



**MINUTES**  
**OCONEE COUNTY COUNCIL MEETING**  
**Regular Meeting**  
**September 16, 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  
Mr. Paul Cain, 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.

Members of the press present: Ray Chandler/Anderson Independent, Dick Mangrum/WGOG Radio and Steven Bradley/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. Ward Fetrow addressed Council in opposition to extending the agreement with Oconee Courthouse Ventures, LLC.

Mr. John Morrey addressed Council utilizing a handout [copy filed with these minutes] in support of creating additional retiree communities.

Mr. Jim Schooner addressed Council voicing concerns regarding Ordinance 2014-11 as the petitioner had not stated the reason for the rezoning request.

**County Council Response to Public Comment:**

Mr. Corbeil noted that he and Mr. Moulder had previously met with the Morrey's regarding their suggestion and that it is still being considered as expectations for retiree growth have increased with the improving economy.

**Moment of Silence**

Mr. Thrift asked for a moment of silence prior the Invocation by the County Chaplain.

**Invocation by County Council Chaplain:**

Mr. Tom Martin, County Council Chaplain, gave the invocation.

**Pledge of Allegiance:**

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

**Approval of Minutes:**

Mr. Corbeil made a motion, seconded by Mr. Dexter, approved 5 – 0 to approve the September 2, 2014 regular meeting as presented.

## **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: 2014-11, 2014-16, 2014-21
- Third & Final Readings: 2014-11, 2014-16, 2014-21
- Second Reading for Ordinances: 2014-20, 2014-22

[Mr. Moulder noted that based on the Auditor's report that it might be advantageous for Council to amend the agenda to have the Auditor's presentation prior to action on Ordinance 2014-22 in case an amendment to the ordinance is required.]

- Discussion Items
- Executive Session

## **Public Hearings regarding the Following Ordinances**

**Ordinance 2014-11** "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" [2014 SUB01]

Mr. Thrift opened the floor for Public Comment.

Mr. Ben Turetzky, FOLKS Director, addressed Council in opposition to passage of Ordinance 2014-11 as any potential negative impact cannot be identified as the petitioner did not provide a reason for the rezoning request.

Mr. C. W. Richards, Oconee County Planning Commission member, addressed Council noting that it is not currently a part of the established process to request a reason from a petitioner.

No other citizens 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 2014-11.

**Ordinance 2014-16** "AN ORDINANCE AMENDING THE OCONEE COUNTY CODE OF ORDINANCES, ARTS AND HISTORICAL COMMISSION; REVISING CHAPTER 2, ARTICLE IV, DIVISION 4, SECTIONS 321-326; 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 2014-16.

**Ordinance 2014-21** "AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY BY AND FROM OCONEE COUNTY, SOUTH CAROLINA; AND OTHER MATTERS RELATING THERETO" [*Pioneer Rural Water Property +/- 60 acres*]

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 2014-21.

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

**Ordinance 2014-11** “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” [2014 SUB01]

Mr. Corbeil noted that he had contacted the petitioner, Mr. Josh Gibson, who authorized Mr. Corbeil to update Council and the public that his intentions for rezoning are to allow for family farming and the growing of grapes. It was noted also that the property recently changed hands after Mr. Gibson’s fathers’ death. Lastly, Mr. Gibson documented his intentions via email to the Zoning Administrator, Mr. Josh Stephens, who provided the information to Council [copy filed with these minutes].

Mr. Corbeil made a motion, seconded by Mr. McCall, approved 5 – 0 to approve **Ordinance 2014-11** on third and final reading.

**Ordinance 2014-16** “AN ORDINANCE AMENDING THE OCONEE COUNTY CODE OF ORDINANCES, **ARTS AND HISTORICAL COMMISSION**; REVISING CHAPTER 2, ARTICLE IV, DIVISION 4, SECTIONS 321-326; AND OTHER MATTERS RELATED THERETO”

Mr. Dexter made a motion, seconded by Mr. Cain, approved 5 – 0 to approve **Ordinance 2014-16** on third and final reading.

**Ordinance 2014-21** “AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY BY AND FROM OCONEE COUNTY, SOUTH CAROLINA; AND OTHER MATTERS RELATING THERETO” [*Pioneer Rural Water Property +/- 60 acres*]

Mr. Dexter made a motion, seconded by Mr. McCall, approved 5 – 0 to approve **Ordinance 2014-21** on third and final reading.

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

**Ordinance 2014-20** “AN ORDINANCE TO AMEND CHAPTER 20 OF THE OCONEE COUNTY CODE OF ORDINANCES TO PROVIDE FOR THE ADOPTION OF SOUTH CAROLINA CODE OF LAWS, 1976, AS AMENDED: SECTION 4-9-145, ENTITLED *LITTER CONTROL OFFICERS; CUSTODIAL ARREST AUTHORITY; NUMBER OF OFFICERS; POWERS AND DUTIES*, AND SECTION 56-7-80, ENTITLED *COUNTY OR MUNICIPAL UNIFORM ORDINANCE SUMMONS*, AS PART OF SUCH AMENDED CHAPTER 20; AND OTHER MATTERS RELATED THERETO”

Mr. Moulder and Mr. Martin prior to action by Council clarified some of the confusion regarding the roles and responsibilities as outlined in the ordinance. Mr. Martin stated that the language in this ordinance was taken verbatim from South Carolina state law and he urged Council to not change the wording as presented. Discussion followed.

