



MINUTES

OCONEE COUNTY COUNCIL

Regular Meeting

May 07, 2024

MEMBERS, OCONEE COUNTY COUNCIL

Mr. John Elliott, District I
Mr. Matthew Durham, Chairman, District II
Mr. Don Mize, Vice Chairman, District III
Mr. Julian Davis III, District IV
Mr. Glenn Hart, Chairman 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 Amanda F. Brock, County Attorney David Root, & Jennifer C. Adams, 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: Andrea Kelley / The Journal, Dick Mangrum / 101.7 WGOG

Call to Order

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

Moment of Silence

Mr. Durham asked for a moment of silence prior to the Invocation.

Invocation

Mr. David Root, County Attorney, gave the invocation.

Pledge of Allegiance

Sheriff Mike Crenshaw led the Pledge of Allegiance to the Flag of the United States of America.

Approval of Minutes

Mr. Davis made a motion, seconded by Mr. Elliott, approved 5 – 0, to approve the April 16, 2024 regular meeting minutes as presented.

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Attorney's Comments

Mr. Root informed Council that the public hearing for **Resolution 2024-09** is scheduled to come before public comment on the agenda, noting this is a different placement for public hearings that usual.

Mr. Root also informed Council that he may have some comments related to **Resolution 2024-10** and **Ordinance 2024-18** during their readings tonight.

Administrator's Comments

Ms. Brock noted to Council that she has a comment to share during first reading or **Ordinance 2024-01**.

Proclamations

PROCLAMATION 2024-03 A PROCLAMATION RECOGNIZING NATIONAL SAFE BOATING WEEK

Mr. Elliott made a motion, seconded by Mr. Davis, approved 5 - 0, to approve **Proclamation 2024-03** on first and final reading.

PROCLAMATION 2024-04 A PROCLAMATION FOR PEACE OFFICERS' MEMORIAL DAY

Mr. Mize made a motion, seconded by Mr. Davis, approved 5 - 0, to approve **Proclamation 2024-04** on first and final reading.

Public Hearing for the Following Resolution

RESOLUTION 2024-09 A RESOLUTION AUTHORIZING THE AMENDMENT OF AN AGREEMENT TO DEVELOP A JOINT-COUNTY INDUSTRIAL AND BUSINESS PARK BY AND BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND PICKENS COUNTY, SOUTH CAROLINA, TO PROVIDE FOR THE EXPANSION OF THE BOUNDARIES OF THE MULTI-COUNTY INDUSTRIAL/BUSINESS PARK CREATED THEREBY TO INCLUDE CERTAIN ADDITIONAL PROPERTY LOCATED IN PICKENS COUNTY; AND OTHER MATTERS RELATED THERETO.

Mr. Durham opened the floor for Public Comment.

Noting that no citizens signed up to address Council and no citizen submitted or presented any written comments for the record.

Mr. Durham closed the Public Hearing regarding **Resolution 2024-09**.

Public Comment Session

If you are not able to attend in person and you have a comment, you may submit it by contacting our Clerk to Council, Jennifer C. Adams at jennifercadams@oconeesc.com or 864-718-1023, so that she may receive your comment and read it into the record.

1. Mrs. Lynn Martin addressed Council with her opinion that there should be more incentives offered for citizens to preserve their land from development, she also suggested Council place a moratorium on all large developments in the County and noted that she would like to see a conservationist position on the Planning Commission.

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2. Mr. Eddie Martin addressed Council regarding population growth and development in Oconee County.
3. Mr. Gary Owens addressed Council in support of proposed **Ordinance 2024-18**.
4. Ms. Linda Lovely addressed Council in support of proposed **Ordinance 2024-18**.
5. Mr. Gerry Yantis addressed Council in support of proposed **Ordinance 2024-18**.
6. District III Councilman, Mr. Don Mize, read an emailed comment from Ms. Martha Steel in support of proposed **Ordinance 2024-18**.

Council Members Comments

Mr. Elliott addressed Mrs. Martin, agreeing with her opinion that farmers should be encouraged to conserve their land and continue to farm, nothing we need to prevent our farmland from being bought by China.

