



MINUTES

OCONEE COUNTY COUNCIL

Regular Meeting

January 22, 2019

MEMBERS, OCONEE COUNTY COUNCIL

Mr. John Elliott, Chair Pro Tem, District I

Mr. Paul Cain, Vice Chair, District III

Mr. Julian Davis III, Chairman, District IV

Mr. Glenn Hart, District V

Mr. Wayne McCall, District II

Oconee County Council met at 6:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members [except Mr. Cain], Interim County Administrator Amanda F. Brock, 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.oconeesc.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: Caitlin Herrington / Daily Journal.

Call to Order:

Mr. Davis called the meeting to order at 6:01 p.m.

Public Comment Session

Mr. Tony Adams addressed Council reading from a prepared statement [copy filed with these minutes].

Ms. Beverly Brackett addressed Council introducing herself as the new Chair of the Public Library's Board of Trustees.

County Council Response to Public Comment

Mr. Elliott noted he has had several residents contact him regarding the new development behind the Coviden building that will dump into South Cove. He noted he has spoken with Mayor Alexander and the City Administrator expressing these concerns.

Mr. Davis addressed Mr. Elliott's comments and also addressed Mr. Tony Adams' comments.

Moment of Silence

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

Approval of Minutes

Mr. McCall made a motion, seconded by Mr. Hart, approved 4 – 0, to approve the January 8, 2019 Regular meeting minutes as presented.

Administrator's Comments

Ms. Brock noted the non-necessity for going over item on the agenda, but noted should anyone like the previous format of reviewing the matters, it can be changed back at any time. Further, she welcomed everyone to the meeting and also welcomed Mr. Elliott.

Public Hearings for the Following Ordinances

Ordinance 2018-34 “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A RESIDENTIAL LEASE AGREEMENT BETWEEN OCONEE COUNTY AS LESSOR AND KENT CROOKS AS LESSEE FOR CERTAIN REAL PROPERTY, INCLUDING ALL IMPROVEMENTS THEREON, LOCATED AT 207 CROOKS ROAD, SENECA, SOUTH CAROLINA; AND OTHER MATTERS RELATED THERETO.”

Mr. Davis opened the floor for Public Comment.

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

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

Mr. Davis closed the Public Hearing regarding **Ordinance 2018-34**.

Ordinance 2018-35 “AN ORDINANCE TO AMEND DIVISION 2, ARTICLE IV, CHAPTER 2 OF THE OCONEE COUNTY CODE OF ORDINANCES BY MAKING CLEAR THAT TERM LIMITS DO NOT APPLY TO MEMBERS OF THE COUNTY AERONAUTICS COMMISSION; AND OTHER MATTERS RELATED THERETO.”

Mr. Davis opened the floor for Public Comment.

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

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

Council's meetings shall be conducted pursuant to the South Carolina Freedom of Information Act, Council's Rules and the Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition. This agenda may not be inclusive of all issues which Council may bring up for discussion at this meeting. Items are listed on Council's agenda to give public notice of the subjects and issues to be discussed, acted upon, received as information and/or disposed of during the meeting. Items listed on Council's agenda may be taken up, tabled, postponed, reconsidered, removed or otherwise disposed of as provided for under Council's Rules, and Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition, if not specified under Council's rules.

Mr. Davis closed the Public Hearing regarding **Ordinance 2018-35**.

Third Reading of the Following Ordinances

Ordinance 2018-34 *[see caption above]*

Mr. Hart made a motion, seconded by Mr. McCall, approved 4 – 0, to approve **Ordinance 2018-34** on third & final reading.

Ordinance 2018-35 *[see caption above]*

Mr. McCall made a motion, seconded by Mr. Hart, approved 4 – 0, to approve **Ordinance 2018-35** on third & final reading.

Second Reading of the Following Ordinances

None at this meeting.

First Reading for the Following Ordinances

Ordinance 2019-04 “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN ADDENDUM TO THE LEASE AGREEMENT BETWEEN OCONEE COUNTY, AS LESSOR, AND OCONEE HERITAGE CENTER, INC., NOW KNOWN AS OCONEE HISTORY MUSEUM, INC., AS LESSEE, IN RELATION TO THE PREMISES KNOWN AS THE TOBACCO BARN, LOCATED AT THE CORNER OF TUGALOO STREET AND BROAD STREET IN WALHALLA, SOUTH CAROLINA.”

