



MINUTES
OCONEE COUNTY COUNCIL MEETING
Regular Meeting
October 4, 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

Mr. Tony Adams addressed Council outlining the community's progress in organizing toward operating the Oakway Intermediate School.

Mr. Jerry Barnett addressed Council in opposition to bonding money to grade the Oconee Industry & Technology Park [OITP].

Mr. Frankie Pearson addressed Council requesting Council consider adding additional school resource officers to the county elementary schools.

Mr. John Morrey addressed Council in opposition to grading the OITP at one time suggesting the county stockpile excess dirt removed for the Tri County Technical College campus.

County Council Response to Public Comment

None at this meeting

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.

Approval of Minutes:

Mr. Thrift made a motion, seconded by Ms. Cammick, approved 5 – 0 to approve the September 20, 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, Third & Final Readings for Ordinances: 2016-23, 2016-24
- First Reading of Ordinances: 2016-27, 2016-28, and 2016-29 & 2016-30 [title only]
- First & Final Reading of Resolutions: R2016-10
- Board / Commission Appointments
- Executive Session

Mr. Moulder introduced Mr. Andrew Allen, P.E., Project Manager, Thomas & Hutton, who addressed Council utilizing a PowerPoint presentation "Oconee Industry & Technology Park Potential Improvements" which provided three grading options for Council's consideration. Lengthy discussion followed with various opinions offered.

Public Hearing Regarding 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; 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. No citizen addressed Council.

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 2013-23**.

Ordinance 2016-24 "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. Cain opened the floor for Public Comment.

Mr. Morrey spoke during this hearing however his comments were unrelated to the ordinance; therefore, his comments are reflected in the Public Comment section of these minutes.

No additional citizen addressed Council.

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 2013-24**.

Third & Final 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; AND OTHER MATTERS RELATED THERETO”

Mr. Thrift made a motion, seconded by Ms. Cammick, approved 5 – 0 to approve **Ordinance 2016-23** on third & final reading.

Ordinance 2016-24 “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. Thrift made a motion, seconded by Mr. Dexter, approved 5 – 0 to approve **Ordinance 2016-24** on third & final reading.

Motion to Reconsider

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”

Ms. Cammick made a motion, seconded by Mr. Cain to reconsider **Ordinance 2016-22** for third and final reading to be discussed directly following first reading for **Ordinance 2016-30**.
[see page 5 for vote on this motion]

First Reading for the Following Ordinances

Ordinance 2016-27 “ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE AGREEMENT BY AND BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND **PROJECT LASER** PROVIDING FOR A PAYMENT OF A FEE IN LIEU OF TAXES AND OTHER MATTERS RELATED THERETO”

Mr. McCall made a motion, seconded by Ms. Cammick, approved 5 – 0 to approve **Ordinance 2016-27** on first reading.

Ordinance 2016-28 “AN ORDINANCE TO DEVELOP A JOINTLY OWNED AND OPERATED INDUSTRIAL AND BUSINESS PARK (**PROJECT LASER**) IN CONJUNCTION WITH ANDERSON COUNTY, SUCH INDUSTRIAL AND BUSINESS PARK TO INCLUDE PROPERTY INITIALLY LOCATED IN OCONEE COUNTY AND ESTABLISHED PURSUANT TO SEC. 4-1-170 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED, TO PROVIDE FOR A WRITTEN AGREEMENT WITH ANDERSON COUNTY TO PROVIDE FOR THE EXPENSES OF THE PARK, THE PERCENTAGE OF REVENUE APPLICATION, AND THE DISTRIBUTION OF FEES IN LIEU OF AD VALOREM TAXATION; AND OTHER MATTERS RELATED THERETO”

Mr. McCall made a motion, seconded by Mr. Thrift, to approve **Ordinance 2016-28** on first reading.

Mr. Root noted that a minor change is being requested to the agreement attached to the ordinance as follows:

Fees in Lieu of Taxes Pursuant to Title 4 or Title 12 of the Code of Laws of South Carolina, 1976, as Amended. It is hereby agreed that the entry by Anderson County into any one or more fee in lieu of tax agreements or infrastructure (special source revenue) credit agreements pursuant to Title 4 or Title 12 of the Code of Laws of South Carolina, 1976, as amended ("~~Negotiated FILOT~~ Agreements"), with respect to property located within the Anderson County portion of the Park and the terms of such agreements shall be at the sole discretion of Anderson County. It is further agreed that entry by Oconee County into any one or more ~~Negotiated FILOT~~ Agreements with respect to property located within the Oconee County portion of the Park and the terms of such agreements shall be at the sole discretion of Oconee County.

