



# MINUTES

## OCONEE COUNTY COUNCIL

### Regular Meeting

### March 5, 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, 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](http://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 & Jimmy Watt / WGOG.

### **Call to Order:**

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

### **Public Comment Session**

Mr. Tony Adams addressed Council utilizing a handout [copy filed with these minutes] regarding the Oconee Joint Regional Sewer Authority [OJRSA].

Ms. Jean Jennings addressed Council regarding Mr. Rick Martin's resignation and the marijuana that was found at the Pine Street complex.

Mr. Al Shuler addressed Council regarding input from the public, difficult for residents without Internet access to keep up with what is going on with the County, and residents need to realize it is their responsibility to attend the meetings to be fully informed.

### **County Council Response to Public Comment**

None at this meeting.

### **Moment of Silence**

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

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### **Invocation by County Council Chaplain:**

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

### **Pledge of Allegiance:**

Mr. Frankie Pearson 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 February 19, 2019 Regular meeting minutes as presented.

### **Administrator's Comments**

None at this meeting.

### **Public Hearings for the Following Ordinances**

**Ordinance 2019-09** “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDMENT TO THE LEASE AGREEMENT BETWEEN OCONEE COUNTY, AS LESSOR, AND THE UNITED STATES OF AMERICA / U.S. DEPARTMENT OF AGRICULTURE – FARM SERVICE AGENCY, AS LESSEE, IN RELATION TO CERTAIN PREMISES LOCATED AT 301 WEST SOUTH BROAD STREET, WALHALLA, SOUTH CAROLINA.”

Mr. Davis opened the floor for Public Comment.

Mr. Al Shuler addressed Council in opposition of **Ordinance 2019-09** regarding the lease amount.

Mr. Root noted the initial lease is included within the ordinance as “Exhibit A”. There have been a few amendments, essentially extending the term by the same provisions as the base lease. Additionally, he noted the rent has gone up over time and is not used for residential purposes but for a number of different public purposes.

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 2019-09**.

**Ordinance 2019-10** “AN ORDINANCE AMENDING CHAPTER 26 OF THE OCONEE COUNTY CODE OF ORDINANCES, BY REVISING CERTAIN TERMS CONTAINED THEREIN, IN ORDER TO PROPERLY DESCRIBE NEW DEPARTMENTS AND DEPARTMENTAL POSITIONS AND RESPONSIBILITIES RESULTING FROM COUNTY COUNCIL’S DIRECTIVE TO DIVIDE THE COMMUNITY DEVELOPMENT DEPARTMENT INTO BUILDING CODES AND PLANNING DEPARTMENTS.”

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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 2019-10**.

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

**Ordinance 2019-09** [see caption above]

Mr. Cain made a motion, seconded by Mr. Hart, approved 5 – 0, to approve **Ordinance 2019-09** on third & final reading.

**Ordinance 2019-10** [see caption above]

Mr. Cain made a motion, seconded by Mr. Hart, approved 5 – 0, to approve **Ordinance 2019-10** on third & final reading.

### **Second Reading of the Following Ordinances**

None at this meeting.

### **First Reading for the Following Ordinances**

**Ordinance 2019-13** [title only] “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND PROJECT PLAN 4; THE GRANTING OF SPECIAL SOURCE CREDIT; THE CONVEYANCE OF CERTAIN REAL PROPERTY; AND OTHER MATTERS RELATING THERETO INCLUDING, WITHOUT LIMITATION, PAYMENT OF A FEE IN LIEU OF TAXES.”

Mr. Cain made a motion, seconded by Mr. Hart, approved 5 – 0, to approve **Ordinance 2019-13** on first reading.

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

**Resolution 2019-03** “A RESOLUTION AUTHORIZING, UNDER CERTAIN CONDITIONS, THE EXECUTION AND DELIVERY BY OCONEE COUNTY, SOUTH CAROLINA OF A FEE IN LIEU OF TAXES AGREEMENT WITH PROJECT PLAN 4 WITH RESPECT TO A PROJECT IN THE COUNTY WHEREBY THE PROJECT WOULD BE SUBJECT TO PAYMENT OF CERTAIN FEES IN LIEU OF TAXES, AND WOULD BE PROVIDED CERTAIN SPECIAL SOURCE CREDITS AGAINST FEE PAYMENTS; AND RELATED MATTERS.”

Mr. Cain made a motion, seconded by Mr. Hart, approved 5 – 0, to approve **Resolution 2019-03** on first & final reading.

