



MINUTES
OCONEE COUNTY COUNCIL MEETING
Regular Meeting
April 3, 2012

MEMBERS, OCONEE COUNTY COUNCIL

Mr. Joe Thrift, District IV, Council Chairman
Mr. Paul Corbeil, District I, Vice Chairman
Mr. Wayne McCall, District II, Chairman Pro Tem
Mr. Archie Barron, District III
Mr. Reg Dexter, District V

Oconee County Council met at 6:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members, Thomas L. Martin County Attorney, County Administrator Scott Moulder, Assistant Administrator Glenn Breed and Clerk to Council, Elizabeth Hulse 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.

Member of the press present: Ray Chandler – Anderson Independent, Ashton Hester – Keowee Courier & Brett McLaughlin, Ladonna Becker - Daily Journal,

Call to Order:

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

Extended Public Comment Session:

None scheduled at this meeting.

Public Comment Session [related to specific agenda items]:

Mr. George Cleveland addressed Council stating his belief that the jail should stay at the current location and his opposition to term limits for boards and commissions.

Mr. B. J. Littleton addressed Council in opposition to term limits for boards and commissions.

Public Comment Session [related to non-agenda items]:

Mr. Bud Lorsch addressed Council requesting a decision from Council regarding an outstanding proposal to repurpose the old courthouse.

Mr. Hansel Eller addressed Council requesting consideration for elderly and veterans at the manned convenience centers; allowing staff to assist with removal and disposal of trash.

Mr. Frankie Pearson addressed Council in opposition to acquisition of land for a new jail; stating the county owns enough unused land that could be used for a jail.

Mr. Richard Marcingill asked Council questions regarding the proposed ballot questions regarding sewer funding and purported statements made by Mr. Dexter at the Salem Town Hall.

Mr. Jerod Wilson addressed Council voicing opposition to the new jail in the old Collins Craft building.

Mr. Ben Turetzky addressed Council utilizing a PowerPoint presentation [copy filed with these minutes] outlining concerns with run off related to property being considered for rezoning in Ordinance 2012-08.

Mr. Greg Connelly addressed Council in opposition to the proposed referendum for the November ballot dealing with ad valorem taxes for sewer infrastructure.

Mr. Tom Markovich addressed Council in opposition to Method 2 in the zoning ordinance.

County Council Response to Public Comment:

Mr. Dexter stated that at the Town Hall meeting recently held in Salem [sponsored by the Chamber of Commerce] that he voiced agreement with many of the comments made by citizens. In addition, he stated that Council has given the Administrator authorization to move forward with sewer at the Golden Corner Commerce Park [GCCP] and that the referendum has to do with overall funding sewer in the unincorporated areas of the county; not funding for this project.

Meeting Recess:

Mr. Thrift announced a recess at 6:45 p.m.

Meeting Reconvene:

Mr. Thrift reconvened the meeting at 6:55 p.m.

Pledge of Allegiance:

Mr. Barron led the Pledge of Allegiance to the United States of America.

Minutes:

Mr. Corbeil made a motion, seconded by Mr. Dexter, approved 5 – 0 to approve the minutes from the March 20, 2012 meeting as presented.

Presentations to County Council

ACOG Annual Report to Council / Mr. Steve Pelissier

Mr. Pelissier, Executive Director ACOG, addressed Council utilizing two handouts [copies filed with the minutes] highlighting 2011 activities and announcements. In addition, Mr. Pelissier introduced Mr. E. Riley, Seneca City Council, who was recently elected chair of the ACOG Board. Lastly, he thanked Mr. Dexter for his continued service on the board and the support from Oconee County and its citizens.

Council thanked Mr. Pelissier for his thorough presentation.

Consideration of the Following Proclamations:

Proclamation P2012-01

Mr. McCall made a motion seconded by Mr. Barron, approved 5 – 0 to approve “A PROCLAMATION COMMEMORATING THE FIFTIETH ANNIVERSARY OF THE TRI COUNTY TECHNICAL COLLEGE” on first and final reading.