Mr. McCall made a motion, seconded by Mr. Hart, approved 4 – 0, to approve **Ordinance 2019-04** on first reading.

Ordinance 2019-06 “AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF A GENERAL OBLIGATION BOND (KEOWEE FIRE TAX DISTRICT) OF OCONEE COUNTY, SOUTH CAROLINA. IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING \$550,000; FIXING THE FORM AND CERTAIN DETAILS OF THE BOND; AUTHORIZING THE COUNTY ADMINISTRATOR TO DETERMINE CERTAIN MATTERS RELATING TO THE BOND; PROVIDING FOR THE PAYMENT OF THE BOND AND THE DISPOSITION OF THE PROCEEDS THEREOF; AND OTHER MATTERS RELATING THERETO.”

Mr. Elliott made a motion, seconded by Mr. Hart, approved 4 – 0, to approve **Ordinance 2019-06** on first reading.

Ordinance 2019-07 “AN ORDINANCE TO AMEND CHAPTER 22 OF THE OCONEE COUNTY CODE OF ORDINANCES, ENTITLED PARKS, RECREATION, AND TOURISM; AND OTHER MATTERS RELATED THERETO.”

Mr. Hart made a motion, seconded by Mr. McCall, approved 4 – 0, to approve **Ordinance 2019-07** on first reading.

Council's meetings shall be conducted pursuant to the South Carolina Freedom of Information Act, Council's Rules and the Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition. This agenda may not be inclusive of all issues which Council may bring up for discussion at this meeting. Items are listed on Council's agenda to give public notice of the subjects and issues to be discussed, acted upon, received as information and/or disposed of during the meeting. Items listed on Council's agenda may be taken up, tabled, postponed, reconsidered, removed or otherwise disposed of as provided for under Council's Rules, and Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition, if not specified under Council's rules.

Ordinance 2019-08 “AN ORDINANCE TO AMEND OCONEE COUNTY’S ROAD ENCROACHMENT PERMIT POLICY AND ENCROACHMENT PERMIT APPLICATION; AND OTHER MATTERS RELATED THERETO.”

Mr. Hart made a motion, seconded by Mr. McCall, to approve **Ordinance 2019-08** on first reading.

Discussion continued to include:

- Compliance with State guidelines
- Only grant an encroachment consistent with the County’s interest in the road
- Prescriptive right-of-way

Regarding the previous motion made by Mr. Hart, seconded by Mr. McCall, it was approved 4 – 0, to approve **Ordinance 2019-08** on first reading.

First & Final Reading of the Following Resolutions

Resolution 2019-01 “A RESOLUTION AUTHORIZING THE OCONEE COUNTY COUNCIL CHAIR TO EXECUTE AND DELIVER THE CONSENT OF OCONEE COUNTY, SOUTH CAROLINA TO THE NOTICE OF TRANSFER OF STATE-ISSUED CERTIFICATE OF FRANCHISE AUTHORITY; AND OTHER MATTERS RELATED THERETO.”

Mr. Hart made a motion, seconded by Mr. McCall, approved 4 – 0, to approve **Resolution 2019-01** on first & final reading.

Discussion Regarding Action Items

Grant Submission for the FY19 SC Dept. of Public Safety - Highway Safety “4-Person Traffic Safety Unit (STEU) Program seeking grant funding for ~~\$523,269~~. Change to \$529,005.

- Grant submission deadline is Feb. 1, 2019.
- Seeking 1st year funding for a 4-Person Special Traffic Enforcement Unit (STEU) to include: (3) Road Cpls, (1) Road Sgt., (4) patrol SUV vehicles, officer equipment and a public awareness campaign to: reduce deaths/collisions, reduce speeding, reduce DUIs/Impaired driving, and increase seat belt and helmet usage.
- Grant application seeking: ~~\$523,269~~ from SCDPS. **Change to \$529,005.**
- Cash Match: None (100% grant funding) except for non-allowable costs below.
- Sheriff’s Office contributing approx. ~~\$39,500~~ (for items/costs not allowable under SCDPS funding criteria) will need to be budgeted for in the Sheriff’s Office FY20-21 budget. **Change to \$46,560.**
- After the conclusion of SCDPS OHSJ “Highway Safety” funding, the Sheriff’s Office will commit to funding all STEU efforts, which include: personnel salaries/benefits, any replacement/replenish costs for grant purchased items, continue educational awareness efforts and any STEU vehicle’s equipment costs/maintenance.

