



MINUTES
OCONEE COUNTY COUNCIL MEETING
Regular Meeting
May 5, 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

[Due to mechanical difficulties, no audio recording was made of this meeting]

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 G. 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, Dick Mangrum/WGOG Radio & 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 in opposition to rustic elegance requirements in Ordinance 2015-06.

Mr. Samuel Rankin addressed Council regarding an animal control issue.

Ms. Janet Barwick, Humane Society Board Member, thanked Council for funding FY 2015-2016 as proposed in the Administrator's budget.

Mr. Redd Gardner addressed Council in opposition to Economic Development's promotional video for the Oconee Industry & Technology Park.

Mr. Marty Hurst addressed Council regarding questions related to Ordinance 2015-14.

Mr. Bill Caster, Library Board Member, addressed Council in support of a new Seneca branch library and promoted the Sheriff's Office Citizen Police Academy.

County Council Response to Public Comment

Mr. McCall thanked the Sheriff and his department for their professional resolution to a recent standoff with a citizen.

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:

Ms. Cammick led the Pledge of Allegiance to the Flag of the United States of America.

Approval of Minutes:

Mr. Thrift made a motion, seconded by Ms. Cammick, approved 5 – 0 to approve the April 21, 2015 regular meeting and the April 28, 2015 special meeting minutes as presented.

First & Final Reading of the Following Proclamations

Proclamation P2015-05 “A PROCLAMATION FOR PEACE OFFICERS’ MEMORIAL DAY”

Mr. Thrift made a motion, seconded by Mr. Dexter, approved 5 – 0 to approve **Proclamation P2015-05** on first & final reading. Sheriff Mike Crenshaw was present to accept the proclamation.

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: 2015-14
- Third & Final Readings: 2015-14,
- Second Reading for Ordinances: 2015-06, 2015-15, 2015-16
- First Reading for Ordinances: 2015-01, 2015-02, 2015-03 [Mr. Moulder noted that these three ordinances could be acted upon with a single motion as all are in title only]
- Board/Commission Appointments
- Oconee County Conservation Bank Board request for ordinance amendment

Mr. Cain made a motion, seconded by Mr. Thrift, approved 3 – 2 [Mr. McCall and Ms. Cammick opposed] to amend the agenda to add an Executive Session for the purpose of discussing a litigation matter.

Public Hearings regarding the Following Ordinances

Ordinance 2015-14 “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” [2015-SUB01]

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 2015-14**.

Third & Final Reading of the Following Ordinances

Ordinance 2015-14 “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” [2015-SUB01]

Mr. Thrift made a motion, seconded by Mr. Cain, to approve **Ordinance 2015-14** on third & final reading. Ms. Cammick requested that the vote be postponed pending staff addressing questions related to this ordinance from Mr. Hurst. Council concurred. *[see page 3 for vote]*

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. Dexter, to approve **Ordinance 2015-06** on second reading. Discussion followed.

Mr. Cain made a motion, seconded by Mr. Thrift, approved 5 – 0 to correct a Scribner’s error on the fee agreement, page 16, Section 4.1b [9% to 90%].

Mr. McCall called for the vote. The motion passed 5 – 0 to approve **Ordinance 2015-06** on second reading as amended.

Third & Final Reading of the Following Ordinances [continued]

Ordinance 2015-14 “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” [2015-SUB01]

Mr. McCall called for the vote on **Ordinance 2015-14**. The motion passed 5 – 0 to approve **Ordinance 2015-14** on third and final reading. [see page 2 for discussion]

Second Reading of the Following Ordinances [continued]

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, approved 5 – 0 to approve **Ordinance 2015-16** on second reading.