Mr. Hart extended his thanks to Dick Mangrum for his reporting on the happenings in Oconee County and noted updates related to Oconee County could be found on Mr. Durham's website, www.matthew-durham.com.

Mr. Durham also extended his thanks to Mr. Mangrum for his reporting and inquired if Mr. Root, County Attorney, knew of any legal framework that would prevent foreign countries from purchasing land in South Carolina.

Mr. Root noted that he would have to look into this matter a bit further.

Third Reading of the Following Ordinances

None for this meeting.

Second Reading of the Following Ordinances

ORDINANCE 2024-13 AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF AD VALOREM TAXES AND SPECIAL SOURCE REVENUE CREDIT AGREEMENT, BY AND BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND A COMPANY CURRENTLY IDENTIFIED AS PROJECT CHERRY, ACTING FOR ITSELF, ONE OR MORE CURRENT OR FUTURE AFFILIATES, AND OTHER PROJECT COMPANIES (COLLECTIVELY "COMPANY"); PROVIDING FOR A FEE IN LIEU OF AD VALOREM TAXES INCENTIVE; PROVIDING FOR A SPECIAL SOURCE REVENUE CREDIT; CREATING OR MODIFYING A JOINT COUNTY INDUSTRIAL AND BUSINESS PARK BETWEEN OCONEE COUNTY AND PICKENS COUNTY SO AS TO DESIGNATE THE PROPERTY OF THE PROJECT AS PART OF SUCH PARK; AND OTHER RELATED MATTERS.

Mr. Davis made a motion, seconded by Mr. Elliott, approved 5 - 0, to approve **Ordinance 2024-13** on second reading.

ORDINANCE 2024-14 AN ORDINANCE TO DEVELOP A JOINTLY OWNED AND OPERATED INDUSTRIAL/BUSINESS PARK IN CONJUNCTION WITH PICKENS COUNTY, SOUTH CAROLINA, SUCH INDUSTRIAL/BUSINESS PARK TO BE GEOGRAPHICALLY LOCATED IN PICKENS 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

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AGREEMENT WITH PICKENS 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. Elliott made a motion, seconded by Mr. Mize, approved 5 - 0, to approve **Ordinance 2024-14** on second reading.

ORDINANCE 2024-15 AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF AD VALOREM TAXES AND SPECIAL SOURCE REVENUE CREDIT AGREEMENT, BY AND BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND A COMPANY CURRENTLY IDENTIFIED AS PROJECT SPARK, ACTING FOR ITSELF, ONE OR MORE CURRENT OR FUTURE AFFILIATES, AND OTHER PROJECT COMPANIES (COLLECTIVELY “COMPANY”); PROVIDING FOR A FEE IN LIEU OF AD VALOREM TAXES INCENTIVE; PROVIDING FOR A SPECIAL SOURCE REVENUE CREDIT; CREATING OR MODIFYING A JOINT COUNTY INDUSTRIAL AND BUSINESS PARK BETWEEN OCONEE COUNTY AND PICKENS COUNTY SO AS TO DESIGNATE THE PROPERTY OF THE PROJECT AS PART OF SUCH PARK; AND OTHER RELATED MATTERS.

Mr. Elliott made a motion, seconded by Mr. Hart, approved 5 - 0, to approve **Ordinance 2024-15** on second reading.

First Reading of the Following Ordinances

ORDINANCE 2024-01 AN ORDINANCE TO ESTABLISH THE BUDGET FOR OCONEE COUNTY AND 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 COMMUNITY HEALTH AND COMMUNITY SERVICES SPECIAL REVENUE FUND, FOR THE ECONOMIC DEVELOPMENT CAPITAL PROJECT FUND, FOR THE BRIDGE AND CULVERT CAPITAL PROJECT FUND, FOR THE CAPITAL VEHICLE / EQUIPMENT FUND, FOR THE PARKS, RECREATION, AND TOURISM CAPITAL PROJECTS FUND, FOR THE FIRE / EMERGENCY SERVICES CAPITAL VEHICLE AND EQUIPMENT FUND, FOR THE GENERAL ONE TIME CAPITAL FUND, AND FOR THE DEBT SERVICE FUND, ALL IN OCONEE COUNTY FOR THE **FISCAL YEAR BEGINNING JULY 1, 2024 AND ENDING JUNE 30, 2025.**

Mr. Elliott made a motion, seconded by Mr. Mize, to approve **Ordinance 2024-01** on first reading.

