



# MINUTES

## OCONEE COUNTY COUNCIL

### Regular Meeting

### May 1, 2018

**MEMBERS, OCONEE COUNTY COUNCIL**  
Mr. Paul Cain, District III  
Mr. Wayne McCall, District II  
Ms. Edda Cammick, Chairwoman, District I  
Mr. Julian Davis III, Vice Chair, District IV  
Mr. Glenn Hart, Chair 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 Scott Moulder, County Attorney David Root, and Katie D. Smith, 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](http://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: Norm Cannada / Daily Journal.

### **Call to Order:**

Ms. Cammick called the meeting to order at 6:00 p.m.

### **Public Comment Session**

Mr. Redd Gardner addressed Council thanking Mr. Moulder & Mr. Root for the financial presentation from the Budget, Finance, & Administration Committee meeting. Further, he noted there is a drug problem on Owens Road, particularly at the entrance to the Mill Hill and additionally spoke on code enforcement officers.

Mr. Bill Bruehl addressed Council reading from a prepared statement [copy filed with these minutes] regarding polarization.

Mr. Mike Walker addressed Council regarding incidents that have happened at Owens Road noting he had moved to the area recently.

### **County Council Response to Public Comment**

Mr. Cain addressed Mr. Gardner's and Mr. Walker's comments noting he and the Sheriff were well aware of the issues and currently working on the problem. He apologized for the area being as bad as it is but noted the efforts they are working on to clean up the community will show results soon.

Mr. McCall questioned since the house is in the County without water or sewer, isn't that a code violation?

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Mr. Moulder noted he wrote the information down and further noted they are actually dealing with this same issue at another location in the County. Further, he noted they tried to get a warrant to get inside the house to make notice of those code violations but were unable to get a warrant on a civil matter. He noted he would add this one to the list.

Mr. McCall noted he spoke with Mr. Root regarding renting substandard housing. Mr. Root noted we are not talking about a criminal matter but rather code enforcement either through building codes or through the International Property Maintenance code. He further noted the other activities that are going on fall under the Sheriff's Office.

### **Moment of Silence**

Ms. Cammick asked for a moment of silence prior the Invocation by the County Chaplain.

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

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

### **Pledge of Allegiance:**

Mr. Davis 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. Hart, approved 5 – 0, to approve the April 24, 2018 Regular meeting minutes as presented.

### **Administrator's Report & Agenda Summary**

Mr. Moulder briefly reviewed with Council and for the public's benefit specifics related to the following matters before Council at this meeting:

- Discussion Regarding Action Items
- Board & Commission Appointments
- Unfinished Business
- Council Committee Reports

Mr. Moulder asked for the agenda to be amended to add "Discussion related to the Administrator's personnel and employment contract" to Executive Session.

In response to Mr. Moulder's request, Mr. Davis made a motion, seconded by Mr. Hart, approved 5 – 0, to amend the agenda to add "Discussion related to the Administrator's personnel and employment contract" to Executive Session.

### **Proclamation 2018-02**

#### **PROCLAMATION 2018-02 FOR PEACE OFFICER'S MEMORIAL DAY**

Mr. Davis read the proclamation into the record.

Mr. Davis made a motion, seconded by Mr. Cain, approved 5 – 0, to approve **Proclamation 2018-02**.

Sheriff Crenshaw of the Oconee County Sheriff's Office and his staff that were present came forward to accept **Proclamation 2018-02** from Mr. Davis.

### **Public Hearings for the Following Ordinances**

None at this meeting.

### **Third Reading of the Following Ordinances**

None at this meeting.

### **Second Reading of the Following Ordinances**

None at this meeting.

### **First & Final Reading for the Following Resolutions**

None at this meeting.

### **Discussion Regarding Action Items**

#### **Discussion and consideration of a request by FOYC that Council provide a letter in support of their pursuit of recreation boundaries around Fair Oak Elementary School**

Mr. Root noted he was given the task of speaking with Fair Oak Youth Center [FOYC] and follow up with SC Athletic Programs [SCAP] and has completed both. He noted he met with Ms. Terry Swain and others from FOYC and they discussed their concerns and position. Further, he noted FOYC essentially wants a seat at the table with the municipalities as far as recreation for the ability for the children in their area to play. Additionally, an outline of agreement was presented and they are trying to go over the terms of such an agreement with the municipalities. The FOYC still insist they need to have boundaries that are recognized and want them to be coterminous that essentially mirrors the boundaries of the Fair Oak Elementary School attendance area. He further noted he had a follow up conversation with Ms. Cheri Anthony, SCAP President and she noted the following:

- They do not police boundaries or make the boundaries
- The governmental or existing recreational entities within a jurisdiction make those boundaries
- The municipalities have made the boundaries for Oconee County and they recognize those
- Boundaries are only recognized for SCAP purposes for postseason [all-star tournaments, etc.]
- During regular season, members of SCAP can play who they chose to whether the team is with SCAP or not
- Within the SCAP policy a member cannot be admitted to becoming a new member if their boundaries would be within an existing boundary of a municipality
- Boundaries are all full and cannot give membership for the all-stars for the tournaments
- Send a letter saying the County supports the FOYC having boundaries consistent with the Fair Oak Elementary School?
- Per Ms. Anthony, meeting is scheduled for May 9<sup>th</sup> and the board would take the letter under consideration

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Mr. Davis made a motion, seconded by Mr. Cain, to table the consideration of sending a letter [copy filed with these minutes] to SCAP.