Ordinance 2015-16 “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

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

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First Reading of the Following Ordinances

Ordinance 2015-01 [title only] “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 FUNDS, FOR THE BRIDGE AND CULVERT CAPITAL PROJECT FUND, GENERAL CAPITAL PROJECT FUND, AND FOR THE ECONOMIC DEVELOPMENT CAPITAL PROJECT FUND, ALL IN OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2015 AND ENDING JUNE 30, 2016”

Ordinance 2015-02 [title only] “AN ORDINANCE TO ESTABLISH THE BUDGET FOR THE SCHOOL DISTRICT OF OCONEE COUNTY (the “School District”) AND TO PROVIDE FOR THE LEVY OF TAXES FOR THE OPERATIONS OF THE SCHOOL DISTRICT OF OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2015 AND ENDING JUNE 30, 2016”

Ordinance 2015-03 [title only] “AN ORDINANCE TO PROVIDE FOR THE LEVY OF TAXES FOR THE KEOWEE FIRE SPECIAL TAX DISTRICT AND TO ESTABLISH THE BUDGET FOR THE KEOWEE FIRE SPECIAL TAX DISTRICT FOR THE FISCAL YEAR BEGINNING JULY 1, 2015 AND ENDING JUNE 30, 2016”

Mr. Cain made a motion, seconded by Ms. Cammick, approved 5 – 0 to approve **Ordinances 2015-01, 2015-02 & 2015-03** each on first reading in title only.

Old Business:

Workshop Meeting with Planning Commission regarding Chapters 32 & 38 of the Oconee County Code of Ordinances

Ms. Cammick requested that Council move forward with issues unresolved at the workshop meeting with the Planning Commission in 2014. Discussion followed.

Council directed the Administrator to work with the Council Chair, Planning Commission Chair and staff liaison to schedule a workshop.

New Business:

None scheduled at this meeting.

Board / Commission Appointments

Scenic Highway Committee / 1 At Large Seat

At Large: Ms. Cammick made a motion, seconded by Mr. Cain, approved 5 – 0 to appoint **Mr. Scott Lusk** to an At Large Seat on the Scenic Highway Committee.

Conservation Bank Board / Charitable Corp. or Trust Candidate

At Large: DEFERRED

Mr. Thrift made a motion, seconded by Mr. Dexter, approved 5 – 0 to [1] table appointment of the At Large Seat indefinitely, and [2] to direct the County Attorney draft an ordinance to amend the board’s membership requirements; making them less stringent as requested by the Board.

Executive Session

Mr. Thrift made a motion, seconded by Mr. Dexter, approved 5 – 0 to enter into Executive Session for the purpose of discussing a litigation matter.

Council entered Executive Session at 7:11 p.m.

Council returned from Executive Session upon a motion by Mr. Cain, seconded by Mr. Thrift, approved 5 – 0 at 8:09 p.m.

Mr. Cain noted that two members left Executive Session prior to discussion conclusion [Mr. McCall & Ms. Cammick] and that no action was taken in Executive Session.

Mr. Cain made a motion, seconded by Mr. Thrift to direct the Administrator to direct the County Attorney to remove the litigation matter from the docket as discussed in Executive Session.

Ms. Cammick made a substitute motion, seconded by Mr. McCall, defeated 2 – 3 [Mr. Cain, Mr. Thrift & Mr. Dexter opposed] to adopt the agreement as presented.

Discussion followed

Mr. Cain called for the vote on the main motion.

The motion passed 3 – 2 [Mr. McCall and Ms. Cammick opposed] to direct the Administrator to direct the County Attorney to remove the litigation matter from the docket as discussed in Executive Session.

Ms. Cammick made a motion, seconded by Mr. McCall, defeated 2 – 3 [Mr. Cain, Mr. Thrift & Mr. Dexter opposed] to rescind Ordinance 2014-24 “An Ordinance authorizing and directing the provision of county-funded legal representation, defense, and limited indemnification for Oconee County employees in certain limited circumstances involving the direction and performance of official duties; and other matters related thereto”.

Adjourn

Ms. Cammick made a motion, approved unanimously 5 – 0, to adjourn at 8:24 p.m.

Respectfully Submitted:

Elizabeth G. Hulse
Clerk to Council