



MINUTES
OCONEE COUNTY COUNCIL MEETING
Regular Meeting
September 6, 2016

MEMBERS, OCONEE COUNTY COUNCIL
Mr. Paul Cain, District III, Chairman
Mr. Wayne McCall, District II, 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 David Root 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 & Stephen Bradley / Daily Journal.

Call to Order

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

Public Comment Session

Ms. Elizabeth McCary addressed Council regarding **Ordinance 2016-08** requesting her mother's parcel be removed from the request.

Mr. Dean Smith addressed Council regarding **Ordinance 2016-08** noting his property is surrounded and he does not wish to be included in the zoning for the area.

Mr. Derrill Ables addressed Council in support for passage of **Ordinance 2016-08**.

Mr. Tim Donald addressed Council in support for passage of **Ordinance 2016-08**.

Mr. Frank Ables addressed Council in support for passage of **Ordinance 2016-08**.

Ms. Gwen McPhail addressed Council in support for passage of **Ordinance 2016-08** and thanked Council for their support of the new Agriculture Advisory Board.

County Council Response to Public Comment

Mr. McCall apologized for comments made at the August 16th Council meeting noting that they were not directed at citizens.

Mr. Dexter apologized for making the motion to table **Ordinance 2016-08** and not allowing the process to proceed to allow the Planning Commission to do their review and make recommendation.

Moment of Silence

Mr. Cain asked for a moment of silence prior the Invocation by the County Chaplain.

Invocation by County Council Chaplain:

The County Council Chaplain gave the invocation.

Pledge of Allegiance:

Mr. McCall led the Pledge of Allegiance to the Flag of the United States of America.

Presentations to Council

Oconee County Conservation Bank Board / *Mr. Shea Airey, Chairman*

Mr. Airey addressed Council utilizing a PowerPoint presentation [copy filed with these minutes] highlighting the following:

- Enabling Ordinance & Mission
- Membership
- Funding Progress to date
- Funding Future

Discussion followed. Council took no action at this meeting and thanked Mr. Airey for his presentation.

Approval of Minutes:

Ms. Cammick made a motion, seconded by Mr. Thrift, approved 5 – 0 to approve the August 16, 2016 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: Ordinance 2016-21, 2016-22
- Third & Final Readings for Ordinances: 2016-21, 2016-22
- Second Reading for Ordinances: 2016-23
- First Reading of Ordinances [in title only]: 2016-08, 2016-24
- First & Final Reading of Resolutions: R2016-09
- Discussion Regarding Action Items
- Board & Commission Appointments
- Executive Session

Mr. Moulder noted that it might be beneficial for Council to move third reading of **Ordinance 2016-22** to after the Auditor's presentation regarding millage.

Motion to Amend Agenda

Mr. McCall made a motion, seconded by Ms. Cammick, approved 5 – 0 to move third and final reading for **Ordinance 2016-22** to immediately follow the Auditor's Millage presentation later in the meeting.

Public Hearing for the Following Ordinances

Ordinance 2016-21 "AN ORDINANCE TO APPROVE THE AWARD OF RFP #15-14 TO ONETONE TELECOM, INC. AND AUTHORIZING THE EXECUTION AND DELIVERY OF A NETWORK MASTER AGREEMENT BETWEEN OCONEE COUNTY AND ONETONE TELECOM, INC; AND OTHER MATTERS RELATED THERETO"

Mr. Cain opened the floor for Public Comment.

Noting that no citizens signed up to address Council; Mr. Cain opened the floor for any citizen wishing to address Council regarding this ordinance.

Mr. Bob Graves, Hidden Harbor Property Owners Association President, addressed Council in support of passage of **Ordinance 2016-21**.

No additional citizens spoke at this meeting.

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

Mr. Cain closed the Public Hearing regarding **Ordinance 2016-21**.

Ordinance 2016-22 "AUTHORIZING THE ISSUANCE AND SALE OF NOT EXCEEDING \$16,000,000 GENERAL OBLIGATION BONDS, IN ONE OR MORE SERIES, OF OCONEE COUNTY, SOUTH CAROLINA; FIXING THE FORM AND DETAILS OF THE BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS; AUTHORIZING THE CHAIRMAN OF COUNTY COUNCIL OR COUNTY ADMINISTRATOR TO DETERMINE CERTAIN MATTERS RELATING TO THE BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS; THE DISPOSITION OF THE PROCEEDS OF THE BONDS; AND OTHER MATTERS RELATING THERETO"

Mr. Cain opened the floor for Public Comment.

Noting that no citizens signed up to address Council; Mr. Cain opened the floor for any citizen wishing to address Council regarding this ordinance.

No citizens spoke at this meeting.

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

Mr. Cain closed the Public Hearing regarding **Ordinance 2016-22**.

Third & Final Reading for the Following Ordinances

Ordinance 2016-21 "AN ORDINANCE TO APPROVE THE AWARD OF **RFP #15-14 TO ONETONE TELECOM, INC.** AND AUTHORIZING THE EXECUTION AND DELIVERY OF A NETWORK MASTER AGREEMENT BETWEEN OCONEE COUNTY AND ONETONE TELECOM, INC; AND OTHER MATTERS RELATED THERETO"

Mr. Thrift made a motion, seconded by Mr. Dexter, approved 5 – 0 to recall

Ordinance 2016-21.