Mr. William “Ham” Hudson, Tri County Technical College Board Chair, was present to accept the Proclamation on behalf of the College. Mr. Hudson commented on the excellent working relationship between the college and the County.

Public Hearing regarding the Following Ordinances:

Ordinance 2012-05 “AN ORDINANCE TO REVISE AND AMEND ARTICLE IV. BOARDS, COMMISSIONS AND COMMITTEES OF CHAPTER 2. ADMINISTRATION, AND ARTICLE II. ECONOMIC DEVELOPMENT COMMISSION OF CHAPTER 24. PLANNING AND

DEVELOPMENT OF THE OCONEE COUNTY CODE OF ORDINANCES IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY; AND OTHER MATTERS RELATED THERETO”

Mr. Thrift opened the floor for Public Comment.

Mr. C. W. Richards addressed Council voicing concerns regarding council members serving on boards/commission even if they serve in an ex officio capacity.

Mr. George Cleveland addressed Council requesting they remove the term limit language from the ordinance.

Mr. B. J. Littleton addressed Council in agreement with Mr. Richards comments.

Mr. Thrift asked if any additional citizens wished to address Council regarding this ordinance; no citizen stepped forward.

Mr. Thrift asked if any citizens wished to submit written comments regarding this ordinance; no citizen presented any written comments for the record.

Mr. Thrift closed the Public Hearing regarding Ordinance 2012-05.

Ordinance 2012-06 “AN ORDINANCE TO REVISE AND AMEND *DIVISION 2. MEETINGS OF ARTICLE II. COUNTY COUNCIL OF CHAPTER 2. ADMINISTRATION OF THE OCONEE COUNTY CODE OF ORDINANCES IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY; AND OTHER MATTERS RELATED THERETO”*

Mr. Thrift opened the floor for Public Comment.

Mr. Thrift asked if any citizens wished to address Council regarding this ordinance; no citizen stepped forward.

Mr. Thrift asked if any citizens wished to submit written comments regarding this ordinance; no citizen presented any written comments for the record.

Mr. Thrift closed the Public Hearing regarding Ordinance 2012-06.

Ordinance 2012-11 “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND BORGWARNER TORQTRANSFER SYSTEMS INC.; THE GRANTING OF SPECIAL SOURCE REVENUE CREDIT; AND OTHER MATTERS RELATING THERETO INCLUDING, WITHOUT LIMITATION, PAYMENT OF A FEE IN LIEU OF TAXES”

Mr. Thrift opened the floor for Public Comment.

Mr. Todd Bennington, Vice President of Operations/BorgWarner, addressed Council thanking them for the opportunity this FILOT provides. Mr. Thrift thanked Mr. Bennington and BorgWarner for their presence in Oconee County and stated that the county looks forward to working with them for many years to come.

Mr. George Cleveland addressed Council in support of BorgWarner; stating they are a good company to work for with good wages.

Mr. B. J. Littleton addressed Council in support of BorgWarner.

Mr. Thrift asked if any additional citizens wished to address Council regarding this ordinance; no citizen stepped forward.

Mr. Thrift asked if any citizens wished to submit written comments regarding this ordinance; no citizen presented any written comments for the record.

Mr. Thrift closed the Public Hearing regarding Ordinance 2012-11.