Ms. Brock informed the public that one change has been made to the current fee schedule in the budget document and this would be reflected in the updated backup tomorrow morning.

Ms. Brock then utilized a document entitled “Budget Comparison FY 24 to FY 25 [copy filed in backup] to help clarify the differences in the current operating budget to the proposed FY25 budget and provided details related to the information this document contains.

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Ms. Brock then provided clarifying details related to the document entitled “FY 2025 Budget Value of a Mill” [copy filed in backup].

Lengthy discussion followed by Council and Ms. Brock related to **Ordinance 2024-01**.

Motion approved 5 – 0.

ORDINANCE 2024-02 AN ORDINANCE TO ESTABLISH THE BUDGET FOR THE SCHOOL DISTRICT OF OCONEE COUNTY AND TO PROVIDE FOR THE LEVY OF TAXES FOR THE OPERATIONS OF THE SCHOOL DISTRICT OF OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2024 AND ENDING JUNE 30, 2025.

Mr. Elliott made a motion, seconded by Mr. Hart, to approve **Ordinance 2024-02** on first reading.

Mr. Durham noted that Dr. Thorsland, School District of Oconee County Superintendent, was present for any questions related to the presented SDOC Budget **Ordinance 2024-02**.

No questions were presented from Council.

Motion approved 5 – 0.

ORDINANCE 2024-03 AN ORDINANCE TO PROVIDE FOR THE LEVY OF TAXES FOR THE KEOWEE FIRE SPECIAL TAX DISTRICT AND TO ESTABLISH THE BUDGET FOR THE KEOWEE FIRE SPECIAL TAX DISTRICT FOR THE FISCAL YEAR BEGINNING JULY 1, 2024 AND ENDING JUNE 30, 2025.

Mr. Elliott made a motion, seconded by Mr. Hart, approved 5 - 0, to approve **Ordinance 2024-03** on first reading.

ORDINANCE 2024-17 AN ORDINANCE TO REZONE A SERIES OF PARCELS, SPECIFIED HEREIN, FROM THE CONTROL FREE DISTRICT TO THE LAKE RESIDENTIAL DISTRICT (TWENTY-THREE (23) PARCELS, KEOWEE PLANTATION), PURSUANT TO OCONEE COUNTY CODE OF ORDINANCES CHAPTER 38, ARTICLE 8.

Mr. Elliott made a motion, seconded by Mr. Davis, to approve **Ordinance 2024-17** on first reading.

Mr. Hart inquired about the remaining three lots that were not included in this rezoning ordinance.

Mr. James Coley, Planning Director, informed Mr. Hart that these three lots would remain in the control free district.

Motion approved 5 – 0.

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ORDINANCE 2024-18 AN ORDINANCE AMENDING CHAPTER 38 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING THE ESTABLISHMENT OF MINIMUM LOT SIZE AND MAXIMUM LOT DENSITY PROVISIONS FOR THE CONTROL FREE DISTRICT; AND OTHER MATTERS RELATED THERETO.

Mr. Elliott made a motion, seconded by Mr. Mize, to approve **Ordinance 2024-18** on first reading.

Mr. Davis stated that the Planning Commission approved bringing this ordinance before Council for approval at their meeting on Monday night, noting this document was only recently available to the public for viewing today, and believes there needs to be more time for discussion and public input, to which Mr. Durham agreed.

Mr. Elliott provided information that item number six was removed from the document before it appeared before Council and agreed that more public notice was needed.

Mr. Elliott made a motion to amend **Ordinance 2024-18** to include item number six into the document, change the effective date to start after second reading and to include an additional public hearing at second reading.