It is staff’s recommendation that Council approve the FY19 SCDPS Highway Safety grant application submission to establish a Sheriff’s Office 4-Person Special Traffic Enforcement Unit (STEU).

Council’s meetings shall be conducted pursuant to the South Carolina Freedom of Information Act, Council’s Rules and the Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition. This agenda may not be inclusive of all issues which Council may bring up for discussion at this meeting. Items are listed on Council’s agenda to give public notice of the subjects and issues to be discussed, acted upon, received as information and/or disposed of during the meeting. Items listed on Council’s agenda may be taken up, tabled, postponed, reconsidered, removed or otherwise disposed of as provided for under Council’s Rules, and Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition, if not specified under Council’s rules.

Mr. Hart made a motion, seconded by Mr. McCall, to approve the FY19 SCDPS Highway Safety grant application submission to establish a Sheriff's Office 4-Person Special Traffic Enforcement Unit (STEU).

Sheriff Crenshaw addressed Council highlighting the following:

- Grant has been available in previous years
- Applied last year and was approved but the Federal Government never appropriated any money
- Few grants you do not see a cash match
- 100% grant that is renewable every year up to three years and on year four it would be up to Council whether to continue to be funded

Mr. Gordon Howard asked Council for clarification if they were hiring four people for four years or four people each additional year. Sheriff Crenshaw answered the question noting the Sheriff's Office would hire four people in year one and the salaries would have to be funded in year two and three.

Regarding the previous motion made by Mr. Hart, seconded by Mr. McCall, it was approved 4 – 0, to approve the FY19 SCDPS Highway Safety grant application submission to establish a Sheriff's Office 4-Person Special Traffic Enforcement Unit (STEU).

Used 2007 Pierce 75' Aerial Quint Ladder Truck / Emergency Services / \$350,000

The purchase of a new fire engine for Emergency Services was approved in the 2018-19 FY Budget. Emergency Services is requesting they be allowed to purchase a used 2007 Pierce Quint Fire Engine equipped with an aerial ladder (the "Quint") as opposed to a new engine. The Quint has an aerial ladder in addition to all the capabilities of another engine. This Quint will help serve areas with explosive growth of multifamily housing and commercial development along Highway 123 and Lake Keowee. The Quint will be replacing an existing engine that was identified for replacement as part of the Emergency Services Capital Replacement Plan.

It is the staff's recommendation that Council approve the purchase of one used, 2007 Pierce 75 Aerial Quint from Texas Fire Trucks, of Houston, TX in the amount of \$350,000.00.

Mr. McCall made a motion, seconded by Mr. Hart, to approve the purchase of one used, 2007 Pierce 75 Aerial Quint from Texas Fire Trucks, of Houston, TX in the amount of \$350,000.00.

Per Mr. Davis' request, Chief Charlie King addressed Council highlighting the following:

- Truck is being purchased within their budget
- Capital Replacement Plan
- Growth on 123 Corridor
- Cost comparison
- Good quality truck with low miles with a savings of around \$500,000 on the cost of a new one
- Used apparatus are not available for grants

Mr. Hart asked Ms. DeRidder how she can help the County with her knowledge of grants. Ms. DeRidder addressed Mr. Hart's question.

Regarding the previous motion made by Mr. McCall, seconded by Mr. Hart, it was approved 4 – 0, to approve the purchase of one used, 2007 Pierce 75 Aerial Quint from Texas Fire Trucks, of Houston, TX in the amount of \$350,000.00.

Board & Commission Appointments

Aeronautics Commission

Mr. Elliott made a nomination, approved 4 – 0, to reappoint Mr. Randy Renz as the District I representative on the Aeronautics Commission.

Agricultural Advisory Board

Mr. Elliott made a nomination, approved 4 – 0, to appoint Mr. Walter Rikard as the District I representative on the Agricultural Advisory Board.

Mr. Hart made a nomination, approved 4 – 0, to appoint Ms. Debbie Sewell as the At Large representative on the Agricultural Advisory Board.

