



MINUTES
OCONEE COUNTY COUNCIL MEETING
Regular Meeting
February 3, 2015

MEMBERS, OCONEE COUNTY COUNCIL

Mr. Wayne McCall, District II, Council Chairman
Mr. Paul Cain, District III, Vice Chairman
Ms. Edda Cammick, District I, Chairman Pro Tem
Mr. Joel Thrift, District IV
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 Elizabeth Hulse, Clerk to Council 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.

Members of the press present: Ray Chandler/Anderson Independent, Ashton Hester/Keowee Courier & Carlos Galarza/The Daily Journal.

Call to Order

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

Public Comment Session

Mr. Chris Rouen addressed Council [Mr. McCall specifically] regarding comments made at the January 20, 2015 meeting which he took offense to noting that Mr. McCall as chair represents all citizens and stated that divisive language isn't in the best interest of Oconee County.

Mr. Bill Simmons, Asst. Fire Chief at Mountain Rest, addressed Council voicing concerns with perceived county delays on building their fire sub-station.

Ms. Maria Kazinski addressed Council requesting strengthening of animal cruelty ordinances.

County Council Response to Public Comment

Mr. McCall apologized to Mr. Rouen for any offense taken in his comments; noting that they were not intended.

Moment of Silence

Mr. McCall 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. Thrift made a motion, seconded by Mr. Cain, approved 5 – 0 to approve the February 3, 2014 regular meeting as presented.

Presentations to Council by Outside Organizations

Humane Society / SNAC [Spay, Neuter Assistance Coalition] Program

Ms. Lindsey Addis, Humane Society Board Member & Oconee County Sheriff Mike Crenshaw

Ms. Addis, Sheriff Crenshaw and other Humane Society volunteers addressed Council utilizing a handout [copy filed with these minutes] highlighting their goals and accomplishments. The representatives requested additional funding this fiscal year in the amount of \$35,875. Discussion followed. Mr. McCall asked that Humane Society representatives to contact him to identify if he can assist with private funding.

Council took no action on this matter at this 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 & Third and Final Reading for Ordinances: 2015-04
- Second Reading for Ordinances: 2015-05
- First Reading of Ordinance: 2015-11 [in title only]
- Discussion Items
- Board & Commission Appointments
- Old Business
 - Alternative to Ordinance 2014-24 Update
 - Legal Counsel Analysis Update
- Executive Session

Lastly, Mr. Moulder addressed two pending issues from Old Business at the January 20, 2015 meeting:

Legal Counsel Analysis Update

Mr. Moulder addressed Council noting that the request to quantify savings had been challenging but after review of four and one half years of records he identified "savings" of approximately \$6.7 million dollars. Mr. Moulder noted that the SWAG agreement was not included as McNair was not a party to the document development. He noted two examples [1] the airport runway extension litigation, and [2] the ADA issues related to the new courthouse which he stated made up the bulk of the identified savings. Lengthy discussion followed with various opinions offered.

Alternative to Ordinance 2014-24 Update

Mr. Moulder updated Council noting that he contacted four insurance providers; three of which either do not provide appropriate coverage or did not respond to the inquiry. He stated that the fourth company is in the process of developing a quote after he completed their application. Lastly, he stated that the quote had not yet been received therefore he will report his findings at a future meeting.

Public Hearing Regarding the Following Ordinances

Ordinance 2015-04 "AN ORDINANCE AUTHORIZING THE TRANSFER OF CERTAIN OCONEE COUNTY REAL PROPERTY; AUTHORIZING THE EXECUTION AND DELIVERY OF A REAL PROPERTY DEED; AND OTHER MATTERS RELATED THERETO."

Mr. McCall opened the floor for Public Comment.

Ms. Nan Jones addressed Council in support of passage of **Ordinance 2015-04**.

Mr. Dan Pollock addressed Council in support of passage of **Ordinance 2015-04**.

Mr. Keith Denny addressed Council in support of passage of **Ordinance 2015-04**.

Mr. Wilson Burr addressed Council in support of passage of **Ordinance 2015-04**.

No additional citizens signed up to speak.

Mr. McCall asked if any citizens wished to submit written comments regarding this ordinance; no citizen presented any written comments for the record.

Mr. McCall closed the Public Hearing regarding **Ordinance 2015-04**.

Third & Final Reading of the Following Ordinances

Ordinance 2015-04 “AN ORDINANCE AUTHORIZING THE TRANSFER OF CERTAIN OCONEE COUNTY REAL PROPERTY; AUTHORIZING THE EXECUTION AND DELIVERY OF A REAL PROPERTY DEED; AND OTHER MATTERS RELATED THERETO.”

Mr. Thrift made a motion, seconded by Mr. Dexter, approved 5 – 0 to approve **Ordinance 2015-04** on third and final reading.

Second Reading of the Following Ordinances

Ordinance 2015-05 “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDMENT TO THE AMENDED FEE AGREEMENT BETWEEN OCONEE COUNTY AND **GREENFIELD INDUSTRIES, INC.**, TO INCLUDE THE ADDITION OF TDC GREENFIELD PROPERTIES LLC, AS A CO-SPONSOR, AMENDING THE AMENDED FEE AGREEMENT DATED AS OF OCTOBER 1, 2013; AND OTHER MATTERS RELATED THERETO”

Mr. Dexter made a motion, seconded by Mr. Thrift, approved 5 – 0 to approve **Ordinance 2015-05** on second reading.