Mr. Thrift made a motion, seconded by Mr. McCall, approved 5 – 0 to amend **Ordinance 2016-28** as presented.

Mr. McCall called for the vote. The motion passed 5 – 0 to pass **Ordinance 2016-28** on first reading as amended.

Ordinance 2016-29 [title only] "AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A **LEASE AGREEMENT** BETWEEN OCONEE COUNTY AS LESSOR AND **CHRIST CENTRAL MINISTRIES, INC.** / CHRIST CENTRAL MINISTRIES OCONEE AS LESSEE FOR A PORTION OF THE FORMER OCONEE COUNTY DETENTION CENTER LOCATED AT 300 SOUTH CHURCH STREET, WALHALLA, SOUTH CAROLINA FOR PURPOSES OF A COMMUNITY RESOURCE AND SOLUTION CENTER; AND OTHER MATTERS RELATED THERETO"

Mr. McCall made a motion, seconded by Mr. Dexter, approved 5 – 0 to approve **Ordinance 2016-29** on first reading in title only.

First & Final Reading for the Following Resolutions

Resolution R2016-10 "A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN INDUCEMENT AGREEMENT BY AND BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND **PROJECT LASER**; WHEREBY, UNDER CERTAIN CONDITIONS, OCONEE COUNTY WILL PROVIDE AN INFRASTRUCTURE TAX CREDIT TO PROJECT EAGLE AND PLACE THE PROJECT INTO A JOINT COUNTY INDUSTRIAL AND BUSINESS PARK"

Mr. Dexter made a motion, seconded by Mr. Thrift, approved 5 – 0 to approve **Resolution R2016-10** on first & final reading.

Discussion Regarding Action Items:

None discussed at this meeting.

Board / Commission Appointments:

Destination Oconee Action Committee / District IV

Mr. Thrift noted he did not have a nomination at this time; asking this be deferred.

Old Business:

School District of Oconee County [SDOC] Recycling

Ms. Cammick asked the County Attorney to research and report back to Council options related to an ordinance requiring all schools in the School District of Oconee County to recycle or be required to pay tipping fees to dispose of their trash.

New Business:

None discussed at this meeting.

Executive Session:

Mr. McCall made a motion, seconded by Ms. Cammick, approved 5 – 0 enter into Executive Session for the purpose of receiving legal advice regarding a contractual matter related to Tri County Technical College [TCTC] Oconee County Campus.

Council entered Executive Session at 7:18 p.m.

Council returned from Executive Session at 8:14 p.m. on a motion by Mr. Thrift, seconded by Ms. Cammick, approved 5 – 0.

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

Recess

Ms. Cammick made a motion, seconded by Mr. McCall, approved 5 – 0 to take a brief recess beginning at 8:15 p.m.

Ms. Cammick made a motion, seconded by Mr. Thrift, approved 5 – 0 to return from recess at 8:29 p.m.

Motion to Reconsider

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 called for the vote to reconsider **Ordinance 2016-22**. *[see page 3 for motion]*

The motion passed 5 – 0.

First Reading for the Following Ordinances

Ordinance 2016-30 *[title only]* “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A CONTRACT FOR THE DEVELOPMENT, CONSTRUCTION, AND OPERATION OF THE OCONEE COUNTY WORKFORCE AND DEVELOPMENT CENTER; AND OTHER MATTERS RELATED THERETO”

Ms. Cammick made a motion, seconded by Mr. McCall, approved 3 – 2 [Mr. Thrift & Mr. Dexter opposed] to approve **Ordinance 2016-30** on first reading in title only.

[REMAINDER OF PAGE INTENTIONALLY BLANK]

Third & Final Reading for the Following Ordinances

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”

Lengthy discussion followed with various opinions and project options provided.

Mr. Moulder provided an alternate Option B2 to include:

[1] grading approximately 27 acres needed for the Tri-County Technical College campus and the School District of Oconee County Development Center; and

[2] the stock piling of the dirt removed to be utilized in future grading in the park

Ms. Cammick made a motion, seconded by Mr. McCall, approved 3 – 2 [Mr. Thrift & Mr. Dexter opposed] to amend **Ordinance 2016-22** as follows:

- Not to exceed amount of \$4 million
- Amend Section F removing all projects except grading at OITP as outlined in Option B2 as presented by the Administrator.

Mr. Cain called for the vote to for third & final reading for **Ordinance 2016-22** as amended. The motion passed 3 – 2 [Mr. Thrift & Mr. Dexter opposed].

Adjourn

Ms. Cammick made a motion, approved unanimously 5 – 0, to adjourn at 8:48 p.m.

Respectfully Submitted:

Elizabeth G. Hulse
Clerk to Council