



# MINUTES

## OCONEE COUNTY COUNCIL

### Regular Meeting

### September 17, 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, County Administrator Amanda F. Brock, County Attorney David Root, 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**

Ms. Jean Jennings addressed Council noting she appreciated what Sheriff Crenshaw, the Oconee County Sheriff's Office, and the municipal police officers do for the County and also spoke on the Sheriff's Office budget and school resource officers.

Minister Paula B. Henderson, Clerk of the Mt. Nebo Baptist Church, addressed Council regarding an article in The Journal entitled "In the Dark?" and addressed the article.

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

Mr. McCall thanked the new faces that attended the Council meeting and also thanked Minister Henderson for speaking.

Mr. Davis responded to Ms. Jennings's comments thanking the Sheriff's Office and all law enforcement for what they do in the community as well as the schools.

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## **Moment of Silence**

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

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

Mr. Root, 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. Cain made a motion, seconded by Mr. Elliott, approved 5 – 0 to approve the September 3, 2019 Regular Minutes as presented.

## **Administrator's Comments**

Ms. Brock briefly updated Council and the public regarding the following:

- Introduced Madeline Compton, Oconee Grants Administrator

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

None at this meeting.

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

None at this meeting.

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

**Ordinance 2019-20** “AN ORDINANCE AUTHORIZING AND CONSENTING TO OR RATIFYING THE ASSIGNMENT AND ASSUMPTION OF AN INTEREST IN THAT CERTAIN FEE AGREEMENT DATED AS OF MARCH 1, 2008, AND AN INTEREST IN THAT CERTAIN INFRASTRUCTURE FINANCE AGREEMENT DATED AS OF NOVEMBER 1, 2007, SUCH ASSIGNMENT FROM LIFT, LLC, AND SUCH ASSUMPTION BY LIFT TECHNOLOGIES, INC., AND AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGREEMENT MEMORIALIZING SUCH ASSIGNMENT AND ASSUMPTION, AND CONSENT OR RATIFICATION, AND AN AMENDMENT TO THE FEE AGREEMENT AND THE INFRASTRUCTURE FINANCE AGREEMENT; AND OTHER MATTERS RELATED THERETO.”

Mr. Cain made a motion, seconded by Mr. Elliott, approved 5 – 0, to approve **Ordinance 2019-20** on second reading.

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

**Ordinance 2019-22** “AN ORDINANCE AUTHORIZING OCONEE COUNTY, SOUTH CAROLINA TO FINANCE AND ACQUIRE CERTAIN FIRE TRUCKS AND RELATED EQUIPMENT IN AN AMOUNT NOT EXCEEDING \$2,300,000; TO EXECUTE AND DELIVER

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ALL DOCUMENTS NECESSARY TO CARRY OUT THE FINANCING AND ACQUISITION;  
AND OTHER RELATED MATTERS.”

Mr. Cain made a motion, seconded by Mr. Elliott, to approve **Ordinance 2019-22** on first reading.

Per Mr. Davis, Ms. Brock addressed Council utilizing a handout [copy filed with backup materials] entitled “OCES Truck Funding Schedule (with Leases)”. Mr. Cain read a letter [copy filed with backup materials] addressed to Ms. Brock that was attached with the OCES Truck Funding Schedule.

Regarding the previous motion made by Mr. Cain, seconded by Mr. Elliott, it was approved 5 – 0, to approve **Ordinance 2019-22** on first reading.

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

None at this meeting.

### **Discussion Regarding Action Items**

#### **Millage Proposal for Tax Year 2019**

Ms. Christy Hubbard, Oconee County Auditor, addressed Council utilizing a PowerPoint presentation entitled “2020 Fiscal Year 2019 Tax Year Millage Presentation” [copy filed with backup materials] and gave a brief presentation.

Mr. Hart made a motion, seconded by Mr. Elliott, approved 5 – 0, to approve the Oconee County millage of 77.3 as recommended by the Auditor.

Mr. McCall made a motion, seconded by Mr. Hart, approved 5 – 0, to approve the SDOC millage of 116.5 as recommended by the Auditor.

#### **Request Council approval for 1<sup>st</sup> year funding a 4 person Special Traffic Enforcement Unit [STEU] to include three [3] STEU Corporals and one [1] STEU Sergeant in an amount not to exceed \$46,560**

STEU is designed to reduce fatalities/collisions, reduce speeding, reduce DUI’s/Impaired Driving, and increase seat belt and helmet usage. After the conclusion of South Carolina Department of Public Safety [SCDPS] Office of Highway Safety and Justice [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.

