



**MINUTES**  
**OCONEE COUNTY COUNCIL MEETING**  
**Regular Meeting**  
**April 15, 2014**

**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  
VACANT, 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, County Attorney Thomas Martin 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](http://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, Mindy Cecil & Jennifer Phillips/Fox21 News, and Norman Cannada/The Daily Journal

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

**Public Comment Session Agenda Action Items Only:**  
Mr. Nichols spoke in support of Ordinance 2014-07 and in opposition to Ordinance 2014-08.

**County Council Response to Public Comment:** None

**Pledge of Allegiance:** Mr. Thrift asked Mr. Corbeil to lead the Pledge of Allegiance to the Flag of the United States of America.

**Approval of Minutes:**  
Mr. Dexter made a motion, seconded by Mr. McCall, approved 4 – 0, to approve the minutes from the April 1, 2014 regular meeting as presented.

**First and Final Reading of Proclamations**

**Proclamation P2014-02** “A PROCLAMATION HONORING MR. ARCHIE INGRAM BARRON, SR., OCONEE COUNTY COUNCIL DISTRICT III REPRESENTATIVE, UPON HIS DEATH”

Mr. Thrift invited Mrs. Barbara Barron to step forward to receive **Proclamation P2014-02**. In addition, the Clerk to Council read **P2014-02** into the record and a South Carolina Senate Resolution (copy filed with these minutes) honoring Mr. Barron, sponsored by Senators Alexander and Martin, into the record.

Mr. Dexter made a motion, seconded by Mr. Corbeil, approved 4 – 0, to approve Proclamation **P2014-02** on first and final reading.

## **Proclamation P2014-03 “A PROCLAMATION FOR VOLUNTEER FIREFIGHTERS & RESCUE SERVICE APPRECIATION DAY”**

Mr. Thrift invited approximately 25 members representing Oconee County Volunteer Firefighters & Emergency Services Personnel to step forward to receive **Proclamation P2014-03**. In addition, the Clerk to Council read **P2014-03** into the record.

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 4 – 0, to approve **Proclamation P2014-03** on first and final reading.

## **Presentations to Council:**

### **Capital Project Sales Tax Commission (CPSTC) Presentation/ Mr. Russell Price, Chairman**

Mr. Price addressed Council utilizing a PowerPoint presentation (copy filed with these minutes) highlighting aspects of the Commission’s work and recommending proposed projects, project costs and funding. Mr. Price also provided Council with a copy of the CPSTC approved resolution (copy filed with these minutes) outlining these projects and the referendum question. Discussion followed.

Mr. Thrift thanked the Commission for their hard work and dedication recognizing additional Commission members present; Ms. Mollie Smith. Mr. Glenn McPhetters, and Commission Vice-Chair Ms. Thelma Miller.

Mr. Corbeil made a motion, seconded by Mr. Dexter, approved 4 - 0, to [1] accept project list, project costs & funding recommendation as presented, and [2] direct staff to have ordinance ready for first reading for May 6, 2014, Council meeting.

## **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 Hearing for Ordinance: 2014-07, 2014-08
- Third & Final Reading for Ordinances: 2014-06, 2014-07, 2014-08
- Second Reading for Ordinances: 2014-09, 2014-10, 2014-12
- First Reading [in title only] for Ordinance: 2014-13
- Council Committee Report
- Board/Commission Appointments
- Executive Session

Mr. Moulder requested that Council address, under Old Business, the Procurement Director’s request to amend the approval for the jail project to authorize the County Administrator to approve any change orders within any contingency amounts. Council concurred.

Lastly, Mr. Martin requested that Council defer third & final reading of **Ordinance 2014-06** to the May 6, 2014, regular Council meeting to allow for additional work on the ordinance.

## **Public Hearing for the Following Ordinances**

### **Ordinance 2014-07 “AN ORDINANCE TO ESTABLISH THE OFFENSE, EXCEPTIONS, DEFINITIONS, AND PENALTIES OF DISTRACTED DRIVING IN OCONEE COUNTY; AND OTHER MATTERS RELATED.”**

Mr. Thrift opened the floor for Public Comment.

Sheriff Mike Crenshaw spoke in support of **Ordinance 2014-07**. Additionally, he provided a short video ([https://www.youtube.com/watch?v=S\\_-6EoNhitg](https://www.youtube.com/watch?v=S_-6EoNhitg)) highlighting the dangers of distracted driving.