Board of Zoning Appeals

Mr. Elliott made a nomination, approved 3 – 0 [Mr. McCall recused himself; copy of recusal form filed with these minutes] to appoint Mr. James Codner as the District I representative on the Board of Zoning Appeals.

Building Codes Appeal Board

Mr. Elliott made a nomination, approved 4 – 0, to reappoint Mr. George Smith as the District I representative on the Building Codes Appeal Board.

Library Board

Mr. Davis made a nomination, approved 4 – 0, to reappoint Ms. Marie McMahan as an At Large representative on the Library Board.

Mr. Davis made a nomination, approved 4 – 0, to appoint Ms. Katherine Smith as an At Large representative on the Library Board.

Mr. McCall made a nomination, approved 4 – 0, to appoint Ms. Diane Smathers as an At Large representative on the Library Board.

Per Mr. Davis' comments, Mr. Root noted Council can add more positions to the Library Board by an Ordinance. He further noted the Library Board of Trustees is a different entity and does not know if the number is capped at 9 members. Discussion continued.

Arts & Historical

Mr. Elliott made a nomination, approved 4 – 0, to appoint Ms. Aubrey Miller as the District I representative on the Arts & Historical Commission.

Unfinished Business

None at this meeting.

Council Committee Reports

The Planning & Economic Development Committee report will be added to the February 5, 2019 agenda to discuss.

Approval for Oconee County to begin exploring potential locations for a second incubator that is in closer proximity to Clemson University per unanimous recommendation by the Planning & Economic Development Committee on December 4, 2018.

Mr. Elliott made a motion, seconded by Mr. Davis, approved 4 – 0, to approve Oconee County to begin exploring potential locations for a second incubator that is in closer proximity to Clemson University per unanimous recommendation by the Planning & Economic Development Committee on December 4, 2018.

Unfinished Business

None at this meeting.

New Business

None at this meeting.

Executive Session:

Mr. McCall made a motion, seconded by Mr. Hart, approved 4 – 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] To receive legal advice and discuss a contractual matter regarding the Sewer South Transfer and Operation Agreement with the Oconee Joint Regional Sewer Authority.

[2] Discussion regarding an Economic Development matter, Project Aztec.

[3] Discussion regarding an Economic Development matter, Project Pop.

[4] Discussion regarding an Economic Development matter, Project Plan 4.

[5] Receive legal advice and discuss personnel matter related to hiring of permanent County Administrator, to include discussion of approach and process.

Council entered Executive Session at 6:56 p.m.

Council returned from Executive Session at 8:31 p.m. on a motion made by Mr. McCall, seconded by Mr. Hart, approved 4 – 0.

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

[#1] Mr. Elliott made a motion, seconded by Mr. Hart, approved 4 – 0, to direct the County Attorney and the County Administrator to continue negotiations as discussed with the Sewer Authority.

Discussion Regarding Action Items *(if necessary)*

To authorize the Interim County Administrator to issue a letter of commitment in response to 2018 / 2019 EDA Disaster and SCRIA additional grant requirements for the Sewer South Phase 2 Project. The letter will outline the County's pledge of an additional amount not to exceed \$42,270 for Engineering / Permitting / Construction costs, such funds to come from the Economic Development Fund, contingent upon the County reaching an agreement with the OJRSA on the Transfer Agreement for Sewer South Phase 1. This sum is over and above the \$613,300 previously committed by the County for the same project under the same terms.

To authorize the procurement of an archeological survey, as requested by the OJRSA, to support its 2018 / 2019 EDA Disaster grant application for the Sewer South Phase 2 Project.

Council did not discuss Action Items as they were not necessary.

Adjourn:

Mr. McCall made a motion, approved unanimously, to adjourn at 8:32 p.m.

Respectfully Submitted:

Katie D. Smith
Clerk to Council



OCONEE COUNTY COUNCIL
RECUSAL FORM

Council Member Name: Wayne McCall
(Please Print)

Council Member Signature: [Handwritten Signature]

Meeting Date: 1.22.2019

Item for Discussion/Vote: Reappointment for District 1
Board of Zoning Appeals

Reason for Recusal I was not present for original meeting/discussion
 I have a personal/familial interest in the issue.

Other: _____

[Handwritten Signature: Katie D. Smith]
Katie Smith
Clerk to Council