



MINUTES
OCONEE COUNTY COUNCIL MEETING
Regular Meeting
April 4, 2017

MEMBERS, OCONEE COUNTY COUNCIL

Mr. Paul Cain, District III
Mr. Wayne McCall, District II
Ms. Edda Cammick, Chairwoman, District I
Mr. Julian Davis III, Vice Chair, District IV
Mr. Glenn Hart, Chair Pro Tem, 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 Katie D. Smith, 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: Stephen Bradley / Daily Journal & Dick Mangrum / WGOG.

Call to Order

Ms. Cammick called the meeting to order at 6:00 p.m.

Public Comment Session

Ms. Jean Jennings addressed Council regarding Pioneer Water Rural District asking how much is genuine concern, how much is for business purposes, and how much was for prestige.

Mr. Jerry Barnett addressed Council regarding the Constitution of the United States of America, agriculture, and rural community. He noted in order to protect the rural community one would need to read the 4th and 5th article of the Constitution. He also noted to read the 1st section of the 14th amendment.

Mr. Redd Gardner addressed Council regarding signs along Hwy 11 and Hwy 123 stating the bids should come from local contractors and video that was paid for with County funds to Greenville for a drone to take pictures.

Sheriff Crenshaw addressed Council regarding The Great Oconee Clean Up and invited them to join in. He noted the date is April 22, 2017 and will be meeting at NewSpring Church at 8:15 a.m. and is encouraging volunteers to preregister at www.investoconeesc.com or www.oconeelaw.com. He gave thanks to Oconee Economic Alliance, School District of Oconee County, Keep Oconee Beautiful Association, and Solid Waste for partnering with the Oconee County Sheriff's Office for this event. He addressed Council regarding the Resolution 2017-03 [copy filed with these minutes] on medical marijuana indicating there have been some bills in the legislator over the last couple of years that have tried to pass the law that says if you have chronic pain or other ailments to smoke marijuana.

He noted the bill was defeated last year and it is back again this year. Sheriff Crenshaw noted he was concerned of the overall effect of passing the bill will have on the community in Oconee County.

Mr. Charles Lutz addressed Council in opposition of Resolution 2017-03, also known as the Compassionate Care Act. He noted it threatens the health and welfare of South Carolinians and based on a false premise that smoking marijuana is medicine. The Food and Drug Administration (FDA) reaffirmed last year that smoking marijuana has no accepted medical value. The bill identifies two dozen depilating medical conditions and chronic diseases for which marijuana is helpful, to include by not limited to: pain suffered from cancer and HIV/AIDS victims, glaucoma, multiple sclerosis, post-traumatic stress disorder, etc. Mr. Lutz noted there was no evidence that smoking marijuana would cure these diseases. He noted that there does not need a law that gives false hope to sick people that by smoking marijuana they will be able to treat it if not cure their disease.

County Council Response to Public Comment

Mr. Davis thanked everyone that is putting on The Great Oconee Clean up event on April 22, 2017 and invited people to come out and also appreciates the involvement.

Mr. Cain noted if anyone was interested in The Great Oconee Clean up event there were flyers on the desk next to the press. He thanked Oconee Economic Alliance, Oconee County Sheriff's Department, Mr. Moulder and anyone else that has been involved in organizing the clean up day.

Moment of Silence

Ms. Cammick asked for a moment of silence prior the Invocation by the County Chaplain.

Invocation by County Council Chaplain:

Mr. Root, County Council Chaplain, gave the invocation.

Pledge of Allegiance:

Mr. Hart 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. Hart, approved 5 – 0 to approve the March 14, 2017 Special Meeting minutes as presented.

Mr. Cain made a motion, seconded by Mr. Hart, approved 5 – 0, to approve the March 21, 2017 Regular Meeting minutes as presented.

Presentations to Council

Mr. Steve Pelissier, Executive Director of Appalachian Council of Governments, was to present to Council but was not able to attend due to having the flu. He has been rescheduled to May 2, 2017 agenda.