Mr. Dexter made a motion, seconded by Mr. Thrift, approved 5 – 0 to approve

Ordinance 2016-21 on third & final reading.

Ordinance 2016-22 "AUTHORIZING THE ISSUANCE AND SALE OF NOT EXCEEDING \$16,000,000 GENERAL OBLIGATION BONDS, IN ONE OR MORE SERIES, OF OCONEE COUNTY, SOUTH CAROLINA; FIXING THE FORM AND DETAILS OF THE BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS; AUTHORIZING THE CHAIRMAN OF COUNTY COUNCIL OR COUNTY ADMINISTRATOR TO DETERMINE CERTAIN MATTERS RELATING TO THE BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS; THE DISPOSITION OF THE PROCEEDS OF THE BONDS; AND OTHER MATTERS RELATING THERETO"

[FYI: This matter was deferred to after the Auditor's Millage Presentation – see page 5 of 7]

Second Reading for the Following Ordinances

Ordinance 2016-23 "AN ORDINANCE TO AUTHORIZE THE **CONVEYANCE OF EASEMENT RIGHTS** FOR THE PURPOSE OF INSTALLATION AND MAINTENANCE OF NATURAL GAS FACILITIES."

Mr. McCall made a motion, seconded by Mr. Thrift, approved 5 – 0 to approve

Ordinance 2016-23 on second reading.

First Reading for the Following Ordinances

Ordinance 2016-08 [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”
[Tokeena-Dairy Farm]

Mr. Dexter made a motion, seconded by Mr. McCall, approved 5 – 0 to recall

Ordinance 2016-08.

Mr. Dexter made a motion, seconded by Mr. McCall, approved 5 – 0 to [1] approve

Ordinance 2016-08 on first reading in title only, and [2] forward the matter to the Planning Commission for their required review and recommendation.

Ordinance 2016-24 [title only] “AN ORDINANCE TO AMEND **ORDINANCE 2016-01** WHICH ESTABLISHED 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, 2016 AND ENDING JUNE 30, 2017**, IN CERTAIN LIMITED REGARDS; AND OTHER MATTERS RELATED THERETO”

Mr. Dexter made a motion, seconded by Mr. Thrift, approved 5 – 0 to approve

Ordinance 2016-24 on first reading in title only.

First & Final Reading for the Following Resolutions

Resolution R2016-09 “A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A MEMORANDUM OF UNDERSTANDING BETWEEN OCONEE COUNTY AND **ONETONE TELECOM, INC.** REGARDING THE OPERATION OF THE OCONEE FOCUS NETWORK”

Mr. Thrift made a motion, seconded by Ms. Cammick, approved 5 – 0 to approve

Resolution R2016-09 on first & final reading.

Discussion Regarding Action Items:

Millage Proposal for Tax Year 2016 / Ms. Christy Hubbard, Oconee County Auditor

Ms. Hubbard addressed Council utilizing a PowerPoint Presentation [copy filed with these minutes] highlighting the following:

- Oconee County [OC] & School District of Oconee County [SDOC] approved budgets
- Mill Values
- County Proposed Millage
- SDOC Proposed Millage
- Total Millage: 2015: 215 Mills; 2016 214 Mills: 1.0 Mill Decrease
- 2015 vs. 2016 Property Tax Examples
- 2016 Millage same as 2015 Example = Increased Revenues
- Duke Energy
- High Pointe
- Keowee Fire District: 14.5 Mills
- 2016 City Millage

Lengthy discussion followed.

Third & Final Reading for the Following Ordinances [continued]

Ordinance 2016-22 "AUTHORIZING THE ISSUANCE AND SALE OF NOT EXCEEDING \$16,000,000 GENERAL OBLIGATION BONDS, IN ONE OR MORE SERIES, OF OCONEE COUNTY, SOUTH CAROLINA; FIXING THE FORM AND DETAILS OF THE BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS; AUTHORIZING THE CHAIRMAN OF COUNTY COUNCIL OR COUNTY ADMINISTRATOR TO DETERMINE CERTAIN MATTERS RELATING TO THE BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS; THE DISPOSITION OF THE PROCEEDS OF THE BONDS; AND OTHER MATTERS RELATING THERETO"

Mr. McCall made a motion, seconded by Mr. Cain, approved 3 – 2 [Mr. Thrift & Mr. Dexter opposed] to postpone third reading of **Ordinance 2016-22** to allow time to review the Auditor's presentation.

Discussion Regarding Action Items [continued]:

Millage Proposal for Tax Year 2016 [continued]

Mr. Moulder noted that the Auditor requires Council action to formally adopt the millage and that action regarding Ms. Hubbard's presentation is required at this meeting for her to complete her work.

Mr. Cain made a motion, seconded by Ms. Thrift, approved 5 – 0 to hold Oconee County millage the same as adopted in 2015.

