



# MINUTES

## LAW ENFORCEMENT, PUBLIC SAFETY, HEALTH & WELFARE COMMITTEE MEETING

May 16, 2023

### COMMITTEE MEMBERS

Mr. Don Mize, Chair, District III

Mr. Matthew Durham, District II

Mr. Glen Hart, District V

The Law Enforcement, Public Safety, Health & Welfare Committee met at 4:30 p.m. in Council Chambers, 415 South Pine Street, Walhalla, SC with all Committee Members present, County Administrator Amanda F. Brock, County Attorney David Root, & Jennifer C. Adams, Clerk to Council, present.

Members of staff present: James Coley / Planning and Zoning Director

**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 to the newspapers, radio stations, television stations and concerned citizens.

Members of the press present: Dick Mangrum / 101.7 WGOG

### **Call to Order**

Mr. Mize called the meeting to order at 4:30 p.m.

### **Moment of Silence**

Mr. Mize asked for a moment of silence.

### **Pledge of Allegiance**

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

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

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

### **Approval of Minutes**

Mr. Hart made a motion, seconded by Mr. Durham, approved 3 – 0, to approve the February 21, 2023 regular meeting minutes as presented.

### **Discussion Items**

#### **Discuss commercial junkyard ordinance proposed by Planning Commission**

Mr. Mize offered his opinion that the proposed junkyard ordinance [copy in backup] seems to be fairly concise and noted that he received a request to include an exemption for service-related business, such as marine and automotive.

Mr. Mize went on to discuss the topic of grandfathering existing commercial junkyards.

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Mr. Root noted that this topic is not included within the draft ordinance and referenced section 32-755, which gives guidelines that help identify existing commercial junkyards that could be eligible for a grandfather status if the ordinance allows and what ramifications would be placed upon on existing junkyards if there were in violation of this ordinance.

Mr. Mize noted he is not in favor of a grandfather clause, stating he believes it reduces the effectiveness of this ordinance.

Mr. Mize made a motion, seconded by Mr. Durham, to send this ordinance back to the Planning Commission for further review, noting that new Planning Commission members may be able to offer further insights and revisions.

Mr. Durham brought up the topic of electric vehicles and the disposal and storage of the hazardous materials they contain as it pertains to junkyards and asked that this be included in the motion to send this proposed junkyard ordinance back to the Planning Commission for further review.

Mr. Root noted he did some research on this topic as directed by the Planning Commission and informed the Committee that after some review into the laws he was surprised to find that the regulatory and statutory laws did not provide a whole lot of guidance pertaining to the disposal of electric vehicle batteries.

Mr. Root further noted that the electric vehicle battery contents are considered hazardous and would fall under the Hazardous Waste Law, adding that the Planning Commission did discuss developing a new ordinance for disposal of electric vehicle batteries once new laws were developed covering this topic.

Mr. James Coley, Planning and Zoning Director, confirmed Mr. Root's comments and added that the Planning Commission discussed several options related to electric vehicle battery disposal, stating another idea from the Planning Commission would be to follow the manufacturer's guidelines for battery content disposal.

Mr. Durham stated that it could be a good idea to research how other communities are handling the disposal of electric vehicle batteries and believes that by developing guidelines now, could possibly put the County a step ahead.

Mr. Durham informed the Committee that he sent out a mass email related to this ordinance and received a lot of public feedback, of which he is willing to share with the Planning Commission.

Motion to send the proposed junkyard ordinance, to possibly include the topic of the disposal of electric vehicle batteries, back to the Planning Commission for further review approved 3 – 0.

Mr. Hart questioned the definition of a "minor street" as it is referenced in the proposed ordinance and who would determine if a street is minor or major.

Mr. Root provided the definition of a minor local street, noting the intent of this inclusion within the ordinance is to keep junkyards off minor local streets in purely residential areas.

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Short discussion regarding what is considered a “minor street” followed between Mr. Hart, Mr. Root and Mr. Coley.

**Discussion regarding the development of an ordinance to foster the identification and safe repair or removal of structures that have become unsafe for occupation as a result of fire damage and natural disasters.**

Mr. Root provided background information related to the above referenced propose ordinance [copy in backup] that he was charged to develop at the February 21, 2023 Law Enforcement, Public Safety, Health and Welfare Committee meeting, noting this ordinance specifically targets structures that have been burned or affected by a natural disaster and are no longer safe to inhabit.

Mr. Root informed the Committee that ninety percent of the draft ordinance is close to verbatim with state law and cited several counties within South Carolina that have very similar ordinances.

Mr. Durham stated that he has reviewed the draft ordinance and, in his opinion, it still needs a lot of work and inquired as to who would be responsible for deeming these structures uninhabitable.

Mr. Root responded that the County Administrator would be responsible for appointing staff, presumably someone from Building Codes or a Code Enforcement Officer, to inspect the structural integrity of these structures.

Mr. Durham proceeded to offer his thoughts on several topics contained within the proposed ordinance that he believes needs further review.

Mr. Root responded to several of Mr. Durham’s inquiries, noting that most of the language within the proposed ordinance is consistent with State law but he has no hesitancy with making changes.

Mr. Mize made note that the ordinance only referenced the male gender.

Mr. Durham made a motion, seconded by Mr. Hart, approved 3 – 0, to send this proposed ordinance to foster the identification and safe repair or removal of structures that have become unsafe for occupation as a result of fire damage and natural disasters back to the Planning Commission for further review.

Mr. Hart offered comments related to adding the cost of demolition to the property owners tax bill.

Mr. Root noted that particular topic is included within the proposed ordinance and is consistent with State law.

**Adjourn:**

Mr. Mize made a motion, approved unanimously, to adjourn the meeting at 4:56 p.m.

Respectfully Submitted:

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Jennifer C. Adams  
Clerk to Council

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