



MINUTES
OCONEE COUNTY COUNCIL MEETING
Regular Meeting
June 2, 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 [except Ms. Cammick], 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, Ashton Hester/Keowee Courier & Steven Bradley/The Daily Journal.

Call to Order

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

Prior to Public Comment, Mr. Dexter requested a Point of Order to identify if any amendments to the agenda would be requested and if so what those changes would be. Mr. McCall stated that the presentation issue needed to be discussed in Executive Session. Mr. Dexter noted that state law requires a motion to amend an agenda after it has been published. Discussion followed. Mr. McCall asked for a motion to amend the agenda regarding the presentation; no motion was made. Mr. McCall proceeded with the published agenda.

Public Comment Session

Mr. Ken Nix declined his time for Public Comment.

Ms. Jean Jennings addressed Council regarding various aspects of the budget including roads, signs & way-finding signs, bus service and funding for outside organizations.

Mr. John Dalen addressed Council regarding Mortgage Electronic Registration Systems utilizing two handouts [copies filed with these minutes] requesting Oconee County join pending litigation regarding this issue.

Capt. Jeff Underwood, Oconee County Sheriff's Office, addressed Council requesting raises for county employees be added into the budget for FY 2015-2016 as it impacts morale, recruiting and retention of all staff.

Mr. Richard Marcengill addressed Council in opposition to changing the noise ordinance to accommodate a single promoter; requesting research be done to ensure equitable implementation.

County Council Response to Public Comment

Mr. Cain responded to Mr. Marcengill noting that the ordinance was in the development stage and not on the agenda to ensure its balanced and enforceable.

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. Thrift led the Pledge of Allegiance to the Flag of the United States of America.

Approval of Minutes:

Mr. Dexter made a motion, seconded by Mr. Cain, approved 4 – 0 to approve the May 19, 2015 regular meeting minutes as presented.

Presentations to Council by Outside Organizations

Discussion of the May 8, 2015 Called Meeting Minutes & Backup Material / Mr. Ken Nix, Auditor

Mr. Nix, Oconee County Auditor, addressed Council utilizing a written statement and PowerPoint presentation [both copies filed with these minutes] regarding pending litigation related to the collection of airplane taxes. Mr. McCall interjected during the presentation that allegations were not accurate, that potential costs to the taxpayers were \$1 million and that work is ongoing to settle the matter. Mr. Dexter disputed Mr. McCall's estimate of costs to the taxpayers. Mr. Nix concluded his presentation. 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 Hearings: 2015-08, 2015-15, 2015-16
- Third & Final Readings: 2015-06, 2015-08, 2015-15, 2015-16
- Second Reading for Ordinances: 2015-17
- First Reading for Ordinances: 2015-19
- First & Final Reading for Resolutions: R2015-11
- Council Committee Reports
- Executive Session

Mr. Moulder lastly noted that an additional personnel matter needed to be added to the Executive Session later in the meeting.

Public Hearings regarding the Following Ordinances

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. 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 2015-08**.

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. 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 2015-15**.

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. 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 2015-16**.

Third & Final 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. Dexter made a motion, seconded by Mr. Cain, to approve **Ordinance 2015-06**.

Mr. Thrift made a motion, seconded by Mr. Cain, approved 4 – 0 to amend the Ordinance to include all documents as presented at this meeting.

Mr. McCall called for the vote on the motion as amended. The motion was approved 4 – 0 to approve **Ordinance 2015-06** on third and final reading as amended.

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. Cain informed Council that he would abstain from voting on this matter as his partner was the attorney of record related to this matter.

Mr. Thrift made a motion, seconded by Mr. Dexter, approved 3 – 0 – 1 [Mr. Cain abstained – form filed with these minutes] to approve **Ordinance 2015-08** on third and final reading.

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. Thrift made a motion, seconded by Mr. Cain, approved 4 – 0 to approve **Ordinance 2015-15** on third and final 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. Cain made a motion, seconded by Mr. Thrift, approved 4 – 0 to approve **Ordinance 2015-16** on third and final reading.

Second Reading of the Following Ordinances

Ordinance 2015-17 “AN ORDINANCE AMENDING CHAPTER 2, ARTICLE IV, DIVISION 9, SECTION 2-400(a) (OCONEE COUNTY **CONSERVATION BANK BOARD MEMBERSHIP**) OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY; AND OTHER MATTERS RELATED THERETO”

Mr. Thrift made a motion, seconded by Mr. Dexter, approved 4 – 0 to approve **Ordinance 2015-17** on second reading.

First Reading of the Following Ordinances

Ordinance 2015-19 [*in title only*] “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN INFRASTRUCTURE FINANCE AGREEMENT AMONG OCONEE COUNTY, SOUTH CAROLINA AND COMPANY OR COMPANIES KNOWN TO THE COUNTY AS **PROJECT CRYSTAL**, WITH RESPECT TO CERTAIN ECONOMIC DEVELOPMENT PROPERTY IN THE COUNTY, WHEREBY SUCH PROPERTY WILL RECEIVE CERTAIN INFRASTRUCTURE CREDITS IN RESPECT OF INVESTMENT IN RELATED INFRASTRUCTURE; AND OTHER MATTERS RELATED THERETO”.

Mr. Dexter noted a typographical error on the agenda item summary regarding the ordinance number; noting that the agenda had the correct information.

Mr. Cain made a motion, seconded by Mr. Dexter, approved 4 – 0 to approve **Ordinances 2015-19** on first reading in title only.

First & Final Reading of the Following Resolutions

Resolution R2015-11 “A RESOLUTION TO CREATE A **COMMUNITY RELATIONS COUNCIL** IN OCONEE COUNTY, SOUTH CAROLINA”

Farm Rd]

[Brook Lane/Sheep

Mr. Cain made a motion, seconded by Dexter, approved 4 – 0 to table **Resolution R2015-11** on first and final reading to allow for review of the impact creation of a Council would have on Oconee County.

Mr. Cain made a motion, seconded by Mr. Dexter, approved 4 – 0 to direct the Administrator to explore potential legal ramifications regarding formation of a Council and to report back to Council at the June 16, 2015 council meeting.

Discussion Regarding Action Items

None scheduled at this meeting.

Council Committee Reports

Budget, Finance & Administration Committee / Ms. Cammick

Ms. Cammick provided a written statement [read into the record by the Clerk to Council & copy filed with these minutes] highlighting discussions and recommendations to staff from the May 26, 2015 meeting.

Old Business:

None scheduled at this meeting.

New Business:

Mortgage Electronic Registration Systems [MERS]

Mr. Cain made a motion, seconded by Mr. Thrift, approved 4 – 0 to direct the Administrator to look into the lawsuit and provide a recommendation to Council regarding if it is in the best interest of Oconee County to join the other counties in the lawsuit.

Executive Session:

Mr. Cain made a motion, seconded by Mr. Thrift, approved 4 – 0 amend the purpose for the Executive Session to include an additional personnel matter.

Mr. Cain made a motion, seconded by Mr. Dexter, approved 4 – 0 to enter Executive Session for the purpose of discussing three personnel matters.

Council entered Executive Session at 6:57 p.m.

Council returned from Executive Session at 7:16 p.m. on a motion by Mr. Dexter, seconded by Mr. Cain, approved 4 – 0.

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

Adjourn

Mr. Dexter made a motion, approved unanimously 4 – 0, to adjourn at 7:17 p.m.

Respectfully Submitted:

Elizabeth G. Hulse
Clerk to Council