Mr. McCall made a motion, seconded by Mr. Cain, approved 5 – 0, to postpone the request for Council approval for 1<sup>st</sup> year funding a 4 person Special Traffic Enforcement Unit [STEU] to include three [3] STEU Corporals and one [1] STEU Sergeant in an amount not to exceed \$46,560 until October 1, 2019.

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**Request for the Council to commit matching funds, not to exceed \$30,000.00, toward the SC Department of Agriculture Community Grant Program application, to be submitted by the Foothills Agriculture Resource and Marketing Center for \$100,000.00. Allocation of these funds is contingent upon the Grant being awarded to the FARM Center**

The FARM Center needs to expand the footprint of the fairgrounds in order to enlarge the educational/agricultural displays available during major events, including the fair. The FARM Center will also need an access road across the rear of the property and expanded parking in order to increase the number of visitors and provide safe access to all parts of the grounds for the Foothills Heritage Market, the SC Foothills Heritage Fair and other events planned for the future. The county's committed funds will go toward improving the safety of the public and expanding their access to the fairgrounds during events such as the annual Foothills Heritage Fair and during the Saturday Farmers Market, which provides fresh, local produce and more to the Oconee County community.

It is the staff's recommendation that Council commit matching funds, not to exceed \$30,000.00, toward the SC Department of Agriculture Community Grant Program application, to be submitted by the Foothills Agriculture Resource and Marketing Center for \$100,000.00. Funds committed by the Council are contingent upon award from the SC Department of Agriculture Community Grant Program.

Mr. Elliott made a motion, seconded by Mr. Cain, approved 5 – 0, for Council to commit matching funds, not to exceed \$30,000.00, toward the SC Department of Agriculture Community Grant Program application, to be submitted by the Foothills Agriculture Resource and Marketing Center for \$100,000.00. Allocation of these funds is contingent upon the Grant being awarded to the FARM Center.

Per Mr. Davis, Ms. Gwen McPhail addressed Council noting this is a 57 acre tract of land but a lot of the property was not necessarily usable. She noted there was a need for additional parking spaces and there have also been delays with the second driveway. The fair is scheduled for September 23, 2019 thru September 28, 2019. Discussion continued.

**Local ATAX Grants / Fall 2019 Cycle / \$72,000**

Beginning Local ATAX balance \$322,576  
If all grants/projects approved/new balance will be: \$250,576

*Local ATAX Grants worksheet included in backup materials*

A portion of Local ATAX revenues received by Oconee County are made available for ATAX grants through Ordinance 2011-12. ATAX grants are to be tourism related grants that meet the ATAX guidelines specified by local and State mandates. Grants are recommended by the PRT Commission based on tourism impact of the project and approved by County Council. All external ATAX grant recipients are required to turn in intermediate reports every 60 days to the progress of the grant and a final report upon completion of the grant.

It is staff's recommendation of approval of ATAX grant recommendations per the attached spreadsheet.

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Mr. Elliott made a motion, seconded by Mr. Hart, to approve ATAX grant recommendations per the attached spreadsheet.

Per Mr. Cain, Ms. Brock noted with the state funding for state park services being cut and the state park service being a part of the County in the economic impact and is the only resource to access Lake Jocassee, it is our obligation to assist our partners in parks to help along the way for site rehabilitation. Discussion continued.

Regarding the previous motion made by Mr. Elliott, seconded by Mr. Hart, it was approved 5 – 0, to approve the ATAX grant recommendations per the attached spreadsheet.

**Discuss authorizing the County Administrator to issue a letter to Mt. Nebo Baptist Church assuring it and its members that it is not now, and has never been, the intent of Oconee County to condemn, take, relocate, or demolish Mt. Nebo Baptist Church as a result of Oconee Regional Airport expansion, operation, or otherwise.**

Mr. McCall made a motion, seconded by Mr. Elliott, to discuss authorizing the County Administrator to issue a letter to Mt. Nebo Baptist Church assuring it and its members that it is not now, and has never been, the intent of Oconee County to condemn, take, relocate, or demolish Mt. Nebo Baptist Church as a result of Oconee Regional Airport expansion, operation, or otherwise.

Discussion continued to include:

- Members of Mt. Nebo Baptist Church had concerns that the County had intentions of demolishing the church and/or relocating the cemetery adjacent to the church
- Request Council approve the authorization of the letter as a gesture of openness and honesty with the congregation and the trustees

Mr. McCall made a motion, seconded by Mr. Hart, approved 5 – 0, to authorize the County Administrator to issue a letter to Mt. Nebo Baptist Church assuring it and its members that it is not now, and has never been, the intent of Oconee County to condemn, take, relocate, or demolish Mt. Nebo Baptist Church as a result of Oconee Regional Airport expansion, operation, or otherwise.