Ms. Cammick asked Ms. Swain if she would like to make a comment.

Mr. Root noted this is a “point of order” and generally there’s no discussion on motions to table.

Ms. Cammick allowed Ms. Swain to comment.

Ms. Swain addressed Council with the following to include but not limited to:

- During the 4-17-2018 Recreation Review Task Force meeting, the recreation directors decided to play FOYC
- Meeting on April 25, 2018 with the recreation directors and provided FOYC with a 9 point item that they must follow in order to play
- Several items were not feasible
- Boundaries drawn in 2012 and were not asked to participate
- Majority of children will not travel outside of this area to participate in a sport

Lengthy discussion with various opinions offered to include but not limited to:

- Letter going to SCAP before May 9<sup>th</sup> meeting, is this going to hurt?
- Received County funds since 2006
- 9 point item list will need to be presented to the board first
- Letter to SCAP just to show support
- Motion to table is not against FOYC
- Find common ground and work together
- Boundary lines only apply to postseason play
- If the letter is sent and FOYC receives boundaries, will this be resolved?
- Fair Oak Elementary is the only boundary FOYC wants
- Causes problems with the municipalities if letter is sent?

Mr. Davis made a motion, seconded by Mr. Cain, to table the consideration of sending a letter to SCAP.

Ms. Cammick asked Ms. Swain if the letter needed to be sent and would this jeopardize the future? Ms. Swain answered yes, she would like the letter sent on behalf of all the kids at FOYC.

Regarding the previous motion made by Mr. Davis, seconded by Mr. Cain, it **failed** 2 – 3 [Ms. Cammick, Mr. Hart, & Mr. McCall opposed].

Mr. McCall made a motion, seconded by Mr. Hart, to send letter to SCAP on behalf of FOYC.

Discussion continued to include:

- Not against FOYC or kids
- Included in discussions, not presented ultimatums
- Bringing to SCAP’s attention there is another recreation program in Oconee County
- More than municipalities rec programs in Oconee County

Mr. Davis made a motion, seconded by Mr. Cain, it **failed** 2 – 3 [Ms. Cammick, Mr. Hart, & Mr. McCall

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opposed] to amend the letter to exclude “recreation boundaries consistent with the territorial boundaries of the Fair-Oak Elementary School attendance area” and add “We are endorsing Fair Oak Youth Center to provide recreation offerings in Oconee County”.

Ms. Cammick called for the vote. It was approved 3 – 2 [Mr. Davis & Mr. Cain opposed] to send the letter to SCAP on behalf of the FOYC.

## **Board & Commission Appointments**

### **Building Codes Appeal Board**

Mr. Davis made a nomination, approved 5 – 0, to appoint Mr. John Samuel Sandifer as the At-Large representative for the Building Codes Appeal Board.

### **Old / Unfinished Business**

Mr. Hart noted he was asked about the deed to the project from a representative of the sewer committee. Mr. Root noted he gave the proposed transfer agreement to Larry Brandt approximately two months ago and has not received any revisions. Discussion continued.

### **New Business**

None at this meeting.

## **Council Committee Reports:**

Mr. Davis read from a prepared statement [copy filed with these minutes] outlining the discussions held at the April 17, 2018 Recreation Review Task Force Meeting.

Ms. Cammick read from a prepared statement [copy filed with these minutes] outlining the discussions held at the April 17, 2018 Budget, Finance, & Administration Committee Meeting.

Mr. Hart read from a prepared statement [copy filed with these minutes] outlining the discussions held at the April 24, 2018 Transportation Committee Meeting.

Mr. Davis made a motion, seconded by Mr. Cain, approved 5 – 0, to amend the agenda to remove item #2 from Executive Session.

## **Executive Session:**

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

*[1] Discuss and receive legal advice in relation to attorney fee agreement for opioid litigation.*

*[2] Discussion related to Administrator’s personnel and employment contract.*

Council entered Executive Session at 7:07 p.m.

Council returned from Executive Session at 7:49 p.m. on a motion made by Mr. McCall, seconded by Mr. Hart, approved 5 – 0.

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Ms. Cammick stated that no action was taken in Executive Session.

Mr. Cain made a motion, seconded by Mr. Davis, approved 5 – 0, to direct County Attorney to finalize negotiations of the opioid litigation fee agreement with the Harrison White litigation group as discussed for execution by the County Council chair.

Mr. Hart made a motion, seconded by Mr. McCall, to accept Mr. Moulder’s resignation based on the conditions as discussed in Executive Session and seek the appointment of an interim.

Mr. Cain thanked Mr. Moulder for his years of service and noted he has been the best Administrator that the County has ever had. Further, he noted it was a pleasure to work with Mr. Moulder and wished him the best in his future endeavors.

Mr. Davis echoed Mr. Cain’s statements and thanked Mr. Moulder for what he did for the County. He further noted it is difficult to do the job on a daily basis and his time is to be well commended.

Ms. Cammick also thanked Mr. Moulder for his years of service.

Regarding the previous motion made by Mr. Hart, seconded by Mr. McCall, it was approved 5 – 0, to accept Mr. Moulder’s resignation based on the conditions as discussed in Executive Session and seek the appointment of an interim.

**Adjourn:**

Mr. Davis made a motion, approved unanimously, to adjourn at 7:53 p.m.

Respectfully Submitted:

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Katie D. Smith  
Clerk to Council