



MINUTES

OCONEE COUNTY COUNCIL

Special Meeting

November 04, 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 1:00 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: Dick Mangrum / 101.7 WGOG, Andrea Kelley / The Journal

Call to Order

Mr. Durham called the meeting to order at 1:00 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

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

Approval of Minutes

Mr. Elliott made a motion, seconded by Mr. Mize, approved 4 – 0 [Mr. Davis abstained due to his absence from the October 15, 2024 Council meeting], to approve the October 15, 2024 regular meeting minutes as presented.

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Attorney's Comments

Mr. Root noted that the Executive Session item related to a code enforcement matter was not needed at this meeting, but would be on the November 19, 2024 agenda, and requested a motion to amend the agenda to remove this item.

Mr. Hart made a motion, seconded by Mr. Elliott, approved 5 – 0, to approve amending the agenda to remove the Executive Session item related to a code enforcement matter.

Administrator's Comments

Ms. Brock offered a reminder that Oconee County Government offices will be closed on Monday, November 11, 2024 in observance of Veterans Day.

Ms. Brock went on to note that there is a need for a second Council meeting in December, tentatively scheduled for Friday, December 6, 2024 at 9 a.m., related to several economic development projects.

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. Mr. John Robert Wagner addressed Council with his concerns related to **Resolution 2024-18**.
2. Mr. Jeff Newman addressed Council in support of the FY 2024 National Dam Safety Program Rehabilitation of High Hazard Potential Dam (HHPD) grant application to the South Carolina Department of Environmental Services on behalf of the Chattooga Lake Club.
3. Mr. Jim Mann addressed Council related to a matter that was discussed and approved by Council at the October 1, 2024 meeting related to “Terracon Change Order 1 (Phase II) Phase II Construction Testing for GCCP Mass Grading” and offered comments related to **Resolution 2024-18** and the accompanying declarations.
4. Mr. Durham, Council Chair, read aloud an emailed comment [copy filed in backup] from Ms. Lynda Airey, with the Chattooga Lake Club, in support the FY 2024 National Dam Safety Program Rehabilitation of High Hazard Potential Dam grant application.

Council Members Comments

None for this meeting.

Third Reading of the Following Ordinances

None for this meeting.

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Second Reading of the Following Ordinances

ORDINANCE 2024-25 AN ORDINANCE AUTHORIZING, PURSUANT TO TITLE 12, CHAPTER 44 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, 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 PROJECT SHAKER, 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; DEVELOPING 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 A MULTI-COUNTY INDUSTRIAL PARK; AND OTHER RELATED MATTERS.

Mr. Elliott made a motion, seconded by Mr. Davis, approved 5 - 0, to approve **Ordinance 2024-25** on second reading.

First Reading of the Following Ordinances

None for this meeting.

First & Final Reading for the Following Resolutions

RESOLUTION 2024-18 A RESOLUTION CONCERNING CERTAIN ALLOCATIONS OF BOND PROCEEDS FOR CAPITAL PROJECTS

Mr. Hart made a motion, seconded by Mr. Mize, to approve **Resolution 2024-18** on first and final reading.

Mr. Davis made a motion, seconded by Mr. Elliott, failed 2 – 3 [Mr. Durham, Mr. Hart and Mr. Mize opposed] to delay the first and final reading of **Resolution 2024-18** until the November 19, 2024 Council meeting, while also inquiring if there was a reason this resolution needed to be considered today.

Mr. Durham noted that **Resolution 2024-18** was set to be considered at the October 15, 2024 meeting but was delayed, therefore it worked out to be added to today's agenda.

Mr. Root noted this resolution needed to be considered as soon as possible and this was the soonest that it could come before Council for consideration, then went on to add further details as to the urgency of Council consideration of **Resolution 2024-18**.

Mr. Elliott had concerns as to the wording where it relates to Exit 1 and HWY 11, noting he interprets the resolution to say that sewer will be installed going north on HWY 11.

Mr. Davis offered his comments and concerns related to **Resolution 2024-18**.

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Mr. Davis made a motion, seconded by Mr. Elliott, to remove statements “(2) Sewer Infrastructure Expansion at Durham Road (located along I-85 (Exits 2 & 3))” and “(4) Sewer Infrastructure Expansion at Exit 1 (north) (located at South Carolina Highway 11)” under “(1) As to Allocations of Certain Bond Proceeds” located on page two within **Resolution 2024-18**, and to include as part of the resolution a request for economic development projects, as related to a request for service, to land an Economic Development project.

Mr. Durham quoted the below approved motion from the March 24, 2023 Budget, Finance and Administration meeting, noting this motion is “what got the whole ball rolling”:

“Mr. Davis made a motion, seconded by Mr. Hart, to direct staff to explore bonding options for Sewer South.”

“Ms. Brock asked for clarification regarding which exits would need to be included.”

“Mr. Elliott directed Ms. Brock to include Exits 1, 2, and 4.”

“Mr. Hart inquired about Exit 3.”

“Mr. Davis stated he does not want this exploration of bonding to include the Annex Facility.”

“Motion approved 4 – 0.”

Mr. Davis’ motion failed 2 – 3 [Mr. Durham, Mr. Hart and Mr. Mize opposed].

Mr. Elliott made a motion, seconded by Mr. Davis, to strike the wording of “(north) (located at South Carolina Highway 11)”, noting he believes the wording needs to be more specific.

Short discussion followed by Council regarding the wording in **Resolution 2024-18** as it relates to HWY 11.

Mr. Durham gave Ms. Brock permission to have the Council Clerk display a map [copy filed in backup] that was utilized in the bond presentation from 2023.

Ms. Brock went on to provide details related to the displayed map and sewer location.

Mr. Davis and Mr. Elliott, again, stated their concerns as to the wording regarding Exit 1 and HWY 11 within **Resolution 2024-18**.

Mr. Elliott’s motion failed 2 – 3 [Mr. Durham, Mr. Hart and Mr. Mize opposed].

Original motion to approve **Resolution 2024-18** on first and final reading, approved 3 – 2 [Mr. Davis and Mr. Elliott opposed].

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Discussion Regarding Action Item

Council discussion regarding the FY 2024 National Dam Safety Program Rehabilitation of High Hazard Potential Dam (HHPD) grant application to the South Carolina Department of Environmental Services on behalf of the Chattooga Lake Club, including discussion of related Attorney General's Opinion regarding the use of public funds on private property.

Mr. Root provided background information as it relates to the above discussion item, noting that he wanted to allow Council time to review the Attorney General's opinion, which was final on October 16, 2024, before the application was submitted.

Mr. Davis made a motion, seconded by Mr. Elliott, approved 5 – 0, to approve the submission of FY 2024 National Dam Safety Program Rehabilitation of High Hazard Potential Dam (HHPD) grant application to the South Carolina Department of Environmental Services on behalf of the Chattooga Lake Club.

Executive Session

~~1. Receive legal advice and discuss potential litigation related to code enforcement.~~

As requested by Mr. Root at the start of the meeting, this item was removed from the agenda on a motion made by Mr. Hart, seconded by Mr. Elliott, approved 5 – 0.

Adjourn:

Mr. Elliott made a motion, approved unanimously, to adjourn at 1:33 p.m.

Respectfully Submitted:

Jennifer C. Adams
Clerk to Council

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