Mr. Thrift opened the floor for any additional citizens wishing to address Council regarding this ordinance.

Mr. Gary Littlefield spoke in support of **Ordinance 2014-07**.

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 2014-07**.

**Ordinance 2014-08** “AN ORDINANCE CALLING FOR A REFERENDUM TO AUTHORIZE THE SOUTH CAROLINA DEPARTMENT OF REVENUE TO ISSUE TEMPORARY PERMITS TO ALLOW FOR THE POSSESSION, SALE, AND CONSUMPTION OF ALCOHOLIC LIQUORS BY THE DRINK TO BONA FIDE NONPROFIT ORGANIZATIONS AND BUSINESS ESTABLISHMENTS AUTHORIZED TO BE LICENSED FOR CONSUMPTION-ON-PREMISES SALES AND TO ALLOW THE SALE OF BEER AND WINE AT PERMITTED OFF-PREMISES LOCATIONS WITHOUT REGARD TO THE DAYS OR HOURS OF SALE; AND OTHER MATTERS RELATED THERETO.”

Mr. Thrift opened the floor for Public Comment.

Mr. Jack O'Malley, General Manager, Bountyland Quickstops, spoke in support of

**Ordinance 2014-08**.

Mr. E. J. Washington, Operational Partner, Fatz, spoke in support of **Ordinance 2014-08**.

Mr. John Adams, Oconee County Chamber of Commerce (OCOCC) Representative, spoke in support of **Ordinance 2014-08**.

Mr. Dick Cottingham spoke in support of **Ordinance 2014-08**.

Ms. Jillian Lusk, Executive Director OCOCC, spoke in support of **Ordinance 2014-08**.

Mr. Thrift opened the floor for any additional citizens wishing to address Council regarding this ordinance.

Mr. Berry Nichols spoke in opposition of **Ordinance 2014-08**.

Mr. Richard Marcengill spoke in support of **Ordinance 2014-08**.

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 2014-08**.

### **Third & Final Reading of the Following Ordinances**

**Ordinance 2014-06** “AN ORDINANCE TO DEVELOP A JOINTLY OWNED AND OPERATED INDUSTRIAL/BUSINESS PARK (PROJECT STAR) 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 OF AN ECONOMIC DEVELOPMENT GRANT, SOLELY FOR THE USE OF THE CITY OF THE SENECA FOR SERENE HOSPITALITY, LLC; AND TO AUTHORIZE THE EXECUTION AND DELIVERY OF AN INFRASTRUCTURE TAX CREDIT AGREEMENT BETWEEN OCONEE COUNTY AND SERENE HOSPITALITY, LLC; AND OTHER MATTERS RELATED THERETO, INCLUDING, WITHOUT LIMITATION, THE AUTHORIZATION OF AN INFRASTRUCTURE TAX CREDIT IN FAVOR OF SERENE HOSPITALITY, LLC.”

Mr. Dexter made a motion, seconded by Mr. McCall, approved 4 – 0, to TABLE third & final reading of **Ordinance 2014-06** to the May 6, 2014, regular Council meeting.

**Ordinance 2014-07** “AN ORDINANCE TO ESTABLISH THE OFFENSE, EXCEPTIONS, DEFINITIONS, AND PENALTIES OF DISTRACTED DRIVING IN OCONEE COUNTY; AND OTHER MATTERS RELATED.”

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 4 – 0, to approve **Ordinance 2014-07** on third & final reading.

**Ordinance 2014-08** “AN ORDINANCE CALLING FOR A REFERENDUM TO AUTHORIZE THE SOUTH CAROLINA DEPARTMENT OF REVENUE TO ISSUE TEMPORARY PERMITS TO ALLOW FOR THE POSSESSION, SALE, AND CONSUMPTION OF ALCOHOLIC LIQUORS BY THE DRINK TO BONA FIDE NONPROFIT ORGANIZATIONS AND BUSINESS ESTABLISHMENTS AUTHORIZED TO BE LICENSED FOR CONSUMPTION-ON-PREMISES SALES AND TO ALLOW THE SALE OF BEER AND WINE AT PERMITTED OFF-PREMISES LOCATIONS WITHOUT REGARD TO THE DAYS OR HOURS OF SALE; AND OTHER MATTERS RELATED THERETO.”

Mr. Corbeil made a motion, seconded by Mr. Thrift, approved 4 – 0, to approve **Ordinance 2014-08** on third & final reading.