Dr. Booth and Ms. Hamilton addressed Council utilizing a handout [copy filed with these minutes] on the FY2018 Tri-County Technical College [TCTC] Budget. Dr. Booth discussed the budget for 2018 to include but not limited to:

- Highest percentage spent on instruction
- Highest percentage spent on student support
- Lowest percentage spent on overhead
- Tuition is in the lowest quartile out of the 16 colleges and will remain

Dr. Booth also addressed Council regarding the student successes and noted TCTC has the highest student success rate in the state of the 16 colleges. He also noted that they are not asking for an increase in operating expense for next year and includes but not limited to: maintenance, security, plan operations, custodial, grounds, utilities, and insurance. Capital renovations request has not changed and noted this item has not changed in over a decade.

Dr. Booth noted the Student Success Center is well on its way and hopes to have the keys to the building by the end of the calendar year.

Mr. Davis thanked Dr. Booth for what TCTC does for Oconee and the board and their involvement.

Mr. Cain also thanked Dr. Booth and commission members for volunteering and also for not requesting any additional funding.

Council asked Mr. Moulder what the millage was for TCTC. Mr. Moulder noted it was 2.1 but with the Student Success Center there will be an adjustment with the first payment being in Fiscal year 2018 and will end up at 2.4. These are moved within the existing millage so it's not a millage increase proposal.

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:

- Presentations to Council
- Proclamation 2017-03
- Public Hearing for Ordinance 2016-41
- Second Reading of Ordinance: 2016-41, 2017-07, 2016-37
- First & Final Reading of Resolution: 2017-03
- Discussion Regarding Action Items
- Board/Commission Appointments
- Council Committee reports

Proclamation 2017-03

PROCLAMATION 2017-03 TO PREVENT CHILD ABUSE / NEGLECT

Mr. Davis read the proclamation into the record.

Mr. Hart made a motion, seconded by Mr. Cain, approved 5 – 0 to approve **Proclamation 2017-03** on first and final reading.

Ms. Marie Dunnam, Executive Director of Oconee County First Steps, came forward to accept **Proclamation 2017-03** from Ms. Cammick.

Public Hearings for the Following Ordinances

Ordinance 2016-41 “AN ORDINANCE AMENDING CHAPTER 38 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING THE ADDITION OF AGRICULTURAL ZONING DISTRICTS, AMENDING AN EXISTING ZONING DISTRICT, AND AMENDING THE CONDITIONAL USES PROVISIONS CONTAINED IN CHAPTER 38; AND OTHER MATTERS RELATED THERETO.”

Ms. Gwen McPhail addressed Council in support of Ordinance 2016-41.

Mr. Jerry Barnett addressed Council in opposition of Ordinance 2016-41.

No additional citizens spoke at this meeting.

Ms. Cammick opened the floor for any citizen wishing to address Council regarding this ordinance and asked if any citizen. No citizen addressed Council.

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

Ms. Cammick closed the Public Hearing regarding **Ordinance 2016-41**.

Third & Final Reading of the Following Ordinances

Second Reading of the Following Ordinances

Ordinance 2016-41 “AN ORDINANCE AMENDING CHAPTER 38 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING THE ADDITION OF AGRICULTURAL ZONING DISTRICTS, AMENDING AN EXISTING ZONING DISTRICT, AND AMENDING THE CONDITIONAL USES PROVISIONS CONTAINED IN CHAPTER 38; AND OTHER MATTERS RELATED THERETO.”

Mr. Davis made a motion, seconded by Mr. Cain, to bring Ordinance 2016-41 to the floor for discussion. Mr. Davis corrected the motion, seconded by Mr. Cain, to approve Ordinance 2016-41 on second reading.

Lengthy discussion followed with various opinions and options offered to include but not limited to:

- 14 basic zoning areas and then going to add 2 more
- Send ordinance back to Planning Commission for further research;
- Prior Planning members and prior Council members

Ms. Cammick noted this was sent back to the Planning Commission upon her request because she had specific questions. Members of the Planning Commission discussed the issues and voted 6 – 1 to

send back to Council as it was originally written. Ms. Cammick also noted that the zoning ordinance is written so that it is citizen initiated. Finally, she noted that she doesn't feel that they should prevent an individual property owner from zoning their own property.

