



MINUTES

OCONEE COUNTY COUNCIL

Regular Meeting

August 21, 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, Finance Director Ladale Price, 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]. In addition it was made available [*upon request*] to the newspapers, radio stations, television stations and concerned citizens.

Members of the press present: Caitlin Herrington / Daily Journal.

Call to Order:

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

Public Comment Session

Mr. Thomas Owens addressed Council utilizing a handout [copies filed with these minutes] regarding the Salem water line extension and vote that occurred on July 17, 2018. He further requested Council revisit the vote.

Ms. Jean Jennings addressed Council regarding trees that are small when planted too close to property lines and asked if there was an Ordinance in place regarding setbacks of trees. She also spoke in opposition of Ordinance 2018-27. She further asked which SC State representative was responsible for the \$190,000 grant to be transferred from the SC Retirement System and the Police Officer Retirement System and how will this work?

Mr. Al Shuler addressed Council regarding large backup, zoning, and putting balloons up to see how cell phones, etc. within the community work.

Ms. Sherri Bailey addressed Council utilizing a handout [copy filed with these minutes] regarding proposed additions to the Oconee County animal ordinance.

Council's meetings shall be conducted pursuant to the South Carolina Freedom of Information Act, Council's Rules and the Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition. This agenda may not be inclusive of all issues which Council may bring up for discussion at this meeting. Items are listed on Council's agenda to give public notice of the subjects and issues to be discussed, acted upon, received as information and/or disposed of during the meeting. Items listed on Council's agenda may be taken up, tabled, postponed, reconsidered, removed or otherwise disposed of as provided for under Council's Rules, and Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition, if not specified under Council's rules.

County Council Response to Public Comment

Mr. McCall addressed Mr. Owens comments noting the road is 50 ft. wide and would need room for the boring machine and a right-of-way would be needed on both sides. Additionally, he noted there is great economic potential for businesses.

Ms. Cammick addressed Mr. Owens comments noting she had someone measure the distance and it is 1,100 feet to the nearest possible point to connect and noted she would not connect to the water line. Furthermore, regarding the value of her property, she noted it is not for sale now or in the near future.

Mr. Cain noted the difference between the Salem water line and Sewer South was a referendum. He noted the voters of the County approved county tax dollars to be spent in sewer expansion infrastructure. Additionally, he noted when there is a potential conflict of interest, it's best to avoid the appearance of impropriety. He further noted there was not mention in the last four strategic planning retreats of the Salem water line extension or a water line connecting Westminster to Walhalla. Finally, he noted a member of this body make a motion to reconsider the vote in an effort to clear up the matter.

Mr. Root noted a motion to reconsider would not be appropriate at this time since it was a Resolution that was passed. However, since it was a one-time motion, it would not need three readings. It would need to be another motion that changes the terms.

Ms. Cammick noted in 2016 the water line extension was included in part of the plan. At that time, it was included as part of the bonding proposal for that particular strategic planning meeting. However, this fell thru because they could not go the bonding route but this was discussed.

Mr. Davis addressed Ms. Jennings comments noting money of any type of grant should not come out of something such as the retirement funds. He also noted he gets a lot of complaints regarding trees hanging over top of someone else's property and this would be a property maintenance code issue and possibly could be addressed.

Mr. Davis addressed Mr. Shuler's comments regarding the balloons noting people could actually see where the tower is going to be and this is just a picture. The balloons are up there for a minimal period of time.

Ms. Cammick addressed Mr. Davis' comments regarding the funds for the grant. She noted they had discussed this April 17, 2018 during the Budget, Finance, & Administration Committee meeting and all indications were that the State was going to contribute more on our behalf so we didn't have to use money from the general fund.

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. Cain led the Pledge of Allegiance to the Flag of the United States of America.

Council's meetings shall be conducted pursuant to the South Carolina Freedom of Information Act, Council's Rules and the Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition. This agenda may not be inclusive of all issues which Council may bring up for discussion at this meeting. Items are listed on Council's agenda to give public notice of the subjects and issues to be discussed, acted upon, received as information and/or disposed of during the meeting. Items listed on Council's agenda may be taken up, tabled, postponed, reconsidered, removed or otherwise disposed of as provided for under Council's Rules, and Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition, if not specified under Council's rules.

Approval of Minutes:

Mr. Davis made a motion, seconded by Mr. Hart, approved 5 – 0, to approve the July 17, 2018 Regular meeting minutes as presented.

Administrator’s Report & Agenda Summary

None at this meeting.

Presentation to Council

Deputy Chief Scott Krein, Oconee County Emergency Services Manager, addressed Council utilizing a PowerPoint presentation entitled “Hazard Mitigation Plan: Oconee County Natural Hazards Mitigation Plan 5 Year Update” presentation highlighting the following:

- What is Hazard Mitigation?
- Why we need a plan
- Oconee County Partners
- Natural Disasters Identified
- Information Gathered
- State FEMA Declared Winter Weather Disasters
- Oconee County Winter Weather Overview
- Hazard Mitigation Grants
- FEMA Disaster Assistance

Mr. Davis & Mr. Cain thanked Deputy Chief Krein for all he does for the County.

Public Hearings for the Following Ordinances

Ordinance 2018-13 “AN ORDINANCE AMENDING CHAPTER 32 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING SIGN CONTROL; AND OTHER MATTERS RELATED THERETO.”

Mr. Root noted Ordinance 2018-13 was sent back to the Planning Commission on July 17, 2018 and they took action on August 20, 2018 during their meeting and the third reading will be back on the agenda for September 11, 2018. Public comment for this ordinance was kept on the agenda giving the public another chance to speak on the issue.

