



**MINUTES**  
**OCONEE COUNTY COUNCIL MEETING**  
**Regular Meeting**  
**September 1, 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 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](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: Dick Mangrum/WGOG & Ray Chandler/Anderson Independent, Ashton Hester/Keowee Courier & Steven Bradley/The Daily Journal.

**Call to Order**

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

**Public Comment Session**

Ms. Jean Jennings addressed Council in opposition to Ordinance 2015-24 as written.

Mr. Mike Hamor addressed Council in opposition to the Destination Oconee plan.

Mr. Robert Moore addressed Council requesting review of the proposed Highway 123/93 exchange related to the CASTO development.

Ms. Andy Hiller addressed Council, reading from a prepared statement [copy filed with these minutes] regarding Ordinance 2014-25.

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

**County Council Response to Public Comment**

Ms. Cammick addressed Ms. Heller's comments regarding Ordinance 2014-25 suggesting a joint workshop with the Planning Commission to further discuss needed amendments to the Code of Ordinances.

Mr. Cain, Mr. Thrift and Mr. McCall engaged Mr. Moore discussing the approval by the SCDOT regarding state highways 123 and 93.

**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. Moulder led the Pledge of Allegiance to the Flag of the United States of America.

### **Approval of Minutes:**

Mr. Cain made a motion, seconded by Mr. Thrift, approved 5 – 0 to approve the August 18, 2015 regular meeting minutes 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: 2015-23
- Third & Final Readings: 2015-23
- Second Reading for Ordinances: 2015-24, 2015-25, 2015-27
- First Reading for Ordinances: 2015-28 [title only]
- First & Final Reading for Resolutions: R2015-13
- Discussion Items
- Board / Commission Reports
- Council Committee Report
- Old Business
- New Business
- Executive Session

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

**Ordinance 2015-23** "AN ORDINANCE TO AMEND CHAPTER 2, ARTICLE IV, DIVISION 8 OF THE CODE OF ORDINANCES OF OCONEE COUNTY PERTAINING TO THE **CAPITAL PROJECTS ADVISORY COMMITTEE**; 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 2015-23**.

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

**Ordinance 2015-23** "AN ORDINANCE TO AMEND CHAPTER 2, ARTICLE IV, DIVISION 8 OF THE CODE OF ORDINANCES OF OCONEE COUNTY PERTAINING TO THE **CAPITAL PROJECTS ADVISORY COMMITTEE**; AND OTHER MATTERS RELATED THERETO"

Mr. Thrift made a motion, seconded by Ms. Cammick, approved 5 – 0 to approve **Ordinance 2015-23** on third and final reading.

## Second Reading of the Following Ordinances

**Request for Permanent Removal of Ordinance 2014-25** “AN ORDINANCE AMENDING CHAPTER 32 AND CHAPTER 38 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY; AND OTHER MATTERS RELATED THERETO”

Council took no action to remove **Ordinance 2014-25** from consideration on second reading; however, did direct the County Administrator and Clerk to Council to identify potential dates for a joint workshop with the Planning Commission to review Chapters 32 & 38.

**Ordinance 2015-24** “AN ORDINANCE TO AMEND SECTION 2-191. “APPOINTMENT; DUTIES” OF DIVISION 4. “**COUNTY ATTORNEY**” OF ARTICLE III. “OFFICERS AND EMPLOYEES” OF CHAPTER 2. “ADMINISTRATION” OF THE OCONEE COUNTY CODE OF ORDINANCES; AND OTHER MATTERS RELATED THERETO”

Mr. Cain made a motion, seconded by Ms. Cammick, to approve **Ordinance 2015-24** on second reading.

Lengthy discussion followed with various opinions offered.

Ms. Cammick called for the vote. The motion passed 3 – 2 [Mr. Thrift and Mr. Dexter opposed].

**Ordinance 2015-25** “AN ORDINANCE AMENDING CHAPTERS 32 AND 38 OF THE OCONEE COUNTY CODE OF ORDINANCES IN CERTAIN LIMITED REGARDS AND PARTICULARS PERTAINING TO **OCONEE COUNTY HEIGHT STANDARDS**, ONLY; AND OTHER MATTERS RELATED THERETO”

Ms. Cammick made a motion, seconded by Mr. Cain, approved 5 – 0 to approve **Ordinances 2015-25** on second reading.