Mr. Davis noted he may not want to be in the zones but doesn't want to keep anyone else from being in the zones because everyone has an opinion about the adequate protection they want for their land.

Ms. Cammick posed the question to the Planning Commission if a homeowner chose an Ag 5 or Ag 50 could they go back to the Ag district which has fewer restrictions. She noted she was told yes, however, the only zoning district you could not zone back to is control free but would be able to move amongst the different zoning designations.

Additional discussion followed.

Regarding the previous motion made by Mr. Davis, seconded by Mr. Cain, it was approved 3 – 2 [Mr. Hart and Mr. McCall opposed] to approve **Ordinance 2016-41**.

Ordinance 2017-07 “AN ORDINANCE GRANTING CERTAIN EASEMENT RIGHTS TO THE SCHOOL DISTRICT OF OCONEE COUNTY FOR OPERATION OF A SEWER SERVICE LINE AT THE FORMER OAKWAY INTERMEDIATE SCHOOL; AND OTHER MATTERS RELATED THERETO.”

Mr. Davis made a motion, seconded by Mr. Hart, approved 5 – 0, to approve **Ordinance 2017-07** on second reading.

Ordinance 2016-37 “AN ORDINANCE GRANTING CERTAIN EASEMENT RIGHTS TO BLUE RIDGE ELECTRIC COOPERATIVE NEAR THE OCONEE REGIONAL AIRPORT FOR THE PURPOSE OF RELOCATING EXISTING ABOVE-GROUND ELECTRICAL LINES TO UNDERGROUND LINES; AND OTHER MATTERS RELATED THERETO.”

Mr. Cain made a motion, seconded by Mr. Davis, approved 5 – 0, to approve **Ordinance 2016-37** on second reading.

First Reading of the Following Ordinances

First & Final Reading for the Following Resolutions

Resolution 2017-03 “A RESOLUTION TO EXPRESS OCONEE COUNTY COUNCIL'S OPPOSITION TO HOUSE BILL H. 3521 AND SENATE BILL S. 0212, COLLECTIVELY IDENTIFIED AS THE SOUTH CAROLINA COMPASSIONATE CARE BILL.”

Mr. Davis made a motion, seconded by Mr. Hart, approved 5 – 0, to bring **Resolution 2017-03** to the floor for discussion.

Lengthy discussion followed to include but not limited to:

- 33,000 people died in the United States in 2015 due to opiate overdose. This is the last year that CDC has numbers for.
- FDA found no medical reason to reclassify marijuana or cannabis
- Developing synthetic drugs to make money and lobbying to oppose the natural drug
- State would have to create a bureaucracy to regulate “medical marijuana” use

Regarding the previous motion Mr. Davis, seconded by Mr. Hart, approved 5 – 0, to approve **Resolution 2017-03** on first & final reading.

Discussion Regarding Action Items

Board & Commission Appointments

Board of Zoning Appeals

No nominations were made.

Building Codes Appeal Board

No nominations were made.

Old / Unfinished Business:

None at this meeting.

New Business:

None at this meeting.

Council Committee Reports:

None at this meeting.

Executive Session:

Mr. Davis made a motion, seconded by Mr. McCall, approved 5 – 0 to enter into Executive Session for the following purposes, as allowed for in § 30-4-70(a) of the South Carolina Code of Laws:

[1] discussion regarding an Economic Development matter, Project Entry.

[2] receive legal advice relating to potential claim(s) regarding Pioneer Rural Water District's water treatment facilities.

Council entered Executive Session at 7:15 p.m.

Council returned from Executive Session at 8:10 p.m. on a motion made by Mr. Davis, seconded by Mr. Cain, approved 5 – 0.

Ms. Cammick stated that no action was taken in Executive Session.

Mr. Davis made a motion, seconded by Mr. Cain, approved 5 – 0, for the County Attorney to proceed as discussed during Executive Session on Pioneer Rural Water District.

Adjourn

Mr. Davis made a motion, approved unanimously 5 – 0, to adjourn at 8:11 p.m.

Respectfully Submitted:

Katie D. Smith
Clerk to Council