Mr. Tom Markovich addressed Council noting billboard means any advertising structure that directs a person to a different location from where the billboard is located or where it is otherwise off premises but makes no reference to a location. He noted people are getting overwhelmed with billboards and are getting tired of seeing them everywhere. He further noted there is a vast difference between a 672 square foot billboard and a 50 foot sign. Furthermore, he noted billboards are necessary for commerce and businesses depend on them, especially in the rural areas. Discussion continued.

Ms. Cammick opened the floor for additional Public Comment.

Mr. Root noted the ordinance was referred back to the Planning Commission during the July 17th meeting and the discussion on August 20th during the Planning Commission meeting was to [1] address the difference for building mounted signs that are allowed within industrial park pursuant to our recorded covenants, which is

Council’s meetings shall be conducted pursuant to the South Carolina Freedom of Information Act, Council’s Rules and the Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition. This agenda may not be inclusive of all issues which Council may bring up for discussion at this meeting. Items are listed on Council’s agenda to give public notice of the subjects and issues to be discussed, acted upon, received as information and/or disposed of during the meeting. Items listed on Council’s agenda may be taken up, tabled, postponed, reconsidered, removed or otherwise disposed of as provided for under Council’s Rules, and Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition, if not specified under Council’s rules.

20% of the building face or 350 feet, [2] give direction to the Planning Commission to the size of the billboard that Council would like, and [3] whether Council wanted to remove the language regarding placement of billboards on scenic highways. Mr. Root also noted Planning Commission will submit a letter with this information included.

Mr. Root further noted Ordinance 2018-13 is not on the agenda for third reading but just for the public hearing.

Noting that no citizens signed up to address Council; Ms. Cammick opened the floor for any citizen wishing to address Council regarding this ordinance. No citizen addressed Council.

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

Ms. Cammick closed the Public Hearing regarding **Ordinance 2018-13**.

Ordinance 2018-18 “AN ORDINANCE AMENDING CHAPTER 38 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING THE BOARD OF ZONING APPEALS, SPECIFICALLY IN RELATION TO NOTIFICATION OF THE HEARINGS AND ACTIONS THEREOF; AND OTHER MATTERS RELATED THERETO.”

Ms. Cammick opened the floor for Public Comment.

Noting that no citizens signed up to address Council; Ms. Cammick opened the floor for any citizen wishing to address Council regarding this ordinance. No citizen addressed Council.

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

Ms. Cammick closed the Public Hearing regarding **Ordinance 2018-18**.

Ordinance 2018-19 “AN ORDINANCE AMENDING CHAPTER 38 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING GENERAL PROVISIONS; AND OTHER MATTERS RELATED THERETO.”

Ms. Cammick opened the floor for Public Comment.

Noting that no citizens signed up to address Council; Ms. Cammick opened the floor for any citizen wishing to address Council regarding this ordinance. No citizen addressed Council.

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

Ms. Cammick closed the Public Hearing regarding **Ordinance 2018-19**.

Ordinance 2018-20 “AN ORDINANCE AMENDING CHAPTER 32 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING BALLOON TESTING AND VIEWSHED ANALYSIS OF COMMUNICATION TOWERS; AND OTHER MATTERS RELATED THERETO.”

Ms. Cammick opened the floor for Public Comment.

Noting that no citizens signed up to address Council; Ms. Cammick opened the floor for any citizen wishing to address Council regarding this ordinance. No citizen addressed Council.

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

Ms. Cammick closed the Public Hearing regarding **Ordinance 2018-20**.

Ordinance 2018-21 “AN ORDINANCE AMENDING CHAPTER 32 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING COMMUNICATION TOWER APPLICATIONS WHICH MAY BE ADMINISTRATIVELY APPROVED BY THE COMMUNITY DEVELOPMENT DIRECTOR; AND OTHER MATTERS RELATED THERETO.”

Mr. Shuler addressed Council regarding communication towers and zoning. He further noted there were nice towers that look like pine trees they could put up and they are not that expensive and you could put them where you needed them. Additionally, he noted this could be an alternative to the balloon testing.

Ms. Cammick opened the floor for additional Public Comment.

Noting that no citizens signed up to address Council; Ms. Cammick opened the floor for any citizen wishing to address Council regarding this ordinance. No citizen addressed Council.

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

Ms. Cammick closed the Public Hearing regarding **Ordinance 2018-21**.

Ordinance 2018-22 “AN ORDINANCE AMENDING CHAPTER 38 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING LAKE RESIDENTIAL DISTRICT SETBACKS; AND OTHER MATTERS RELATED THERETO.”

Ms. Cammick opened the floor for Public Comment.

Noting that no citizens signed up to address Council; Ms. Cammick opened the floor for any citizen wishing to address Council regarding this ordinance. No citizen addressed Council.

Council's meetings shall be conducted pursuant to the South Carolina Freedom of Information Act, Council's Rules and the Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition. This agenda may not be inclusive of all issues which Council may bring up for discussion at this meeting. Items are listed on Council's agenda to give public notice of the subjects and issues to be discussed, acted upon, received as information and/or disposed of during the meeting. Items listed on Council's agenda may be taken up, tabled, postponed, reconsidered, removed or otherwise disposed of as provided for under Council's Rules, and Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition, if not specified under Council's rules.

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

Ms. Cammick closed the Public Hearing regarding **Ordinance 2018-22**.

Ordinance 2018-23 “AN ORDINANCE ESTABLISHING THE FUND BALANCE POLICY FOR OCONEE COUNTY; AND OTHER MATTERS RELATED THERETO.”