### **Second Reading of the Following Ordinances**

**Ordinance 2014-09** “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND PROJECT TAU; AND OTHER MATTERS RELATING THERETO INCLUDING, WITHOUT LIMITATION, PAYMENT OF A FEE IN LIEU OF TAXES RELATED TO THE PROJECT”

Mr. Corbeil made a motion, seconded by Mr. Dexter, approved 4 – 0, to approve **Ordinance 2014-09** on second reading.

**Ordinance 2014-10** “AN ORDINANCE TO AMEND CHAPTER 38 "ZONING" OF THE OCONEE COUNTY CODE OF ORDINANCES, INCLUDING ALL ZONING MAPS INCORPORATED THEREIN AND THEREBY, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY; AND OTHER MATTERS RELATED THERETO ”

*[Seneca Rail Site Rezoning]*

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 4 – 0, to approve **Ordinance 2014-10** on second reading.

**Ordinance 2014-12** “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, 2013-06 and 2013-26 RELATING TO THE INDUSTRIAL/BUSINESS PARK OF OCONEE AND PICKENS COUNTIES SO AS TO ENLARGE THE PARK”

*[Project Tau]*

Mr. Dexter made a motion, seconded by Mr. McCall, approved 4 – 0, to approve **Ordinance 2014-12** on second reading.

## **First Reading of the Following Ordinances**

**Ordinance 2014-13** *[in title only]* “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN INFRASTRUCTURE TAX CREDIT AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND PROJECT MAY; AND OTHER MATTERS RELATING THERETO INCLUDING, WITHOUT LIMITATION, AUTHORIZATION OF A TWENTY PERCENT (20%) INFRASTRUCTURE TAX CREDIT”  
*[Project May]*

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 4 – 0, to approve **Ordinance 2014-13** on first reading in title only.

## **Discussion Regarding Action Items:**

None at this meeting.

## **Old Business:**

### **Amend - Detention Center / Guaranteed Maximum Price & Project Budget Approval – April 1, 2014, Council minutes**

At the April 1, 2014, Council meeting the following motion was approved: *Mr. McCall made a motion, seconded by Mr. Corbeil, approved 4 – 0, to approve the Detention Center Project budget and CMAr Guaranteed Maximum Price of 16,253,068 to begin Construction on April 2, 2014.*

Mr. Dexter made a motion, seconded by Mr. Corbeil, approved 4 – 0, to **add** authorizing the County Administrator to approve any change orders within any contingency amounts.

## **New Business:**

None

## **Council Committee Reports**

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 4 – 0 to approve the Detention Center Project budget and CMAr Guaranteed Maximum Price of 16,253,068 to begin Construction on April 2, 2014.

### **Transportation Committee/ Mr. Thrift**

Mr. Thrift read from a prepared statement [copy filed with these minutes] highlighting discussions from the April 8, 2014 meeting.

Mr. Thrift made a motion, seconded by Mr. Corbeil, approved 4 - 0, to approve the Committee’s recommendations:

- [1] the implementation of the “RoadInfo” data collection and road assessment survey and budget for such in the FY2014-2015 budget cycle,
- [2] to approve to abandon roads [Albert’s Road, Oconee Estates Road, Tanglewood Drive and Paul Gillison Road],
- [3] authorize county staff to accept donated right-of-way from SCDOT, and
- [4] to approve the proposed road improvement list and the proposed road construction/improvement projects as provided.

## **Board/Commission Appointments**

### **Anderson-Oconee-Pickens Behavioral Health Services Commission**

Noting no questionnaires on file for consideration; Mr. Thrift deferred this matter.

**Executive Session:**

Mr. Dexter made a motion, seconded by Mr. Corbeil, approved 4 – 0, to enter into Executive Session for the purpose of receiving an update regarding a litigation matter.

Council entered Executive Session at 7:24 p.m.

Council returned from Executive Session at 7:40 p.m. on a motion by Mr. McCall, seconded by Mr. Dexter, approved 4 – 0.

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

**Public Comment Session Non Agenda Action Items:**

Mr. Jack Arvey spoke in regards to his opposition to zoning.

Mr. BJ Littleton spoke in regards to his concerns regarding ISO.

**Council Member Comments:**

None

**Adjourn**

Mr. Corbeil made a motion, approved unanimously 4 - 0, to adjourn at 7:49 p.m.

Respectfully Submitted:

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Elizabeth G. Hulse  
Clerk to Council