**Ordinance 2015-27** “AUTHORIZING THE EXECUTION AND DELIVERY OF AN EQUIPMENT LEASE-PURCHASE AGREEMENT IN THE AMOUNT OF NOT EXCEEDING \$4,200,000 TO DEFRAY THE COSTS OF ACQUIRING VARIOUS EQUIPMENT; AND OTHER MATTERS RELATING THERETO”

Mr. Thrift made a motion, seconded by Mr. Dexter, approved 5 – 0 to approve **Ordinances 2015-27** on second reading.

## First Reading of the Following Ordinances

**Ordinance 2015-28 [title only]** ”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”

*[Gardiner Group PDD]*

Mr. Cain made a motion, seconded by Mr. Dexter, approved 5 – 0 to [1] approve **Ordinances 2015-28** on first reading in title only, and [2] to forward the ordinance to the Planning Commission for their required review / recommendation.

## **First Reading of the Following Resolutions**

**Resolution R2015-13** “A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A REVISED OPERATING AGREEMENT BETWEEN AND AMONG THE OCONEE COUNTY HUMANE SOCIETY, INC., THE OCONEE COUNTY SHERIFF, AND OCONEE COUNTY, PERTAINING TO OPERATIONS AT THE OCONEE COUNTY ANIMAL SHELTER; AND OTHER MATTERS RELATED THERETO”

Ms. Cammick made a motion, seconded by Mr. Cain, approved 5 – 0 to approve **Resolution R2015-13** on first and final reading.

## **Discussion Regarding Action Items**

### **Oconee County Millage for Tax Year 2015**

Mr. Ken Nix, Oconee County Auditor, addressed Council utilizing a PowerPoint presentation [copy filed with these minutes] regarding his recommendation for millage for tax year 2015 for Oconee County, SDOC and the Keowee Fire Special Tax District. Discussion followed. Council thanked Mr. Nix for his presentation.

Mr. Dexter made a motion, seconded by Ms. Cammick, approved 5 – 0 to hold Oconee County millage at 73.9 mills.

Mr. Dexter made a motion, seconded by Mr. Cain, approved 5 – 0 to hold the School District of Oconee County millage at 110.1 mills *[total 141.1 mills with bond millage]*.

Mr. Dexter made a motion, seconded by Mr. Cain, approved 5 – 0 to approve the Keowee Fire Special Tax District millage at 14.5 mills.

### **Land Purchase / Protect Runway 7 Safety Zones / not to exceed amount \$213,000**

Mr. Cain made a motion, seconded by Mr. Dexter, approved 5 – 0 to [1] approve the fee simple purchase of two land parcels for an amount not to exceed \$ 178,000 for land; \$5,000 for legal fees/closing costs; and, \$30,000 for relocation costs and [2] Council authorize Mr. Moulder to execute and sign sales agreements with land owners Carolyn Brooks and George Sloan on behalf of Oconee County.

## **Board / Commission Appointments**

### **Library Board**

Ms. Cammick made a motion, seconded by Mr. Thrift, approved 5 – 0 to appoint Ms. Lisa Martin to the Library Board with her seat being co-terminus with Districts II, IV and V.

### **Board of Zoning Appeals**

Mr. Dexter notified Council and the public that the District V seat on this board is open as Mr. Dick Hughes has resigned due to a family illness. Mr. Dexter solicited interested citizens to complete a questionnaire.

## **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 August 11, 2015 meeting.

### **Old Business:**

None discussed at this meeting.

### **New Business:**

#### **Purchasing of Surplus Equipment/Vehicles**

Mr. McCall addressed Council recommending that the County departments increase their reviews of Surplus Deals prior to purchasing new equipment/vehicles in order to potentially save tax payer money. Council took no action on this matter.

### **Executive Session:**

Mr. Cain made a motion, seconded by Mr. Thift, approved 5 – 0 to enter Executive Session as allowed for in §30-4-70 (a) of the Code of Laws of South Carolina, as amended, 1976 for the purpose of:

- [1] discussion regarding pending litigation related to Oconee County v Hanger III, et. al., and
- [2] discussion of a pending litigation matter related to the MP2Net v. Oconee County.

Council entered Executive Session at 7:42 p.m.

Council returned from Executive Session at 7:56 p.m. on a motion by Ms. Cammick, seconded by Mr. Cain, approved 5 – 0.

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

Ms. Cammick made a motion, seconded by Mr. Cain, approved 5 – 0 to direct the Administrator to settle the MP2Net v Oconee County litigation offering \$650,000 to include payment made to purchase the fiber he is giving up to the County for a refund and the state statute interest due from the date he paid Oconee County.

### **Adjourn**

Mr. Thrift made a motion, approved unanimously 5 – 0, to adjourn at 7:58 p.m.

Respectfully Submitted:

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Elizabeth G. Hulse  
Clerk to Council