Mr. Tom Markovich addressed Council noting he realizes it has been County policy for some time to have a fund balance. However, he noted there is a difference between a policy and then becoming an ordinance. He noted there were a lot of reasons to create a fund balance, however, it does not state in the ordinance that the monies are limited to unexpected and unforeseen situations. If this is truly to safeguard against the unforeseen conditions, then it should be limited to the unforeseen conditions and not a mechanism in order to create funds.

Ms. Cammick opened the floor for additional Public Comment.

Noting that no citizens signed up to address Council; Ms. Cammick opened the floor for any citizen wishing to address Council regarding this ordinance. No citizen addressed Council.

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

Ms. Cammick closed the Public Hearing regarding **Ordinance 2018-23**.

Ordinance 2018-24 “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A REAL PROPERTY LEASE AGREEMENT BETWEEN OCONEE COUNTY AS LESSOR AND THE ROSA CLARK MEDICAL CLINIC ASSOCIATION, INC. AS LESSEE; AND OTHER MATTERS RELATED THERETO.”

Ms. Cammick opened the floor for Public Comment.

Noting that no citizens signed up to address Council; Ms. Cammick opened the floor for any citizen wishing to address Council regarding this ordinance. No citizen addressed Council.

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

Ms. Cammick closed the Public Hearing regarding **Ordinance 2018-24**.

Third Reading of the Following Ordinances

Ordinance 2018-18 “AN ORDINANCE AMENDING CHAPTER 38 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING THE BOARD OF ZONING APPEALS, SPECIFICALLY IN RELATION TO NOTIFICATION OF THE HEARINGS AND ACTIONS THEREOF; AND OTHER MATTERS

Council's meetings shall be conducted pursuant to the South Carolina Freedom of Information Act, Council's Rules and the Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition. This agenda may not be inclusive of all issues which Council may bring up for discussion at this meeting. Items are listed on Council's agenda to give public notice of the subjects and issues to be discussed, acted upon, received as information and/or disposed of during the meeting. Items listed on Council's agenda may be taken up, tabled, postponed, reconsidered, removed or otherwise disposed of as provided for under Council's Rules, and Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition, if not specified under Council's rules.

RELATED THERETO.”

Mr. Davis made a motion, seconded by Mr. Cain, approved 5 – 0, to approve **Ordinance 2018-18** on third & final reading.

Ordinance 2018-19 “AN ORDINANCE AMENDING CHAPTER 38 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING GENERAL PROVISIONS; AND OTHER MATTERS RELATED THERETO.”

Mr. Davis made a motion, seconded by Mr. Cain, approved 5 – 0, to approve **Ordinance 2018-19** on third & final reading.

Ordinance 2018-20 “AN ORDINANCE AMENDING CHAPTER 32 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING BALLOON TESTING AND VIEWSHED ANALYSIS OF COMMUNICATION TOWERS; AND OTHER MATTERS RELATED THERETO.”

Mr. Davis made a motion, seconded by Mr. Cain, approved 5 – 0, to approve **Ordinance 2018-20** on third & final reading.

Ordinance 2018-21 “AN ORDINANCE AMENDING CHAPTER 32 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING COMMUNICATION TOWER APPLICATIONS WHICH MAY BE ADMINISTRATIVELY APPROVED BY THE COMMUNITY DEVELOPMENT DIRECTOR; AND OTHER MATTERS RELATED THERETO.”

Mr. Davis made a motion, seconded by Mr. Cain, approved 5 – 0, to approve **Ordinance 2018-21** on third & final reading.

Ordinance 2018-22 “AN ORDINANCE AMENDING CHAPTER 38 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING LAKE RESIDENTIAL DISTRICT SETBACKS; AND OTHER MATTERS RELATED THERETO.”

Mr. Davis made a motion, seconded by Mr. Cain, approved 5 – 0, to approve **Ordinance 2018-22** on third & final reading.

Ordinance 2018-23 “AN ORDINANCE ESTABLISHING THE FUND BALANCE POLICY FOR OCONEE COUNTY; AND OTHER MATTERS RELATED THERETO.”

Mr. Davis made a motion, seconded by Mr. Cain, to approve **Ordinance 2018-23** on third & final reading.

Lengthy discussion continued to include but not limited to:

- Agreed with Mr. Tom Markovich’s comments
- Add clause that limits using funds

Council’s meetings shall be conducted pursuant to the South Carolina Freedom of Information Act, Council’s Rules and the Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition. This agenda may not be inclusive of all issues which Council may bring up for discussion at this meeting. Items are listed on Council’s agenda to give public notice of the subjects and issues to be discussed, acted upon, received as information and/or disposed of during the meeting. Items listed on Council’s agenda may be taken up, tabled, postponed, reconsidered, removed or otherwise disposed of as provided for under Council’s Rules, and Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition, if not specified under Council’s rules.

- Safeguard for the citizens
- Multitude of reasons for using fund balance
- Has been used for economic development, match funds, bond ratings, etc.
- Having a public hearing and changing ordinance on third reading
- Be cautious of changes to the ordinance on third reading
- 5 advertising contracts were taken from the fund balance

Ladale Price, Finance Director, addressed Council noting the advertising contracts money did come from the fund balance because anything that is left over in the general fund throughout the entire year will go back to the fund balance.