Mr. Davis made a motion to postpone first reading of **Ordinance 2024-18** to the May 21, 2024 Council meeting, citing that he would like to do more research on this matter before voting.

Mr. Hart inquired about setbacks included within this ordinance.

Mr. James Coley, Planning Director, offered more information related to Mr. Hart's questions.

Mr. Elliott noted this applies to developments only over ten homes.

Motion to amend **Ordinance 2024-18** to include previously removed item number six into the ordinance document, change the effective date to start after second reading and to include an additional public hearing at second reading, as presented by Mr. Elliott, seconded by Mr. Davis, was approved 5 – 0.

Motion to postpone first reading of **Ordinance 2024-18** as proposed by Mr. Davis, was seconded by Mr. Hart, approved 4 – 1 [Mr. Elliott opposed].

First & Final Reading for the Following Resolutions

RESOLUTION 2024-09 A RESOLUTION AUTHORIZING THE AMENDMENT OF AN AGREEMENT TO DEVELOP A JOINT-COUNTY INDUSTRIAL AND BUSINESS PARK BY AND BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND PICKENS COUNTY, SOUTH CAROLINA, TO PROVIDE FOR THE EXPANSION OF THE BOUNDARIES OF THE MULTI-COUNTY INDUSTRIAL/BUSINESS PARK CREATED THEREBY TO INCLUDE CERTAIN ADDITIONAL PROPERTY LOCATED IN PICKENS COUNTY; AND OTHER MATTERS RELATED THERETO.

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Mr. Elliott made a motion, seconded by Mr. Hart, approved 5 - 0, to approve **Resolution 2024-09** on first and final reading.

RESOLUTION 2024-10 A RESOLUTION TO CERTIFY A PETITION CALLING FOR A SPECIAL TAX DISTRICT ELECTION TO DETERMINE IF THE CORINTH-SHILOH SPECIAL PURPOSE TAX DISTRICT FOR FIRE PROTECTION SHALL BE CREATED TO PROVIDE FIRE PROTECTION AND RELATED SERVICES WITHIN THE PROPOSED DISTRICT; TO DIRECT THE OCONEE COUNTY BOARD OF ELECTIONS AND VOTER REGISTRATION TO HOLD AN ELECTION AND CERTIFY THE RESULTS OF THE ELECTION TO THE OCONEE COUNTY COUNCIL; AND OTHER RELATED MATTERS.

Mr. Elliott made a motion, seconded by Mr. Hart, to approve **Resolution 2024-10** on first and final reading.

Mr. Elliott noted he was in favor of letting the citizens included in this special tax district vote on the matter.

Mr. Root noted, that for various reasons, there may be a follow up resolution related to this matter and added that the office of Voter Registration and Elections indicated that this special election could possibly be held on July 30, 2024.

Mr. Hart noted that the Fire Chief indicated, if this passes, this would transition to full-time from volunteers, and also stated that he is in favor of the tax payers in this area voting on this matter.

Mr. Root noted to Mr. Davis and Council as to what steps would have to taken related to the process of forming a special fire district in the proposed area.

Mr. Davis inquired as to what the increase in taxes would be, should this request pass the special election.

Ms. Brock noted that the value of the mill would be calculated only by the specified boundaries of the proposed special fire district, not to exceed 25 mills.

Mr. Kevin Christenberry, Corinth Shiloh Fire Chief, stepped forward and provided Council with details regarding tax increases and the budget related to this request to form a special fire district.

Lengthy discussion followed by Council, Ms. Brock, Mr. Root and Mr. Christenberry related to the above request.

Motion approved 4 – 1 [Mr. Davis opposed].

RESOLUTION 2024-12 A RESOLUTION RECOGNIZING, DESIGNATING, AND RATIFYING APRIL 2024 AS FAIR HOUSING MONTH.

Mr. Elliott made a motion, seconded by Mr. Davis, approved 5 - 0, to approve **Resolution 2024-12** on first and final reading.

