



MINUTES
OCONEE COUNTY COUNCIL MEETING
Regular Meeting
April 21, 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 Josh Stephens, Deputy Director of Community Development 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 & Steven Bradley/The Daily Journal.

Call to Order

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

Public Comment Session

Mr. Ward Fetrow addressed Council utilizing several handouts [copies filed with these minutes] voicing his concerns with the SC Great Outdoor initiative and other matters related thereto.

Mr. Ben Turetzky, FOLKS Executive Director, addressed Council reading from a prepared statement [copy filed with these minutes] requesting Council consider taking over operation of Fall Creek as a county park.

County Council Response to Public Comment

Mr. McCall noted that he had conversations with Mr. Ray Lewis, DNR, regarding drownings in Oconee County and potential safety measures.

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. Dexter 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 April 7, 2015 regular meeting and the April 13, 2015 special meeting minutes as presented.

First & Final Reading of the Following Proclamations

Proclamation P2015-04 “A PROCLAMATION RECOGNIZING THE 150TH ANNIVERSARY OF BASF

Mr. Dexter made a motion, seconded by Mr. Cain, approved 5 – 0 to approve **Proclamation P2015-04** on first & final reading. Members of the BASF team were present to accept the proclamation and thanked Council for their continued support.

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: 2015-13
- Third & Final Readings: 2015-131,
- Second Reading for Ordinances: 2015-06 [request to table to 5/5/15], 2015-08
- First Reading of Ordinance: 2015-15, 2015-16 [title only]
- First & Final Reading of Resolutions: R2015-08
- Discussion Items
- Council Committee Reports
- Old Business

Public Hearings regarding the Following Ordinances

Ordinance 2015-13 “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND **PROJECT MOLD** AND INCLUDING, WITHOUT LIMITATION, PAYMENT OF A FEE IN LIEU OF TAXES RELATED TO THE PROJECT; EXTENDING THE TERM OF THE JOINT COUNTY INDUSTRIAL AND BUSINESS PARK FOR THE PROJECT UNTIL DECEMBER 31, 2023; AND OTHER MATTERS RELATING THERETO”

Mr. McCall opened the floor for Public Comment.

Mr. McCall asked if any citizens wished to address Council – no citizens addressed Council.

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 2015-13**.

Third & Final Reading of the Following Ordinances

Ordinance 2015-13 “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND **PROJECT MOLD** AND INCLUDING, WITHOUT LIMITATION, PAYMENT OF A FEE IN LIEU OF TAXES RELATED TO THE PROJECT; EXTENDING THE TERM OF THE JOINT COUNTY INDUSTRIAL AND BUSINESS PARK FOR THE PROJECT UNTIL DECEMBER 31, 2023; AND OTHER MATTERS RELATING THERETO”

Mr. Dexter made a motion, seconded by Mr. Thrift, approved 5 – 0 to approve **Ordinance 2015-13** on third & final reading.

Second Reading of the Following Ordinances

Ordinance 2015-06 “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE AGREEMENT BY AND BETWEEN OCONEE COUNTY, SOUTH CAROLINA (THE “COUNTY”) AND **CASTO SOUTHEAST REALTY SERVICES, LLC** OR ITS ASSIGNEE (THE “COMPANY”) INCLUDING AN INFRASTRUCTURE IMPROVEMENT CREDIT RELATING TO THE FEES IN LIEU OF TAXES THEREUNDER PURSUANT TO TITLE 12, CHAPTER 44, CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED AND THE PLACEMENT OF RELATED PROPERTY IN A MULTICOUNTY INDUSTRIAL BUSINESS DEVELOPMENT PARK ESTABLISHED BY THE COUNTY; AUTHORIZING THE EXECUTION AND DELIVERY OF AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF SENECA RELATED TO THIS MATTER; AND OTHER MATTERS RELATING THERETO

Mr. Cain made a motion, seconded by Mr. Thrift, approved 5 – 0 to table until the May 5, 2015 regular meeting any action regarding **Ordinance 2015-06**.

Ordinance 2015-08 “AN ORDINANCE AMENDING CHAPTER 38 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING AGRICULTURAL RESIDENTIAL ZONING DISTRICTS IN CERTAIN LIMITED REGARDS AND PARTICULARS; AND OTHER MATTERS RELATED THERETO”

Mr. Dexter made a motion, seconded by Mr. Thrift, approved 4 – 0 – 1 [Mr. Cain abstained – form filed with these minutes] to bring **Ordinance 2015-08** to the floor.

Mr. Thrift made a motion, seconded by Mr. Dexter, approved 4 – 0 - 1 to amend **Ordinance 2015-08** [splitting out language for setbacks] as presented in the document in your meeting packs.

Mr. Dexter made a motion, seconded by Mr. Thrift, approved 4 – 0 – 1 to approve as amended **Ordinance 2015-08** on second reading.