Discussion continued:

- Money for the proposed grants come from the Economic Development fund and funds do not go back in to the general fund
- Any funds allocated to the Economic Development fund thru taxes, in lieu of fees, grants, leftover funds, etc. remain in this fund balance for projects
- SC Retirement
- Recreation departments
- Has passed on two readings
- No reference to emergency, unusual expenses, etc. addressed in the Ordinance
- Payments from OneTone
- Used one time funds to fund recurring expenditure
- Money belongs to the public and should go back to them for their needs

Mr. Markovich addressed Council again noting the following:

- Funds allocated for emergency reasons
- School systems in this state were sitting on over \$2 million
- Waited on federal government to bail them out
- Why were the funds not used?
- Mechanisms that allow funds to be moved around and to prevent funds from being moved around
- No direction to address an emergency situation

Ms. Cammick asked Mr. Root after hearing Mr. Markovich's comments how he would address this in the ordinance.

Mr. Root noted he would [1] need time to come up with a definition that would encompass the potential emergencies that might trigger the ability to use the fund balance because the list would be exceedingly difficult and [2] the whereas clauses establish the legislative intent.

Mr. Hart made a motion, seconded by Mr. Davis, approved 5 – 0, to postpone third reading of **Ordinance 2018-23** until the September 11, 2018 meeting.

Mr. McCall made a suggestion to move the public hearings between the first and second readings. Mr. Root noted that is one way to have public hearings but that gives you two more meetings for amendments after public hearings. He further noted one way to address the situation is if there is an amendment to an

Council's meetings shall be conducted pursuant to the South Carolina Freedom of Information Act, Council's Rules and the Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition. This agenda may not be inclusive of all issues which Council may bring up for discussion at this meeting. Items are listed on Council's agenda to give public notice of the subjects and issues to be discussed, acted upon, received as information and/or disposed of during the meeting. Items listed on Council's agenda may be taken up, tabled, postponed, reconsidered, removed or otherwise disposed of as provided for under Council's Rules, and Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition, if not specified under Council's rules.

ordinance after public hearing on third reading, it would take a supermajority to pass. Discussion continued to include:

- Make amendments prior to third reading
- Has been the practice to have the public hearing on third reading
- When the public brings up concerns, people may see things differently or change their minds
- If you move the public hearing after first reading, then you will have two more deliberations on that motion so it could potentially change twice as opposed to once
- Do not always have the complete backup materials for ordinances on first reading
- Fee in lieu of tax [FILOT] ordinances
- Have made an effort to make sure there are few in title only readings as much as possible
- Budget was consistently done in title only because of the nature of the process and the longevity
- Law allows in title only but better practice is for everyone to see the full content of the ordinance

Mr. Root noted he could take a poll and ask how other County Council works.

Ordinance 2018-24 “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A REAL PROPERTY LEASE AGREEMENT BETWEEN OCONEE COUNTY AS LESSOR AND THE ROSA CLARK MEDICAL CLINIC ASSOCIATION, INC. AS LESSEE; AND OTHER MATTERS RELATED THERETO.”

Mr. Davis made a motion, seconded by Mr. Cain, approved 5 – 0, to approve **Ordinance 2018-24** on third & final reading.

Second Reading of the Following Ordinances

Ordinance 2018-25 “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDED AND RESTATED LEASE AGREEMENT (EXTENDING THE TERM) BETWEEN OCONEE COUNTY AS LESSOR AND CHRIST CENTRAL MINISTRIES, INC. / CHRIST CENTRAL MINISTRIES OCONEE AS LESSEE FOR A PORTION OF THE FORMER OCONEE COUNTY DETENTION CENTER LOCATED AT 300 SOUTH CHURCH STREET, WALHALLA, SOUTH CAROLINA, FOR PURPOSES OF A COMMUNITY RESOURCE AND SOLUTION CENTER; AND OTHER MATTERS RELATED THERETO.”

Mr. Hart made a motion, seconded by Mr. McCall, approved 5 – 0, to approve **Ordinance 2018-25** on second reading.

Ordinance 2018-26 “AN ORDINANCE AMENDING CHAPTER 32 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING LAND DEVELOPMENT AND SUBDIVISION REGULATIONS, SPECIFICALLY IN RELATION TO CLARIFYING LANGUAGE RELATING TO MINIMUM LOT SIZES; AND OTHER MATTERS RELATED THERETO.”

Mr. Davis made a motion, seconded by Mr. Cain, to approve **Ordinance 2018-26** on second reading.

Discussion continued to include:

- Language that was added to the Ordinance that is highlighted in Attachment B beginning with

Council's meetings shall be conducted pursuant to the South Carolina Freedom of Information Act, Council's Rules and the Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition. This agenda may not be inclusive of all issues which Council may bring up for discussion at this meeting. Items are listed on Council's agenda to give public notice of the subjects and issues to be discussed, acted upon, received as information and/or disposed of during the meeting. Items listed on Council's agenda may be taken up, tabled, postponed, reconsidered, removed or otherwise disposed of as provided for under Council's Rules, and Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition, if not specified under Council's rules.

“Creating of lot thru Oconee County Code of Ordinances”, who is going to put this on the plat?

- Language came out of Planning Commission
- This is being done in other counties
- Assumption is surveyor will put information on the plat
- Purpose is to give the public an alert when lots are nonconforming, cannot build upon, etc.
- Can strike language and send back to the Planning Commission
- Not necessary to have this because most surveyors are going to take care of this
- Minimum lot sizes thru dockable lots or lots that are not dockable when they are bought
- Minimal lots are not buildable
- Give some “teeth” to the Planning Commission when someone comes in and designing a lot for a specific use
- Liability exposure
- Control free is no minimum lot size and varies among other zoning districts
- DHEC
- Liability falls on the realtor for purchasing of lots that is nonbuildable and nondockable at the time of the sale?
- Depends on the facts and circumstances of each case
- Misrepresentation made by a realtor, owner, or developer or if the buyer has not completed an adequate amount of due diligence and no one has made a representation perhaps it falls on the buyer
- Address these situations where one tries to alter a lot size for a specific reason

Mr. Hart made a motion, seconded by Mr. McCall, to remove “creation of lots thru Oconee County Code of Ordinances” language and send Ordinance back to Planning Commission.