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Discussion Regarding Action Items

Procurement #: ITB 23-11

Title: Commercial Aluminum Ornamental Fencing

Department: Sheriff's Office

Amount: \$74,987.00

Contingency (10%): \$7,498.70

Total: \$82,485.70

Procurement was not included in the 2023-2024 Budget process. It is 90% Grant Funded.

Matching funds were included in the FY 2023-2024 Budget process.

Budget: \$94,900.00 Project Cost: \$82,485.70 Balance: \$12,414.30

The Oconee County Courthouse currently lacks fencing and public access control on the west and east entrances of the building. The west entrance of the building is where incarcerated individuals enter/exit for mandated court appearances. The east side of the facility is where Judges, Solicitor's, Deputy Solicitor's, and/or other court officials are required to park. The lack of fencing or public access control presents a high risk to the safety of officers and other people at the facility.

The project consists of the installation of perimeter fencing around the east and west entrances of the Oconee County Courthouse. It will be 8ft Ornamental Aluminum Fencing with two walkthrough gates to access maintenance areas, automatic gates for vehicle entrance, and one egress only gate located on the east entrance side of the building.

On April 16, 2024 formal sealed bids were opened for ITB 23-11 Commercial Aluminum Ornamental Fencing. Sixteen (16) companies were originally notified of this bid opportunity. Five (5) companies submitted bids, with Calico Jack Fencing, Ltd. Co. of Conway, SC submitting the lowest, responsive bid of \$74,987.00.

Staff is requesting a 10% owners' contingency to allow for unforeseen items that may arise.

The Oconee County Sheriff's Office received a Grant from SC Department of Public Safety Office of Highway Safety and Justice Programs Justice Assistance Grant Program (JAG), in the amount of up to \$131,013.00 for increased security and safety measures at the Oconee County Courthouse. The projects include, camera upgrades and fencing. There is a 10% grant match required for each project. The total amount including grant match is \$145,571.00 for all projects.

It is the staff's recommendation that Council:

- 1. Approve ITB 23-11 Commercial Aluminum Ornamental Fencing to Calico Jack Fencing, Ltd. Co. of Conway, SC in the amount of \$74,987.00, plus a 10% contingency in the amount of \$7,498.70, for a total award of \$82,485.70.***
- 2. Authorize the County Administrator to execute documents for this project and sign any change orders within the contingency amount.***

Mr. Elliott made a motion, seconded by Mr. Davis, approved 5 - 0, to approve the award of ITB 23-11 Commercial Aluminum Ornamental Fencing to Calico Jack Fencing, Ltd. Co. of Conway, SC in the amount of \$74,987.00, plus a 10% contingency in the amount of \$7,498.70, for a total award of \$82,485.70 and to authorize the County Administrator to execute documents for this project and sign any change orders within the contingency amount.

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Council Committee Reports

Budget, Finance and Administration Committee / Mr. ElliottApril 16, 2024

Mr. Elliott provided information outlining discussions held at the April 16, 2024 Budget, Finance and Administration Committee meeting.

Board & Commission Appointments

Agriculture Advisory Board

District IV seat: 1 questionnaire on file for this seat.

Mr. Davis made a nomination, approved unanimously, to appoint Ms. Natalie Hoxit as the District IV representative on the Agriculture Advisory Board.

Conservation Bank Board

1 At-Large seat: No questionnaires on file for this seat.

No nominations were made by Council for the vacant At-Large seat on the Conservation Bank Board.

Executive Session

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

- 1. Receive legal advice and discuss litigation in relation to pending code enforcement cases.*
- 2. Receive legal advice and discuss potential acquisition related to Emergency Services.*
- 3. Discussion regarding an economic development matter, Project Mayflower.*

Council entered into Executive Session at 7:36 p.m.

Council returned from Executive Session at 8:49 p.m. on a motion made by Mr. Davis, seconded by Mr. Elliott, approved 5 – 0.

Mr. Durham noted there was no action taken in Executive Session.

Adjourn:

Mr. Elliott made a motion, approved unanimously, to adjourn at 8:50 p.m.

Respectfully Submitted:

Jennifer C. Adams
Clerk to Council

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