**Request Council approval for funding allocation for Ride to Work Ministry – Ms. Amanda Brock, Oconee County Administrator**

Ride to Work Ministry Nonprofit Inc. provides affordable transportation to and from work for Oconee County residents who want to work, and can find a job, back lack transportation. Ride to Work Ministry provides rides for up to three [3] months and coach riders along the way to help them transition. Since beginning operations in February 2017, we have received over 200 applications, accepted over 105 people into the program, provided over 5,000 rides, and had 46 graduates.

*Documentation for Ride to Work Ministry included in backup materials*

Mr. McCall made a motion, seconded by Mr. Cain, approved 5 – 0, to approve funding allocation for Ride to

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Work Ministry.

Mr. Davis asked for another motion to clarify the amount of funding allocation.

Mr. McCall made a motion, seconded by Mr. Hart, approved 5 – 0, to approve funding allocation for the Ride to Work Ministry in the amount of \$5,000.

### **Request Council approval for funding allocation for Oconee Presbyterian Service Fund – Ms. Amanda Brock, Oconee County Administrator**

Oconee Presbyterian Service Fund [OPSF] has provided emergency aid to Oconee County residents since 1981. OPSF's organization cares for person on the basis of need rather than racial or religious affiliation. OPSF is particularly concerned about families with children and the elderly.

*Documentation for Oconee Presbyterian Service Fund included in backup materials*

Mr. Cain made a motion, seconded by Mr. Hart, approved 5 – 0, to approve funding allocation for Oconee Presbyterian Service fund in the amount of \$10,000.

### **Council Committee Reports**

Mr. Davis read from a prepared statement [copy filed with backup materials] outlining the discussions held at the September 3, 2019 Real Estate, Facilities, & Land Management Committee.

Mr. McCall read from a prepared statement [copy filed with backup materials] outlining the discussions held at the September 3, 2019 Law Enforcement, Public Safety, Health & Welfare Committee.

### **Board & Commission Appointments**

No questionnaires were submitted for the 1 At Large seat.

### **Unfinished Business**

Mr. McCall noted under the FERC Licensing Agreement, Duke Power will supply free and unlimited access to the lakes.

Mr. Root noted under the FERC Agreement among the different parties does establish access rights to the water itself and wanted to make clear there were a lot of provisions that apply to the access to the lakes.

### **New Business**

None at this meeting.

### **Executive Session:**

Mr. Cain made a motion, seconded by Mr. Elliott, 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] Discuss personnel matter related to the County Administration.*

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

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

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

*[5] To discuss a contractual matter related to the potential purchase of property for public safety purposes.*

Council entered Executive Session at 6:51 p.m.

Council returned from Executive Session at 7:52 p.m. on a motion made by Mr. Hart, seconded by Mr. Elliott, approved 5 – 0.

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

[#2] Mr. Elliott made a motion, seconded by Mr. McCall, approved 5 – 0, to direct the County Administrator to negotiate and execute the Memorandum of Understanding as discussed regarding the Economic Development matter Project Trout.

[#3] Mr. Elliott made a motion, seconded by Mr. Cain, approved 5 – 0, to direct the County Administrator to negotiate and execute the term sheet as discussed regarding the Economic Development matter Project Aztec.

[#5] Mr. Cain made a motion, seconded by Mr. Elliott, approved 5 – 0, to direct the County Administrator to negotiate for and purchase the subject property as discussed regarding the property for public safety purposes.

### **Second Reading of the Following Ordinances [cont'd]**

**Ordinance 2019-21** “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDED FEE AGREEMENT BETWEEN OCONEE COUNTY AND ACI PLASTICS SOUTH, LLC, INCLUDING THE INCLUSION OF ACI PROPERTIES SOUTH, LLC, AND GREENCYCLE U.S. HOLDING, INC. AS CO-SPONSORS, AND AMENDING THE FEE AGREEMENT DATED AS OF OCTOBER 1, 2014; AND OTHER MATTERS RELATED THERETO.”

Mr. McCall made a motion, seconded by Mr. Hart, approved 5 – 0, to postpone **Ordinance 2019-21** until the October 1, 2019 meeting.

### **Adjourn:**

Mr. Hart made a motion, approved unanimously, to adjourn at 7:53 p.m.

Respectfully Submitted:

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Katie D. Smith

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