Continued discussion included:

- Minimum lot size
- Most surveyors pick out a house location or site for a house and tries to survey so who buys the property has access to a building site on that property

Mr. Tom Markovich addressed Council highlighting the following:

- Item does not necessarily address the creation of a new subdivision and how the lots are created
- Properties are transferred after the fact
- Sale of property
- Sliver of property
- Split a lot, it is a subdivision
- Zoning requirements
- Dividing lots and trying to transfer to others
- In an area that has been zoned and there is a minimum lot size you will not be able to transfer the lot because you will not be able to record the plat because it doesn’t meet the zoning requirements

Regarding the previous motion made by Mr. Hart, seconded by Mr. McCall, it was approved 3 – 2 [Mr. Davis & Mr. Cain opposed] to remove “creation of lots thru Oconee County Code of Ordinances” language and send **Ordinance 2018-26** back to Planning Commission.

First Reading of the Following Ordinances

Ordinance 2018-27 “AN ORDINANCE ESTABLISHING A GRANT PROGRAM TO PROVIDE FINANCIAL ASSISTANCE TO THE PRIMARY PROVIDER OF YOUTH SPORTS AND RECREATIONAL ACTIVITIES LOCATED WITHIN EACH COUNTY COUNCIL DISTRICT AND AUTHORIZING A BUDGETARY TRANSFER TO FUND SAID PROGRAM; AND OTHER MATTERS RELATED THERETO.”

Mr. Hart made a motion, seconded by Ms. Cammick, to approve **Ordinance 2018-27** on first reading.

Lengthy discussion continued to include but not limited to:

- People calling and pointing fingers at each other
- Why was Ordinance drafted with the language that is stated?
- Discussed during Budget, Finance, & Administration Committee on April 17, 2018
- Contribute more to recreation
- Received letter from Westminster to contribute more from the County because the County kids were a burden on the cities
- ACOG & SCAC
- State was going to contribute more than what was anticipated to be toward SC Retirement plan
- Suggested to take money and grant to the individual recreation departments but would be stipulations
- Stipulations are warranted
- Money is available if they would like to play each other and treat each other properly and if they choose not to, then they do not have to accept
- One time grant
- Council helped expand the programs
- Council helped by getting a building and help funding utilities
- Fair Oak Youth Center [FOYC] tripled what they offered
- Facility was to help grow their program
- Softball/Baseball will not be solved with this proposed Ordinance
- If only one entity signs up, how much would they get?
- Money will be split among those who choose to participate
- Recreation Review Task Force
- Communication broke down
- Fair Oak Elementary School
- Boundaries

Someone from the audience yelled out “That’s not true” and Ms. Cammick silenced them.

Discussion continued:

- Location
- Townville is close for FOYC to play
- Stability
- Volunteers
- Operate under a district of Westminster
- Contract that would keep them FOYC

Council’s meetings shall be conducted pursuant to the South Carolina Freedom of Information Act, Council’s Rules and the Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition. This agenda may not be inclusive of all issues which Council may bring up for discussion at this meeting. Items are listed on Council’s agenda to give public notice of the subjects and issues to be discussed, acted upon, received as information and/or disposed of during the meeting. Items listed on Council’s agenda may be taken up, tabled, postponed, reconsidered, removed or otherwise disposed of as provided for under Council’s Rules, and Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition, if not specified under Council’s rules.

- If Westminster and Fair Oak does not work together, West Oak High School will fall apart
- Division
- Ordinance is not going to change this, the people are
- Taken the kids out of this

Mr. Tony Adams asked Ms. Cammick if he could speak. She allowed him to speak for two minutes.

Mr. Adams addressed Council regarding the Recreation Review Task Force meeting that was held on April 17, 2018. He noted Mr. Davis referred to the Dixie Softball rules and noted to the recreation directors that FOYC could have played and further said that he can't deny this because he said it. He further noted that Fair Oak requested three teams to play on February 8. He asked why anyone has not asked the recreation directors why they didn't schedule Fair Oak. Finally, he noted they could have scheduled Fair Oak regardless of the boundaries according to the Dixie League Softball Rules.

Additional discussion continued to include:

- Want to give funds to everyone
- Do not need to involve Salem, Seneca, or Walhalla
- Bring two people from Westminster and two people from FOYC and Mr. Davis to work this out
- 5 districts in Oconee County with 15,000 people in each district
- Boundary issue come into play regarding All-Stars

Mr. Tim Swain asked Ms. Cammick if he could speak. She allowed him to speak for two minutes as well.

Mr. Swain addressed Council noting the following:

- He and his wife went to a reunion at Fair Oak and saw they were taking the backboards down and gutting the school and spoke with Buddy Herring about the school
- Played at Fair Play but not able to play in the gym any longer so they went just to soccer
- Once Oakway opened they could afford to give recreation to more children
- Most of the children in the community would not play recreation if FOYC did not offer it
- Some children do go to Westminster or Townville to play recreation but the majority would not play if they had to go somewhere else due to the location
- Goal of the ordinance is to bring everyone back together

Mr. Davis asked Mr. Swain that under these boundary rules, the children that elect to play somewhere else would not be eligible to play All-Stars. Mr. Swain noted that would be the only thing they would not be eligible to do. He noted they would be eligible to play but not play in All-Stars.

