



Oconee County Planning Commission

415 S. Pine Street, Walhalla, SC

29691

Telephone: 864-638-4218

Minutes

Planning Commission Meeting

August 11, 2008

The Oconee County Planning Commission held their regularly scheduled monthly meeting at 7:00 p.m. on August 11, 2008 in the Board Room of the School District of Oconee County Administrative Offices, 413 S. Pine St., Walhalla, SC 29691.

Members Present: Ryan Honea, (Vice Chairman)
Howard Moore
Rex Ramsay
Randy Abbott
Bill Nelson
Bill Evatt

Art Holbrooks (Planning Director)

Media Present:

Brett McLaughlin (Daily Journal)
Dick Mangrum (WGOG)
Ray Chandler (Anderson Independent)

Item 1: Vice Chairman Honea called the meeting to order.

Item 2: Approval of Minutes- Mr. Evatt made a motion to approve the July 14, 2008 meeting minutes as written; Mr. Ramsay seconded the motion. The motion was approved unanimously

Item 3: Public Comment-

Mr. John Little- Urged the commissioners to get a copy of the book Government Pirates to read about examples of zoning-imposed hardships. He stated that zoning should be scrapped.

Mr. Phil Soper- He stated that he was commenting as a representative of Keep Oconee Beautiful Association, and endorsed the proposed county Scenic Highway Designation Program.

Ms. Susie Cornelius- Noted that the new state law requiring the addition of a Priority Investment Element in the Comprehensive Plan mandated the Commission consider plans from the school district.

At the end of the public comment session, Vice-Chairman Honea called for a motion to amend the agenda by adding a presentation on the proposed County Scenic Highway Designation program by Mr. Luther Lyles and Mr. Harold Thomas. Mr. Moore made a motion to amend the agenda; Mr. Randy Abbott seconded the motion. The motion was approved unanimously.

Item 3: Presentation on County Scenic Highway Designation Program- Mr. Luther Lyles and Mr. Harold Thomas- Mr. Lyles discussed the draft ordinance creating the program, and urged the Commission to take the matter up again. The Commission had tabled the matter in January 2008 to await more information. Mr. Holbrooks distributed copies of the draft ordinance to the commissioners, and informed the public that copies were available on the internet and from staff.

The Commission then discussed the presentation and the tabled draft. The consensus of the Commission was that the concept was positive, but the draft needed to be reviewed to have unnecessary language removed. Also, some of the commissioners wanted to see a different mix of review committee members- possibly include some at large members to be appointed by County Council. Mr. Holbrooks stated that staff would prepare an updated draft for the next meeting.

Item 4: Briefing on Opinion Requested by Planning Commission and Other Matters- Mr. Norton, County Attorney

Mr. Norton reviewed his written opinion of the duties of the Planning Commission, which was requested by the Commission in June 2008. He focused primarily on the expansion of requirements resulting from the new Priority Investment Act. A copy of the written opinion is attached.

Item 5: Old Business- Mr. Holbrooks informed the Commission that Benchmark CMR of Kannapolis, NC, had been hired to assist the Commission with completing the draft zoning ordinance, and would be meeting with members in the near future.

Also, Mr. Holbrooks noted that there had been 3 community land use meetings (Walhalla, Seneca, and Salem), with Westminster, Fair Play scheduled. Others would be announced when confirmed.

Item 6: New Business- None

Item 7: Adjourn

Norton & Ballenger, P.A.
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BRADLEY A. NORTON

KAREN F. BALLENGER

MEMORANDUM

Date: June 30, 2008

To: Dale Surrett, County Administrator
Oconee County Council
Oconee County Planning Commission

From: Bradley A. Norton
County Attorney

Issue: Role of the Planning Commission

The role of local planning commissions is determined by the statutory law. Under South Carolina law, once a local government creates a planning commission, the planning commission has certain duties that are mandatory and some duties may be delegated to the Planning Commission by the local governing body. In general, it is the Planning Commission's duty to develop a "continuing program for the physical, social, and economic growth, development and redevelopment of the area within its jurisdiction." A planning program developed by the planning commission "must" be designed to promote certain things, including the public health, safety, morals, convenience, prosperity and general welfare of the county. These plans must be based on careful and comprehensive surveys and studies of the existing conditions and probable future development.

The Oconee County Planning Commission has the duty to prepare and revise plans and programs for the development and redevelopment of Oconee County. The Planning Commission also has the power to prepare and recommend to County Council the means for implementing the plans and programs. In doing so, the Planning Commission can make recommendations concerning zoning, land regulations, and a capital improvement program. In developing the capital improvement program, the Planning Commission may make recommendations, which includes an annual listing of priority projects for consideration by County Council in accordance with the plan developed by the Planning Commission. It is solely within the discretion of County Council to determine which capital projects to fund.

In developing the comprehensive plan, the Planning Commission must include a number of elements. One of these elements is the “Community Facilities” element. This element considers water supply, treatment and distribution; sewer systems and wastewater treatment; solid waste collection and disposal; fire protection; emergency medical services; general government facilities; education facilities; libraries; and other cultural facilities. Another element is the “Priority Investment” element, which analyzes the possibility of federal, state, and local funds for public infrastructure and facilities over a 10-year period. This element should include recommendations for projects for the expenditure of these funds during the 10-year period.

The Planning Commission’s role in developing a capital improvement program is to prioritize capital projects in accordance with the Comprehension Plan. For example, if the Comprehension Plan called for industrial and commercial growth within a certain area of the County, the Planning Commission should review the capital projects that would be necessary for industrial and commercial growth. This would include, but not be limited to, sewer and water projects, new roads or improved roads, fire and police protection, and other projects to accommodate the planned growth. The Planning Commission would also consider various

funding sources for the projects, which would include federal, state, and local funding sources. The Planning Commission would then prioritize those capital projects based on the Comprehension Plan, current needs and various funding sources. This priority listing should be done on an annual basis in conjunction with County Council's budgeting process. County Council ultimately decides which projects the County will pursue.

“Capital Improvement Program” is not defined in the statutes dealing with the Planning Commission. Normally, capital projects mean buildings and infrastructure such as sewer lines, water lines, and roads. Items such as cars, trucks, and heavy moveable equipment would not normally be part of the capital improvement program, but this does not mean that County Council could not request recommendations from the Planning Commission on those types of items. However, under the Council-Administrators form of government, the plan for the purchase and/or replacement of vehicles and heavy equipment used by the County would be made by the County Administrator and approved or rejected by County Council.