**Resolution 2019-04** “A RESOLUTION ACKNOWLEDGING AND CONSENTING TO THE ASSIGNMENT OF THE FEE IN LIEU OF TAX AGREEMENT BETWEEN SANDVIK, INC. AND OCONEE COUNTY TO SANDVIK MACHINING SOLUTIONS USA LLC, A WHOLLY-OWNED AND AFFILIATED COMPANY OF SANDVIK, INC.”

Mr. Cain made a motion, seconded by Mr. Hart, approved 5 – 0, to approve **Resolution 2019-04** on first & final reading.

### **Discussion Regarding Action Items**

None at this meeting.

### **Board & Commission Appointments**

Mr. Elliott made a motion, seconded by Mr. Cain, approved 5 – 0, to rescind the vote of Andrew Smith on the Oconee County Conservation Bank Board, District 1.

Mr. McCall made a motion, seconded by Mr. Cain, approved 5 – 0, to appoint Andrew Smith to the Oconee County Conservation Bank Board, District 2.

### **Building Codes Appeal Board**

No questionnaires were submitted for the At Large seat.

### **Arts & Historical**

No questionnaires were submitted for the 2 At Large seats.

### **Park, Recreation, & Tourism Commission**

Mr. Cain made a motion, seconded by Mr. Davis, approved 5 – 0, to appoint Mr. Gregory Coutu as an At Large representative on the Parks, Recreation, & Tourism Commission.

Mr. Elliott made a motion, seconded by Mr. McCall, approved 5 – 0, to appoint Mr. Alex Butterbaugh as an At Large representative on the Parks, Recreation, & Tourism Commission.

### **Appointment of Council Representatives**

*[motion required to affirm appointments]*

*\*Questionnaires for external boards/commissions are not required*

- SC Appalachian Council of Governments Board of Directors
  - Minority Representative

Mr. Hart made a motion, seconded by Mr. Elliott, approved 5 – 0, to approve Ms. Marta Wahlen as the Minority Representative on the SC Appalachian Council of Governments Board of Directors.

### **Unfinished Business**

Mr. Hart asked the forensic audit, which was approved coming out of the 2-27-2019 Strategic Planning Retreat meeting, to go back two years, beginning on July 1, 2017, instead of the beginning of 2019.

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Mr. Root noted the motion that came out of the previous meeting was to direct the County Administrator to hire an independent forensic auditor to conduct an employee compensation review including salary increases and checks and balance in relation thereto and asked if Mr. Hart wanted to amend the motion or make another motion to look into auditing County finances. Discussion continued.

Mr. Hart made a motion, seconded by Mr. Elliott, approved 5 – 0, to reconsider the vote from the 2-27-2019 Strategic Planning Retreat relating to the hiring of an independent forensic auditor to change the start date to July 1, 2017.

Mr. McCall noted due to the accusations of drugs, the County should be implementing drug testing.

Mr. Root noted within the Oconee County policy, there is a random sampling procedure, which is done by an independent, third party so there is not a County person who is selecting who randomly gets tested. County employees are randomly tested and specifically tested if there is a reasonable suspicion that the use of drugs has taken place. Discussion continued.

### **New Business**

None at this meeting.

### **Executive Session:**

Mr. Hart 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] Receive legal advice and discuss purchase of properties adjacent to Rock Quarry.*

*[2] Discussion regarding a contractual matter relating to property adjacent to Chau Ram Park.*

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

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

*[5] To receive legal advice and discuss personnel matters related to the following departments: The Rock Quarry, Auditor, Finance, Assessor, Information Technology, Finance, Human Resources, Sheriff's Office, Airport, Treasurer, Facilities Maintenance, Roads and Bridges, Planning, Solid Waste, Registration & Elections, Procurement, and Administration.*

*[6] 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 6:27 p.m.

Council returned from Executive Session at 8:17 p.m. on a motion made by Mr. McCall, seconded by Mr. Hart, approved 5 – 0.

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

[#1] Mr. Root asked for a motion to direct staff to continue negotiations for the purchase of the properties adjacent to the Rock Quarry as discussed.

Mr. Hart made a motion, seconded by Mr. McCall, approved 5 – 0, to direct staff to continue negotiations for the purchase of the properties adjacent to the Rock Quarry as discussed.

[#6] Mr. Root asked for a motion for the Council Chairman to negotiate a contract with Ms. Amanda Brock for the position of permanent County Administrator and bring contract back to County Council for approval.

Mr. Hart made a motion, seconded by Mr. McCall, approved 5 – 0, for the Council Chairman to negotiate a contract with Ms. Amanda Brock for the position of permanent County Administrator and bring contract back to County Council for approval.

**Adjourn:**

Mr. Hart made a motion, approved unanimously, to adjourn at 8:19 p.m.

Respectfully Submitted:

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Katie D. Smith  
Clerk to Council