Continued discussion between Mr. Davis and Mr. Swain followed to include:

- Sign waivers
- Carpool to the games
- Discussed buying a van to transport participants to games
- Little League
- Travel ball
- Work out a resolution

- Ordinance does not solve the issue
- Adults that are in charge have problems with each other
- Why would you give borders to Townville when they are in Anderson County?
- 50 children signed up to play soccer and no one will play FOYC
- Compromising
- Dixie baseball

Ms. Cammick suggested setting a meeting date for next week to continue discussing this issue. She noted that something needs to be accomplished and need to find a path forward.

Discussion continued.

Ms. Cammick noted she would to table this ordinance, however, Mr. Davis noted he would prefer not to table.

Mr. Root addressed Council noted since there is an intervening Council meeting for the Auditor’s millage presentation, it would need to be postponed until September 11th meeting.

Mr. Davis made a motion, seconded by Mr. Hart, to postpone first reading of Ordinance 2018-27 until September 11, 2018 with a planned meeting among the stakeholders during the interim.

Mr. Root noted Council received a letter from Mr. Jim Headley with SCAP with a misinterpretation of Council’s letter of May 1, 2018 which stated that “Council supports FOYC’s effort to establish recognized boundary lines with SCAP. Please note that in addition to the municipalities Council also gives money to Fair Oak by majority vote. Council endorses FOYC having recreational boundaries consistent with the territorial boundaries of Fair Oak Elementary School in hopes that SCAP will recognize those boundaries.” Mr. Headley noted in a letter and then a follow up email that SC Recreation & Parks Association [SCRPA] has taken the position that via the letter Oconee County has established FOYC as an agent of the County within a service area defined as a Fair Oak Elementary School. Ms. Cammick noted she doesn’t know how he arrived at that conclusion from the letter that was sent. Mr. Root noted that since it raises an agency issue, he would like to address this with a letter to Mr. Headley and would like to get this miscommunication cleared up.

Mr. Cain made a motion, seconded by Mr. Davis, approved 4 – 0 [Mr. McCall abstained; copy of recusal form filed with these minutes] to direct the County Attorney to draft a letter and bring back to Council clarifying a response to Jim Headley’s, SCAP Board of Directors, correspondence of August 17, 2018 and August 20, 2018.

Mr. Davis made a motion, seconded by Mr. Hart, **failed** 2 – 2 [Mr. Davis & Mr. Cain opposed; Mr. McCall abstained; copy of recusal form filed with these minutes] to postpone first reading of Ordinance 2018-27 until September 11, 2018 with a planned meeting among the stakeholders during the interim.

The original motion of first reading of **Ordinance 2018-27** is back on the table.

Ms. Cammick called for the vote. The motion **failed** 2 – 2 [Mr. Davis & Mr. Cain opposed; Mr. McCall

Council’s meetings shall be conducted pursuant to the South Carolina Freedom of Information Act, Council’s Rules and the Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition. This agenda may not be inclusive of all issues which Council may bring up for discussion at this meeting. Items are listed on Council’s agenda to give public notice of the subjects and issues to be discussed, acted upon, received as information and/or disposed of during the meeting. Items listed on Council’s agenda may be taken up, tabled, postponed, reconsidered, removed or otherwise disposed of as provided for under Council’s Rules, and Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition, if not specified under Council’s rules.

abstained – copy of recusal form filed with these minutes].

First & Final Reading for the Following Resolutions

Resolution 2018-12 “A RESOLUTION APPROVING THE UPDATED ANDERSON COUNTY & OCONEE COUNTY NATURAL HAZARDS MITIGATION PLAN, WHICH HAS BEEN UPDATED IN ACCORDANCE WITH THE DISASTER MITIGATION ACT OF 2000; AND OTHER MATTERS RELATED THERETO.”

Mr. Davis made a motion, seconded by Mr. Cain, approved 5 – 0, to approve **Resolution 2018-12** on first & final reading.

Resolution 2018-13 “A RESOLUTION APPOINTING AND COMMISSIONING JOHN ROBERT JOHNSTON AS AN OCONEE COUNTY CODE ENFORCEMENT OFFICER; AND OTHER MATTERS RELATED THERETO.”

Mr. Davis made a motion, seconded by Mr. Cain, approved 5 – 0, to approve **Resolution 2018-13** on first & final reading.

Discussion Regarding Action Items

Request Budgetary Transfer of Funds / Oconee County Auditor

We currently have 10,254 boats/motors that we are charged with taxing on an annual basis. Unlike vehicles, we have to manually value each and every one of these by hand. There is not a "program" that can value these for us accurately. The procedures for the boats will be similar to the vehicle file, so I have included a copy of our monthly procedures so you can see the steps from beginning to end. With watercraft being taxed in advance we will also have more foot traffic in the office, in order to register a watercraft with the SC DNR, a tax receipt will be required. We will also see more foot traffic from the sale of watercrafts as well, when you sale within the calendar year of the registration you will be due a refund for the remaining months on your registration.

This position is greatly needed as full time to process the boats and motor notices on a monthly basis. I also need this position to be moved to a full time status now to ensure proper training and to attend training courses from our processing company on the changes to the software that this legislation will require. The amount of time this file will take to work each month will pull one employee away from other duties for approximately two weeks each month. The current file we had for the 2018 tax year took two employees twelve weeks to complete.