Consideration of the Following Resolutions:

Resolution R2012-04

Mr. Corbeil made a motion seconded by Mr. Barron, approved 5 - 0 to approve

Resolution R2012-04 “A RESOLUTION RE-AUTHORIZING THE PURCHASE OF CERTAIN OCONEE COUNTY REAL PROPERTY, CONTINGENT ON THE SATISFACTORY

COMPLETION OF ALL DUE DILIGENCE AND CONTRACTUAL REQUIREMENTS ESTABLISHED BY OCONEE COUNTY, TO THE SATISFACTION OF OCONEE COUNTY COUNCIL; RE-AUTHORIZING THE COMPLETION OF SUCH DUE DILIGENCE AND CONTRACTS; RE-AUTHORIZING THE RECEIPT OF ALL LAWFUL FUNDS AUTHORIZED FOR SUCH PURCHASES; RE-AUTHORIZING THE EXECUTION AND DELIVERY OF ALL CONTRACTS, INTERGOVERNMENTAL AGREEMENTS, AND OTHER DOCUMENTS RELATED TO SUCH PURCHASES; RE-AUTHORIZING THE AMENDMENT OF THE CURRENT OCONEE COUNTY BUDGET ORDINANCE TO PROVIDE ACCOUNTING AND FUNDING FOR THE TOTAL COST OF CONTRACTING FOR AND PURCHASING SUCH PROPERTIES; AND OTHER MATTERS RELATED THERETO.” on first and final reading.

Resolution R2012-05

Mr. Corbeil made a motion seconded by Mr. Dexter, approved 4 – 1 [Mr. McCall opposed] to approve **Resolution R2012-05** A RESOLUTION AUTHORIZING THE CREATION OF THE GOLDEN CORNER COMMERCE PARK; APPROVING AND AUTHORIZING THE EXECUTION AND RECORDATION OF RESTRICTIVE COVENANTS GOVERNING THE OPERATION OF THE PARK AND THE USE AND DEVELOPMENT OF PROPERTY LOCATED WITHIN THE PARK; DESIGNATING THE OCONEE COUNTY ADMINISTRATOR AS THE COUNTY’S AGENT WITH REGARD TO CERTAIN TERMS OF THE RESTRICTIVE COVENANTS; AND OTHER MATTERS RELATED THERETO including the GCCP Restrictive Covenants Document on first and final reading.

Consideration of the Following Ordinances:

Ordinance 2012-04

Mr. Aaron Gadsby, County Planner, addressed Council reading from a prepared memo [copy filed with these minutes] outlining the Planning Commission recommendation regarding this ordinance.

Mr. Corbeil made a motion, seconded by Mr. McCall, approved 5 – 0 to approve **Ordinance 2012-04** “AN ORDINANCE TO AMEND THE OCONEE COUNTY ZONING ENABLING ORDINANCE, ORDINANCE 2007-18, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, AS TO REZONE A SERIES OF PARCELS SPECIFIED HEREIN, AND TO RATIFY AND AFFIRM ALL OTHER PROVISIONS OF ORDINANCE 2007-18 NOT AMENDED OR MODIFIED HEREBY; AND OTHER MATTERS RELATING THERETO” [Watson Rezoning Request] on third and final reading.

Ordinance 2012-16 [in title only]: Introduced at this meeting

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 5 – 0 to take first reading in title only [this ordinance number established by the Clerk to Council after the meeting] of **Ordinance 2012-16** “AN ORDINANCE TO AMEND THE OCONEE COUNTY ZONING ENABLING ORDINANCE, ORDINANCE 2007-18, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, AS TO REZONE A SERIES OF PARCELS SPECIFIED HEREIN, AND TO RATIFY AND AFFIRM ALL OTHER PROVISIONS OF ORDINANCE 2007-18 NOT AMENDED OR MODIFIED HEREBY; AND OTHER MATTERS RELATING THERETO” [Watson2 Rezoning Request]] rezoning those parcels which have been requested to be included in the Traditional Rural District [TRD], directing staff to contact property owners in those areas surrounded by the TRD prior to the Planning Commission’s review.

Ordinance 2012-05

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 4 – 1 [Mr. McCall opposed] to approve **Ordinance 2012-05** “AN ORDINANCE TO REVISE AND AMEND *ARTICLE IV. BOARDS, COMMISSIONS AND COMMITTEES OF CHAPTER 2. ADMINISTRATION, AND ARTICLE II. ECONOMIC DEVELOPMENT COMMISSION OF CHAPTER 24. PLANNING AND DEVELOPMENT* OF THE OCONEE COUNTY CODE OF ORDINANCES IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY; AND OTHER MATTERS RELATED THERETO” on third and final reading.