First Reading of the Following Ordinances

Ordinance 2015-11 [Title Only] “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDED AND RESTATED FEE IN LIEU OF TAX AGREEMENT BY AND BETWEEN OCONEE COUNTY AND **BORG WARNER TORQ TRANSFER SYSTEMS, INC.**, WHEREBY OCONEE COUNTY AND BORG WARNER TORQ TRANSFER SYSTEMS, INC. WILL AGREE TO A MODIFICATION OF THE EXISTING FEE IN LIEU OF TAX AGREEMENT AND WILL INCORPORATE THE TERMS OF ADDITIONAL INVESTMENT AND OTHER MATTERS RELATED THERETO.”

Mr. Dexter made a motion, seconded by Mr. Thrift, approved 5 – 0 to approve **Ordinance 2015-11** on first reading in title only.

Discussion Regarding Action Items:

ITB 14-06 / Sale of House & Real Property / \$129,501

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

Mr. Dexter made a motion, seconded by Mr. Cain, approved 5 – 0 to [1] approve the sale of the house & real property located at 502 E. Main St, Walhalla to Frances Dianne Wood in the amount of \$129,501, and [2] to authorize the Administrator to execute documents & take necessary actions to complete the sale of the property.

ITB 14-10 / Bridge Replacement – Land Bridge / \$498,864.09

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

Mr. Dexter made a motion, seconded by Mr. Cain, approved 5 – 0 to award bid ITB 14-10, Bridge Replacement-Land Bridge Road to Palmetto Infrastructure, Inc., of Greenville, SC, in the

amount of \$453,512.81 with a 10% contingency of \$45,351.28 for a total award of \$498,864.09 and authorize the County Administrator to approve any Change Orders within the contingency amount.

Approval to Apply for Story Corp @ Your Library Grant

Mr. Moulder addressed Council regarding this matter.

Mr. Thrift made a motion, seconded by Mr. Cain, approved 5 – 0 to approve the Library applying for the Story Corps @ Your Library Grant as described in the Agenda Item Summary.

Board/Commission Appointments

Board of Zoning Appeals / 1 At Large

At Large: Mr. Cain made a motion, seconded by Ms. Cammick, approved 5 – 0 to re-appoint **Mr. Berry Nichols** to the At Large Board of Zoning Appeals seat.

Library Board / 1 At Large

At Large: Mr. Cain made a motion, seconded by Ms. Cammick, approved 5 – 0 to appoint **Ms. Kelly Holleman** to an open At Large seat on the Library Board.

Aeronautics Commission / 1 At Large

At Large: Ms. Cammick made a motion, seconded by Mr. Cain, approved 5 – 0 to appoint at the recommendation of the Aeronautics Commission; **Mr. Albert Brightwell** to the At Large Aeronautics Commission seat.

Conservation Bank Board / District I District III 1 At Large Seat

District I: Ms. Cammick made a motion, seconded by Mr. Cain, approved 5 – 0 to re-appoint **Mr. Shea Airey** to the District I Conservation Bank Board seat.

District III: DEFERRED

At Large: Ms. Cammick made a motion, seconded by Mr. Cain, approved 5 – 0 to re-appoint **Mr. Richard Cain** to the At Large Conservation Bank Board seat.

Parks, Recreation & Tourism Commission / 4 At Large Seats

At Large: Ms. Cammick made a motion, seconded by Mr. Thrift, approved 5 – 0 to re-appoint **Mr. Rick Lacey, Mr. Mike Wallace & Ms. Becky Wise** to three of the four open At Large PRT Commission seat. One At Large Appointment was DEFERRED.

Scenic Highway Committee / 1 At Large Seat

At Large: DEFERRED

Arts & Historical Commission / District I, District III and 1 At Large

District III: Ms. Cammick made a motion, seconded by Mr. Cain, approved 5 – 0 to appoint **Ms. Miriam Noorai** to the District III Arts & Historical Commission seat.

Building Codes Appeal Board / District I & District III

District III: DEFERRED

Old Business:

Transportation Committee Deferred Recommendation regarding Moccasin Flower Road

Mr. Moulder and Mr. Thrift updated Council stating that the citizens have been made fully aware of the process for this road closure to include their responsibilities regarding filing and any costs associated with the court action.

Mr. Thrift made a motion, seconded by Ms. Cammick, approved 5 – 0 to [1] support closure of Moccasin Flower Road, and [2] direct staff to prepare a Resolution for County Council to consent to the abandonment and closure of Moccasin Flower Road.

New Business:

Attorney Attendance at Non-Council Meetings

Mr. McCall made a motion, seconded by Ms. Cammick, approved 5 – 0 to exclude the County Attorney from Planning Commission & other non-Council meetings without prior approval from the County Administrator; such approval to be made without council involvement

Recycling Program Development

Mr. McCall made a motion, seconded by Ms. Cammick, approved 5 – 0 to direct the County Administrator to explore and move forward with development of a recycling plan and forward the plan to the Planning Commission for review and recommendation to Council.

Oconee Industry & Technology Park Sign

Mr. McCall requested that Mr. Moulder contact Blue Ridge to trim the trees to provide better visibility of the Oconee Industry & Technology Park Sign located on Highway 11 at the park entrance.

Executive Session:

Mr. Cain made a motion, seconded by Mr. Thrift, approved 5 – 0 to enter Executive Session for the purpose of discussing several Economic Development matters, a personnel matter, a pending litigation matter and to discuss a potential litigation/personnel matters.

Council entered Executive Session at 7:35 p.m.

Council returned from Executive Session at 10:03 p.m. on a motion by Mr. Thrift, seconded by Mr. Cain, approved 5 – 0.

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

Adjourn

Mr. Cain made a motion, approved unanimously 5 – 0, to adjourn at 10:04 p.m.

Respectfully Submitted:

Elizabeth G. Hulse
Clerk to Council