Ms. Christy Hubbard, Oconee County Auditor, addressed Council highlighting the following:

- Past legislation, there was a bill called H4715
- Will change the way boats and motors are taxed in the State of South Carolina
- Currently taxed in arrears
- Beginning January 2020, they will be taxed in advance
- In January 2020, 2019 taxes will be due and also in January 2020 there will be a few who will also have registration due the same month
- Boats and motors come in April and will receive between 10,000 to 11,000 and these have to be

Council's meetings shall be conducted pursuant to the South Carolina Freedom of Information Act, Council's Rules and the Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition. This agenda may not be inclusive of all issues which Council may bring up for discussion at this meeting. Items are listed on Council's agenda to give public notice of the subjects and issues to be discussed, acted upon, received as information and/or disposed of during the meeting. Items listed on Council's agenda may be taken up, tabled, postponed, reconsidered, removed or otherwise disposed of as provided for under Council's Rules, and Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition, if not specified under Council's rules.

valued by hand

- This year, it took 2 employees twelve weeks to value these
- Use data that is input from the SC Department of Natural Resources [SCDNR]
- When the legislation changes and takes effect, this will need to be on a monthly basis
- Request to move money from the professional line item to the salary line item to make a part time employee a full time employee

Mr. Davis made a motion, seconded by Mr. Hart, approved 5 – 0, to move money from the professional line item to the salary line item within the Auditor’s budget to make a part time employee a full time employee.

Engineering Services for Airport Projects / Airport / \$498,500.00

Budget: **\$98,927** / Project Cost: **\$24,925** / Balance: **\$74,002**

On November 15, 2016, Council approved the award of RFP 16-07 for Professional Engineer and Consulting Services for the Oconee County Airport to W.K. Dickson & Company, Inc., of Columbia, SC for a five year term for services as needed. The County Airport now wishes to contract with WK Dickson for engineering, surveying and design phase services for the Mt. Nebo Church Road Relocation and West Apron Extension. This project consists of approximately \$3.5 million worth of improvements at the Oconee County Airport. These Design Phase services include the removal and relocation of Mt. Nebo Church Road off the Runway 7 end of the airport and the depositing of that soil in the Airport Terminal area for use as a western expansion of the apron space and improvements of the airfield drainage. The construction work will be bid out separately and WK Dickson will oversee this work.

It is the staff’s recommendation that Council approve the total award of \$498,500.00 to W.K. Dickson & Company, Inc., of Columbia, SC for engineering and consulting services for the above project.

Mr. Davis made a motion, seconded by Mr. Cain, to approve the total award of \$498,500.00 to W.K. Dickson & Company, Inc., of Columbia, SC for engineering and consulting services for the above project.

Ms. Robyn Courtright, Procurement Director, addressed Council noting the total amount would be a purchase order that is issued to W. K. Dickson & Company for the entire project, including the design phase in the beginning, the bid, bid out the construction, etc. Previously, the grant was approved and the Phase I of this project was under \$50,000 and did not need to come to Council.

Regarding the previous motion made by Mr. Davis, seconded by Mr. Cain, it was approved 5 – 0, to approve the total award of \$498,500.00 to W.K. Dickson & Company, Inc., of Columbia, SC for engineering and consulting services for the above project.

2018 Edward Byrne Memorial JAG Grant Notification

Oconee County Sheriff’s Department may receive an allocation of \$16,721 from the Bureau of Justice Assistance. The grant program requires the notification of intent be made available for the County Council and the public to review and comment on the proposed use of funds. The Sheriff’s Department plans to use the funds from this program to purchase.

- Streamlight Weapon Mount Tactical Flashlights
- Safari Land ALS Holsters

Council’s meetings shall be conducted pursuant to the South Carolina Freedom of Information Act, Council’s Rules and the Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition. This agenda may not be inclusive of all issues which Council may bring up for discussion at this meeting. Items are listed on Council’s agenda to give public notice of the subjects and issues to be discussed, acted upon, received as information and/or disposed of during the meeting. Items listed on Council’s agenda may be taken up, tabled, postponed, reconsidered, removed or otherwise disposed of as provided for under Council’s Rules, and Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition, if not specified under Council’s rules.

- FN Patrol Rifles with Sights

Mr. Davis made a motion, seconded by Mr. Hart, to approve the 2018 Edward Byrne Memorial JAG Grant Notification.

Per Mr. McCall's request, Chief Deputy Kevin Davis, Oconee County Sheriff's Office, addressed Council noting the reason for choosing the FN Patrol Rifles is due to when test firing rifles, these seemed to suit their needs the best.

Regarding the previous motion made by Mr. Davis, seconded by Mr. Hart, it was approved 5 – 0, to approve the 2018 Edward Byrne Memorial JAG Grant Notification.

FY 2018/19 EDA Disaster Recovery Grant Cash Match for City of Walhalla, Walhalla-Westminster Interconnection Project

- The City of Walhalla will be submitting for EDA Disaster Recovery grant funding to enable the construction of water service infrastructure, connecting the City of Westminster and the City of Walhalla in areas adjacent to the Oconee Industry & Technology Park (OITP) (the "Project").
- EDA Disaster Recovery grant funding will be 80% of the total cost of this \$670,000 project - approximately \$536,000.
- A 20% cash match is sought from the County, totaling up to \$134,000.

It is staff's recommendation that Council approve the expenditure of \$134,000, to be designated as the cash match for the City of Walhalla's EDA Disaster Recovery Grant to fund the Project.

Mr. Davis made a motion, seconded by Mr. Hart, to approve the expenditure of \$134,000, to be designated as the cash match for the City of Walhalla's EDA Disaster Recovery Grant to fund the Project.