Ordinance 2012-06

Mr. Thrift made a motion, seconded by Mr. Barron, approved 5 – 0 to approve **Ordinance 2012-06** “AN ORDINANCE TO REVISE AND AMEND *DIVISION 2. MEETINGS OF ARTICLE II. COUNTY COUNCIL OF CHAPTER 2. ADMINISTRATION* OF THE OCONEE COUNTY CODE OF ORDINANCES IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY; AND OTHER MATTERS RELATED THERETO” on third and final reading.

Ordinance 2012-11

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 5 – 0 to approve **Ordinance 2012-11** “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND PROJECT SUNSHINE; THE GRANTING OF SPECIAL SOURCE REVENUE CREDIT; AND OTHER MATTERS RELATING THERETO INCLUDING, WITHOUT LIMITATION, PAYMENT OF A FEE IN LIEU OF TAXES” on third and final reading.

Ordinance 2012-07

Mr. Barron made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve **Ordinance 2012-07** “AN ORDINANCE TO AMEND THE OCONEE COUNTY ZONING ENABLING ORDINANCE, ORDINANCE 2007-18, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, AS TO REZONE A SERIES OF PARCELS SPECIFIED HEREIN, AND TO RATIFY AND AFFIRM ALL OTHER PROVISIONS OF ORDINANCE 2007-18 NOT AMENDED OR MODIFIED HEREBY; AND OTHER MATTERS RELATING THERETO” [*Saxony Forest Rezoning Request*] on second reading and to schedule the public hearing on or after May 1, 2012.

Ordinance 2012-08

Mr. Thrift prior to any action on this matter, stated that based on family being involved in this rezoning request that he was recusing himself [form filed with these minutes]. Mr. Thrift left chambers; turning the meeting over to Mr. Corbeil, Vice Chairman, until conclusion of the discussion and vote on this ordinance.

Mr. Dexter made a motion, seconded by Mr. Barron, approved 4 – 0 – 1 [Mr. Thrift recused himself] to approve **Ordinance 2012-08** “AN ORDINANCE TO AMEND THE OCONEE COUNTY ZONING ENABLING ORDINANCE, ORDINANCE 2007-18, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, AS TO REZONE A SERIES OF PARCELS SPECIFIED HEREIN, AND TO RATIFY AND AFFIRM ALL OTHER PROVISIONS OF ORDINANCE 2007-18 NOT AMENDED OR MODIFIED HEREBY; AND OTHER MATTERS RELATING THERETO” [*Dr. Johns & Lonesome Valley Rezoning Request*] on second reading and to schedule the public hearing on or after May 1, 2012.

Ordinance 2012-09

Mr. Dexter made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve **Ordinance 2012-09** “AN ORDINANCE TO AMEND THE OCONEE COUNTY ZONING

ENABLING ORDINANCE, ORDINANCE 2007-18, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, AS TO REZONE A SERIES OF PARCELS SPECIFIED HEREIN, AND TO RATIFY AND AFFIRM ALL OTHER PROVISIONS OF ORDINANCE 2007-18 NOT AMENDED OR MODIFIED HEREBY; AND OTHER MATTERS RELATING THERETO” *[Camp Creek Farm Rezoning Request]* on second reading and to schedule the public hearing on or after May 1, 2012.

Ordinance 2012-10

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 5 – 0 to approve **Ordinance 2012-10** “AN ORDINANCE TO AMEND THE OCONEE COUNTY ZONING ENABLING ORDINANCE, ORDINANCE 2007-18, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, AS TO REZONE A SERIES OF PARCELS SPECIFIED HEREIN, AND TO RATIFY AND AFFIRM ALL OTHER PROVISIONS OF ORDINANCE 2007-18 NOT AMENDED OR MODIFIED HEREBY; AND OTHER MATTERS RELATING THERETO” *[Erwin Rogers Drive Rezoning Request]* on second reading and to schedule the public hearing on or after May 1, 2012.