Mr. McCall made a motion, seconded by Mr. Cain, approved 5 – 0, to approve **Ordinances 2014-20** on second reading.

## **Motion to Amend Agenda**

Mr. Dexter made a motion, seconded by Mr. Cain, approved 5 – 0, to amend the agenda to hear the Auditor’s presentation prior to second reading of Ordinance 2014-22.

## **Oconee County Millage for Tax Year 2014**

Mr. Ken Nix, Oconee County Auditor, addressed Council utilizing a PowerPoint presentation [copy filed with these minutes] and two handouts [copy filed with these minutes] regarding his amended recommendation for millage for tax year 2014 for Oconee County and the School District of Oconee County [SDOC] as follows:

Oconee County:	73.1 mills
SDOC Operations:	140.0 mills

Lengthy discussion followed. Various Council members noted the uncertainty regarding funding from the Local Government Fund, Act 388, potential shortfalls next year, etc.

Mr. Corbeil made a motion, seconded by Mr. Cain, approved 5 – 0 to hold millage at the current levels as outlined below:

Oconee County:	73.9 mills
SDOC Operations:	141.1 mills

### **Ordinance 2014-22 “AN ORDINANCE TO AMEND OCONEE COUNTY ORDINANCE 2014-01, THE BUDGET ORDINANCE FOR OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1ST, 2014 AND ENDING JUNE 30TH, 2015, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, SO AS TO INCLUDE A PROVISIO FOR DISBURSEMENT OF CERTAIN FUNDS; AND OTHER MATTERS RELATED THERETO”**

Mr. Moulder noted that with the millage approval that the increased revenue will require an amendment to this budget ordinance. Mr. Moulder recommended that Council amend Ordinance 2014-22 to reflect the increased revenue and to show an equal decrease in the fund balance use to balance the budget. Discussion followed.

Mr. Dexter made a motion, seconded by Mr. McCall, approve **Ordinances 2014-22** on second reading.

Mr. Corbeil made a motion, seconded by Mr. Cain, approved 5 – 0 to amend **Ordinance 2014-22** to reflect the increased revenue and to show an equal decrease in the fund balance use to balance the budget.

Mr. Thrift called for the vote on the Ordinance as amended. The motion passed 5 – 0 to approve **Ordinance 2014-22** on second reading as amended.

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

*[None scheduled for this meeting.]*

### **Discussion Regarding Action Items:**

#### **ITB 14-03 / Wastewater System Improvements / GCCP / \$273,350**

Mr. Moulder and Ms. Robyn Courtright, Procurement Director, addressed Council regarding this agenda item.

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 5 – 0 that Council (1) approve the award of ITB 14-03 to J. L. Construction Company, Inc., of Greenville, SC for the Wastewater System Improvements to Serve the Golden Corner Commerce Park – WWTP Improvements, in the amount of \$248,500.00, and a contingency amount of 10% for any change orders that may arise, for a total award amount of \$273,350.

#### **Local ATAX / PRT Commission Recommendations / August, 2014 Cycle / \$58,165**

Mr. Moulder and Mr. Ken Sloan, CVB Director, addressed Council regarding this agenda item.

Mr. Dexter made a motion, seconded by Mr. Corbeil, approved 5 – 0 that Council approve \$58,165 for Local ATAX funding and grants as outlined on the attached handouts.

**Oconee Courthouse Ventures, LLC Funding Report** *Mr. John Powell / Mr. Jim Carswell*

Neither Mr. Powell nor Mr. Carswell were present at the meeting; however, they provided Council with an email handout [copy filed with these minutes] regarding the status of identifying funding for the Courthouse Inn project. Lengthy discussion followed regarding the project, funding options, the USDA grant program, etc.

Mr. Cain made a motion, seconded by Mr. McCall, approved 4 – 1 [Mr. Dexter opposed] to [1] authorize additional time to allow for construction financing commitments to be made, documented and provided to Council by December 31, 2014, and [2] this extension is made contingent upon receiving documentation confirming their lending institutions commitment regarding the permanent financing for the project which is to be provided at the October 21, 2014 regular council meeting.

**Old Business:**

None at this meeting.

**New Business:**

**Agenda Item Summary for All Readings of Ordinances**

Mr. McCall requested a simple ordinance summary be included in each ordinance. Discussion followed.

Mr. Moulder agreed to provide to Council and the Public an Agenda Item Summary that summarizes the key aspects of each ordinance to be presented for all three readings of each Ordinance.

**SCAC Revenue, Finance & Economic Development Steering Committee Draft Policy**

Mr. Dexter noted his attendance this week at the SCAC Revenue, Finance & Economic Development Steering Committee meeting; asking Council members for input regarding the working draft policy outline provided to each [copy not filed with these minutes].

**Executive Session:**

Mr. Cain made a motion, seconded by Mr. Dexter, approved 5 – 0 to enter Executive Session for the purpose of discussing several Economic Development matters, a pending litigation matter and a contractual matter. Council entered Executive Session at 7:50 p.m.

Council returned from Executive Session at 8:38 p.m. on a motion by Mr. Dexter, 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 with the Economic Development matter as discussed in Executive Session.

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

None at this meeting.

**Council Member Comments:**

None at this meeting.

**Adjourn**

Mr. McCall made a motion, approved unanimously 5 - 0, to adjourn at 8:40 p.m.

Respectfully Submitted:

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Elizabeth G. Hulse  
Clerk to Council