Mr. Dexter made a motion, seconded by Mr. Thrift, approved 5 – 0 to hold the School District of Oconee County millage the same as adopted in 2015. .

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

[FYI: Additional action regarding millage took place after Executive Session – see page 7 of 7]

Discussion of Potential Uses for the Oakway Intermediate School, and Regarding Council Accepting the School from the School District of Oconee

Council member discussed various options, uses and commitments from civic groups for this building to include but not limited to:

- Ongoing Operation & Maintenance Costs
- Identification of Entity to Oversee Operations
- Sheriff Office Satellite Office
- Clemson Extension
- Fair Play and Oakway Recreation
- Oakway Fire Department for Meetings
- Heritage Quilt Trail Group

Ms. Cammick made a motion, seconded by Mr. McCall, approved 5 – 0 to accept the Oakway Intermediate School from the School District of Oconee County with the proviso that a 90 day due diligence period be established prior to acceptance.

Local ATAX Grants / Fall 2016 Cycle / \$47,410

Mr. Dexter made a motion, seconded by Mr. Thrift, approved 5 – 0 to approve the ATAX grant recommendations in the amount of \$47,410, per the attached spreadsheet.

ITB 16-06 / Gateway Signage / Grant Funded

Mr. Thrift made a motion, seconded by Ms. Cammick, approved 5 – 0 to approve the award of ITB 16-06 to J.F. Contractors, LLC, of Sumter, SC, in the amount of \$76,601.

Two Ford Police Interceptor SUV's / Sheriff's Office / \$55,216

Mr. Dexter made a motion, seconded by Mr. McCall, approved 5 - 0 to approve purchase of two (2) Ford Police Interceptor SUV's to Vic Bailey Ford of Spartanburg, SC, in the amount of \$55,264.00, per State Contract # 4400011559.

Old Business:

Attorney General Opinion Regarding Airport Hanger Lease, Disputed Taxes & Litigation

Mr. Dexter made a motion, seconded by Mr. Thrift, approved 5 - 0 to incorporate the Attorney General Opinion [dated September 1, 2016; copy filed with these minutes] in to the backup for this meeting as part of the permanent record.

New Business:

None discussed at this meeting.

Board & Commission Appointments

Agriculture Advisory Board

Mr. McCall mad a motion, seconded by Mr. Thrift, approved 5 - 0 to appoint Mr. Douglas Hollifield to the District II seat on the Agriculture Advisory Board.

Mr. Thrift nominated Ms. Kim Alexander for an At Large Seat.

Mr. Cain nominated Mr. Rex Blanton for an At Large Seat.

Mr. Dexter nominated Mr. Frank Ables for an At Large Seat.

Mr. Root noted that the nominations should be voted on in order received with both a hand and voice vote to facilitate the Clerk tallying the votes accurately; noting that a Council member cannot vote for more than two nominees.

Ms. Alexander received four votes.

Mr. Blanton received four votes.

Mr. Ables received two votes.

Ms. Kim Alexander [co-terminus with Districts II & III] and Mr. Rex Blanton [co-terminus with Districts II, IV & V] are appointed to the two At Large Seats on the Agriculture Advisory Board.

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Executive Session:

Mr. McCall made a motion, seconded by Mr. Thrift, approved 5 – 0 enter into 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] discussing two potential Economic Development matters; Project K & Project Square;

[2] discussion regarding a potential property purchase related to the Rock Quarry; and,

[3] receiving legal advice regarding a contractual dispute / potential claim, and issues related thereto

Council entered Executive Session at 7:40 p.m.

Council returned from Executive Session at 8:48 p.m. on a motion by Mr. Thrift, seconded by Mr. Dexter, approved 5 – 0.

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

Mr. McCall made a motion, seconded by Ms. Cammick, approved 5 – 0 to direct the Administrator to proceed as discussed in Executive Session regarding a potential property purchase related to the Rock Quarry.

Mr. Thrift made a motion, seconded by Ms. Cammick, approved 5 – 0 to direct the Administrator to proceed as discussed in Executive Session regarding legal advice regarding a contractual dispute.

Motion to Reconsider

Mr. Moulder noted that the action previously made during the meeting regarding setting millage was not specific enough for the Auditor to set the millage; therefore, she requested that Council reconsider their action at this time.

Mr. Thrift made a motion, seconded by Ms. Cammick, approved 5 – 0 to reconsider the establishment of millage for Oconee County and the School District of Oconee County.

Ms. Hubbard provided Council with a proposed “Approved Millage Rates for Fiscal Year 2016-2017: Exhibit A” [copy filed with these minutes] for their review and discussion.

Discussion followed.

Mr. Thrift made a motion, seconded by Ms. Cammick, approved 4 – 1 [Mr. Dexter opposed] to approve the millage on “Approved Millage Rates for Fiscal Year 2016-2017: Exhibit A” as presented at this meeting.

Adjourn

Mr. Thrift made a motion, approved unanimously 5 – 0, to adjourn at 9:01 p.m.

Respectfully Submitted:

Elizabeth G. Hulse
Clerk to Council