Ordinance 2012-13

Mr. Barron made a motion, seconded by Mr. Corbeil, to approve **Ordinance 2012-13** “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A MEMORANDUM OF UNDERSTANDING BY AND BETWEEN OCONEE COUNTY AND THE SCHOOL DISTRICT OF OCONEE COUNTY REGARDING THE GRANT BY THE COUNTY OF ECONOMIC DEVELOPMENT FUNDS FOR THE CONSTRUCTION OF SANITARY SEWER SERVICE LINES, FACILITIES, AND APPURTENANCES BY THE SCHOOL DISTRICT; THE APPROPRIATION OF FUNDS THEREFOR; AND OTHER MATTERS RELATED THERETO”.

Mr. Dexter made a motion, seconded by Mr. Corbeil, approved 5 – 0 to amend **Ordinance 2012-13** to replace language in the Memorandum of Understanding attached to this ordinance to reflect removal of \$1.5 million dollars and replacing that language with not to exceed \$1.3 million dollars. Mr. Martin noted that he would review the document to ensure that this change is made throughout.

Mr. Thrift called for the vote on **Ordinance 2012-13** as amended. The motion passed 5 – 0 to approve this ordinance on second reading.

Ordinance 2012-14

Mr. Dexter made a motion, seconded by Mr. Barron, approved 5 – 0 to approve **Ordinance 2012-14** “AN ORDINANCE TO REWRITE AND REVISE CHAPTER 38 ZONING OF THE OCONEE COUNTY CODE OF ORDINANCES IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY; AND OTHER MATTERS RELATED THERETO” on first reading.

Mr. Thrift noted that a special Council meeting has been scheduled for Monday, April 16, 2012 at 6:00 p.m. in Council Chambers to initiate second reading of this ordinance and to hold a workshop discussion with the Planning Commission regarding their recommended changes to this ordinance.

Ordinance 2012-15

Mr. Barron made a motion, seconded by Mr. Dexter, approved 5 – 0 to approve **Ordinance 2012-15** “AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CERTAIN PROPERTY TO NEW HORIZON ELECTRIC” on first reading.

Discussion & Possible Action Items

None scheduled for this meeting.

Board & Commission Appointments

None scheduled for this meeting.

Commission & Board Reports to Council

None scheduled for this meeting.

Council Committee Reports:

None scheduled for this meeting.

Administrator's Report:

Mr. Moulder addressed two issues

[1] New Economic Development Director: Mr. Richard Blackwell, started his employment on Monday. Mr. Blackwell was not present for this part of the meeting to be formally introduced, and

[2] Budget Presentation to Council: Mr. Moulder noted he would announce the rescheduled budget presentation meeting for Council next week.

Old Business:

None scheduled for this meeting.

New Business:

None scheduled for this meeting.

Executive Session:

Mr. Moulder noted that the stated purpose for the Executive Session needs to be amended to add an additional contractual matter.

Mr. Dexter made a motion, seconded by Mr. Corbeil, approved 5 – 0 to amend the purpose for Executive Session for the purpose of receiving legal advice regarding two contractual matters.

Mr. Barron made a motion, seconded by Mr. Dexter, approved 5 – 0 to enter Executive Session at 7:48 p.m. for the purpose stated above.

Council returned from Executive Session at 8:42 p.m. on a motion by Mr. Barron, seconded by Mr. Dexter, approved 5 – 0.

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

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 5 – 0 to authorize the Administrator to schedule a meeting to be held in Executive Session with the principal regarding one of the matters as discussed in Executive Session.

Adjourn:

McCall made a motion, approved unanimously to adjourn at 8:45 p.m.

Respectfully Submitted:



Elizabeth G. Hulse
Clerk to Council