First Reading of the Following Ordinances

Ordinance 2015-15 “AN ORDINANCE AMENDING CHAPTER 32 AND CHAPTER 38 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING SETBACKS; AND OTHER MATTERS RELATED THERETO

Mr. Dexter made a motion, seconded by Mr. Thrift, to approve **Ordinance 2015-15**.

Mr. Cain made a motion, seconded by Mr. Thrift, approved 5 – 0 to amend **Ordinance 2015-15, Attachment A, [I]** to “Reserved”.

Mr. McCall called for the vote. The motion passed 5 – 0 to approve **Ordinance 2015-15** as amended on first reading.

Ordinance 2015-16 [Title Only] “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, RELATED TO THE ROCK QUARRY BUDGET, ONLY; AND OTHER MATTERS RELATED THERETO

Ms. Cammick made a motion, seconded by Mr. Thrift, approved 5 – 0 to approve **Ordinance 2015-16** on first reading in title only.

First & Final Reading of the Following Resolutions

Resolution R2015-08 “A RESOLUTION SUPPORTING STATE EFFORTS TO FIND SOLUTIONS TO THE FUNDING NEEDS FOR STATE MAINTAINED AND OPERATED ROADS AND BRIDGES WITHOUT TRANSFERRING THE BURDEN TO LOCAL GOVERNMENTS AND OPPOSING ANY ACTIONS TAKEN BY THE GENERAL ASSEMBLY THAT THROUGH LACK OF STATE FUNDING WILL LEAD TO INCREASED TAXES ON THE CITIZENS OF OCONEE COUNTY

Mr. Cain made a motion, seconded by Mr. Dexter, approved 5 – 0 to approve **Resolution 2015-08** on first & final reading.

Discussion Regarding Action Items:

Engineering Services/Lands Bridge Road (PO 51250) / Roads & Bridges / \$55,987.00

Mr. Cain made a motion, seconded by Mr. Dexter, approved 5 – 0 to approve the award of \$55,987.00 to Davis & Floyd, Inc., of Greenwood, SC for engineering services for the Lands Bridge Road project.

Komatsu Back Dump Truck / Rock Quarry / \$493,300.00

Mr. Cain made a motion, seconded by Mr. Dexter, approved 5 – 0 to approve the purchase of one 2015 Komatsu 325-7 back-dump truck from Linder Industrial Machinery Company of Greer, SC, for the cost of \$493,300.00.

Council Committee Reports:

Law Enforcement, Public Safety, Health & Welfare Committee / Mr. McCall

Mr. McCall read from a prepared statement [copy filed with these minutes] highlighting discussions, direction and recommendations to staff from the April 13, 2015 meeting.

Council concurred with the Committees recommendation to direct the Sheriff to provide specific funding estimates to the County Administrator for possible inclusion in the FY15-16 budget.

Transportation Committee / Mr. Thrift

Mr. Thrift read from a prepared statement [copy filed with these minutes] highlighting discussions, direction and recommendations to staff from the April 13, 2015 meeting.

Council concurred with the Committees recommendation to [1] direct the Administrator and County Engineer to contact the County Attorney to clarify methods for moving forward with re-doing the special tax district ordinance currently in place; and, [2] direct the Administrator to follow normal processes regarding citizen initiated abandonment and to remind the citizen that the ligation would be at their own expense.

Budget, Finance & Administration Committee / Ms. Cammick

Ms. Cammick read from a prepared statement [copy filed with these minutes] highlighting discussions, direction and recommendations to staff from the April 13, 2015 meeting.

Old Business:

Potential Land Regulation Modification Discussion

Mr. Cain addressed the need to further expand tourism in Oconee County and at the same time protect the heritage, natural resources and community character of the county.

Mr. Cain made a motion, seconded by Mr. Dexter, approved 5 – 0 to [1] direct the Administrator to look at tourism corridors and high growth areas in the county as areas for rustic elegance code to be implemented to ensure that the county does not lose its character with anticipated growth, and [2] to report back to Council with recommendations.

Discussion regarding Errors/Omissions Indemnification Policy

Mr. Moulder reviewed with Council his search for errors/omissions indemnification insurance per Council's request. He stated that he had received one quote for an annual \$30,000 premium with a \$100,000 deductible. Discussion followed.

Mr. Thrift made a motion, seconded by Mr. Cain, to continue with Ordinance 2014-24 and to not purchase error/omission insurance at this time. Discussion followed. Mr. Cain asked Mr. Thrift if he would amend his motion to include setting aside \$30,000 in the FY 2015-2016 budget; Mr. Thrift declined.

Mr. McCall called for the vote. The motion passed 3 – 2 [Mr. McCall and Ms. Cammick opposed] to continue with Ordinance 2014-24 and to not purchase error/omission insurance at this time.

New Business:

None scheduled at this meeting.

Adjourn

Mr. Thrift made a motion, approved unanimously 5 – 0, to adjourn at 7:40 p.m.

Respectfully Submitted:

Elizabeth G. Hulse
Clerk to Council