 0 to approve **Ordinance 2013-25** on third & 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 2013-20 “AN ORDINANCE TO AMEND OCONEE COUNTY 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 FUND, FOR THE BRIDGE AND CULVERT CAPITAL PROJECT FUND, FOR THE 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” IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY; AND OTHER MATTERS RELATED THERETO” Attachment B – Fee Schedule

Mr. Barron made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve **Ordinance 2013-20** on second reading.

Ordinance 2013-24 “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. Dexter made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve **Ordinance 2013-24** on second reading.

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. Corbeil made a motion, seconded by Mr. Barron, approved 5 – 0 to approve **Ordinance 2013-26** on second 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. Dexter made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve **Ordinance 2013-27** on second 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. Corbeil made a motion, seconded by Mr. Dexter, approved 5 – 0 to approve **Ordinance 2013-28** on second reading.

First Reading of the Following Ordinances

Ordinance 2013-29 [Title Only] “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND **PROJECT FLAT**; THE GRANTING OF INFRASTRUCTURE TAX CREDITS; AND OTHER MATTERS RELATING THERETO INCLUDING, WITHOUT LIMITATION, PAYMENT OF A FEE IN LIEU OF TAXES RELATED TO THE PROJECT”

Mr. Barron made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve **Ordinance 2013-39** on first reading in title only.

First Reading of the Following Resolutions

Resolution R2013-19 “A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN INDUCEMENT AGREEMENT BY AND BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND **PROJECT FLAT**, WHEREBY, UNDER CERTAIN CONDITIONS, OCONEE COUNTY WILL EXECUTE A FEE IN LIEU OF TAX AGREEMENT FOR A PROJECT INVOLVING NOT LESS THAN TWELVE MILLION DOLLARS (\$12,000,000) INVESTMENT AND THE COUNTY WILL PROVIDE AN INFRASTRUCTURE TAX CREDIT; AND OTHER MATTERS RELATED THERETO” including Inducement Agreement

Mr. Corbeil made a motion, seconded by Mr. Dexter, approved 5 – 0 to approve **Resolution R2013-19** on first and final reading.

Discussion Regarding Action Items

ITB 13-04 / Wastewater System Improvements @ Golden Corner Commerce Park / Ten Inch and Twelve Inch Force Main / \$7,262,647.59

Prior to discussion of this agenda item, Mr. Moulder presented Council with hard hats to celebrate the first phase of the project to provide sewer to the southern end of Oconee County.



Mr. McCall made a motion, seconded by Mr. Dexter, approved 5 – 0 to (1) approve the award of ITB 13-04 to D S Utilities, Inc., of Little Mountain, SC, for the Wastewater System Improvements to Serve the Golden Corner Commerce Park – Ten Inch and Twelve Inch Force Main, in the amount of \$6,602,406.90, and a contingency amount of 10% for any change orders that may arise, for a total award amount of \$7,262,647.59 and, (2) Authorize the County Administrator to approve any change orders that are within the contingency amount.

Mr. Dexter thanked Mr. Ryan Honea for his invaluable assistance in helping to obtain right-of-ways related to this project.

Blue Ridge Electric Coop Right-of-Way Request

Mr. Martin informed Council that to grant the right-of-way it will require an ordinance . He stated that Council could approve an ordinance in title only to initiate granting the right-of-way at this meeting. Discussion followed.

Mr. Corbeil made a motion, seconded by Mr. Dexter, approved 5 – 0 to approve **Ordinance 2013-31** [in title only] on first reading which will allow a right-of-way easement for Blue Ridge Electric Cooperative.

Mowing Equipment / Roads and Bridges / \$66,619.51

Ms. Robyn Courtright, Procurement Director, addressed Council regarding this agenda item. Ms. Courtright clarified that the Samurai Boom Mower is 22 feet [not inches] as erroneously provided on the agenda item summary.

Mr. McCall made a motion, seconded by Mr. Barron, approved 5 – 0 to approve the purchases of the equipment listed above from Alamo Industrial, of Seguin, TX for the total amount of \$66,619.51.

Consent Agenda Items / PRT Local ATAX Grant Request / \$9,910

- **\$4,910 to Upcountry Brochure Service / Distribution / Display of Waterfalls & Camping brochures in over 150 brochure racks in Georgia and South Carolina.**
- **\$5,000 for campsite renovation phase 3 at South Cove County Park**

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve the two PRT Local Tax projects as outlined above for a total of \$9,910.

Consent Agenda Items / PRT Commission Recommended Local ATAX Grants / \$20,000

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve the ATAX grants as outlined on the agenda item summary and attached worksheet in the amount of \$20,000.

Old Business

None at this meeting.

New Business

None at this meeting.

Council Committee Reports

Planning & Economic Development Committee / Mr. Corbeil

Mr. Corbeil read from a prepared statement [copy filed with these minutes] highlighting activities at the September 10, 2013 committee meeting.

Real Estate, Facilities & Land Management Committee / Mr. Barron

Mr. Barron read from a prepared statement [copy filed with these minutes] highlighting activities at the September 10, 2013 committee meeting.

Board/Commission Appointments

Capital Project Sales Tax Commission / Municipality Appointment Update

Mr. Moulder informed Council that the City of Seneca had not yet appointed their representative.

Mr. McCall nominated Mr. Russell Price for this Commission.

Mr. Dexter nominated Mr. Glen McPheeters for this Commission.

Mr. Corbeil nominated Mr. Don Fuller for this Commission.

Mr. Thrift asked if there were any further nominations. Mr. Barron noted that he had solicited Mr. Lesley to apply; noting that he would have also been a good nominee. Mr. Barron stated that the three already made were very good. No additional nominations were received.

Mr. Thrift called for the vote for the three nominees listed above. The motion passed unanimously.

Library Board / Replacement for Ms. Long

Mr. Corbeil nominated Ms. Lisa Martin to the Library Board for a term being co-terminus with District I & III. No additional nominations were received.

Mr. Thrift called for the vote for the nominee listed above. The motion passed unanimously.

Executive Session:

Mr. Moulder noted that updates for the two matters listed for Executive Session were not available; therefore, Executive Session was cancelled.

Adjourn

Mr. McCall made a motion, approved unanimously 5 - 0, to adjourn at 7:35 p.m.

Respectfully Submitted:

Elizabeth G. Hulse
Clerk to Council