Ms. Sharon DeRidder, Grants Administrator, addressed Council utilizing a handout [copy filed with these minutes] highlighting the following:

- Would be nice if there was a calendar of grants that we know 3 months in advance that we can start to applying for
- Fire and EMS does a great job with grants that we know about
- Community Development Block Grant [CDBG]
- This grant is because of the disaster from Hurricane Irma
- Percentage of money goes to each regions for FEMA
- When the money is used up, it is gone
- Related to resiliency and how we recover from disasters in the future
- Did not know about this grant
- Water tower on Hwy 11 toward Westminster that was grant funded
- Wants to bring water from this water tower back to OITP in the event of a disaster
- Could not get funding
- Hook onto Westminster's water line, come up Hwy 11, and go across the road in front of OITP
- Redundancy loop with a valve on Westminster's side and a valve on Walhalla's side
- Cash match is \$134,000

Council's meetings shall be conducted pursuant to the South Carolina Freedom of Information Act, Council's Rules and the Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition. This agenda may not be inclusive of all issues which Council may bring up for discussion at this meeting. Items are listed on Council's agenda to give public notice of the subjects and issues to be discussed, acted upon, received as information and/or disposed of during the meeting. Items listed on Council's agenda may be taken up, tabled, postponed, reconsidered, removed or otherwise disposed of as provided for under Council's Rules, and Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition, if not specified under Council's rules.

- Trying to service OITP
- Have three grants that need to be applied for as soon as possible; Sewer South that is on EDA Disaster 1 because we were denied last year, City of Salem, and City of Walhalla
- Did not budget for engineering costs

Mr. Davis asked if this has gone before the Board of Economic Alliance. Ms. DeRidder noted she did not know that had to go before them.

Mr. Davis also asked if Walhalla is going to get the revenue from the water provided by Westminster when they don't have enough pressure. Ms. DeRidder noted the cities will have to work that out, which would be their commitment.

Mr. Cain asked who directed the grant to be applied for. Ms. DeRidder noted she did.

Mr. Cain also asked if Ms. DeRidder has spoken with Walhalla or Westminster about putting some funds in for the match since they are going to make money. Ms. DeRidder noted she was going to wait until Council heard the presentation.

Mr. Root noted he wanted to underscore two points. Walhalla is the grant applicant and the \$134,000 is not budgeted for. If this is going to be approved, it will have to be conditionally approved with Walhalla knowing there is a caveat of having to complete a budgetary transfer, which will take three readings and a public hearing. The grant application can be sent off but if Council does not approve the funding through the budget transfer, they may not have the money after all.

Ms. DeRidder noted if the County does not get the EDA money at all, the project stops.

Mr. Davis asked if Ms. DeRidder was combining the City of Walhalla, Walhalla-Westminster Interconnection Project and the City of Salem project together. Ms. DeRidder noted these were two different grants. Discussion continued.

Mr. Root noted the vote is to approve the grant cash match for the City of Walhalla, Walhalla-Westminster Interconnection Project subject to a necessary contingency, if approved, with a follow up budgetary transfer. Mr. Root further noted that when Ms. DeRidder takes this to City of Walhalla, they are going to have to know this could fall through if Council does not approve the budget transfer, which takes three readings and a public hearing.

Mr. Davis made a motion, seconded by Mr. McCall to amend agenda item to approve the grant cash match for the City of Walhalla, Walhalla-Westminster Interconnection Project, subject to a follow up budgetary transfer after three readings and a public hearing.

Mr. Davis amended the previous motion, seconded by Mr. McCall, approved 5 – 0, to account for the contingency.

Mr. Cain noted he loves the municipalities but we don't need to throw County money at a matching grant fund without at least asking them to contribute because they are going to make money off of the water line. He further stated he understands the importance of Economic Development and specifically this project

Council's meetings shall be conducted pursuant to the South Carolina Freedom of Information Act, Council's Rules and the Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition. This agenda may not be inclusive of all issues which Council may bring up for discussion at this meeting. Items are listed on Council's agenda to give public notice of the subjects and issues to be discussed, acted upon, received as information and/or disposed of during the meeting. Items listed on Council's agenda may be taken up, tabled, postponed, reconsidered, removed or otherwise disposed of as provided for under Council's Rules, and Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition, if not specified under Council's rules.

because of the water pressure issues. However, it is concerning that we have not approached them. We are essentially subsidizing municipalities directly with their infrastructure cost.

Ms. DeRidder noted that Salem has committed to giving \$5,000 and they do have extra supplies. They will be the project coordinator because City of Salem is the main applicant and will oversee the engineering.

Ms. Cammick called for the vote. It was approved 5 – 0, to the amend agenda item with the contingency of the subject of the budgetary transfer.

Council took a break at 9:05 p.m. and returned at 9:11 p.m.

Old / Unfinished Business

Ms. Cammick asked Mr. Cain if he wanted to continue to discuss the Salem water line project.

Mr. Cain noted if there is an appearance of impropriety a Council member should abstain from the vote and follow procedure. He further noted that just because there is money in the fund balance doesn't mean we need to go and apply for grants all over the County. There needs to be studies completed and an economic analysis performed before we spend the people's money on projects that may or may not provide the people a benefit. Additionally, he noted he does see a negative economic development project and will never essentially break even unless the water line causes the property values in that area to increase substantially over the life of the water line. Assuming Salem receives the grant on behalf of Oconee County, we might break even years down the road.

Mr. Cain made a motion, seconded by Mr. Davis, to amend the agenda to add a motion to rescind the prior motion of the Salem water line.

Discussion continued to include:

- Where does the water line specifically go, what properties will it serve, what is the likely economic impact, etc.
- Proposal was to run to a specific point?
- Water line will benefit McNealy Industry, two other big economic development projects being funded by McNealy
- People in Salem need assistance
- Funds from Economic Development paid for signs, Palmetto Trail, etc.

Regarding the previous motion made by Mr. Cain, seconded by Mr. Davis, it **failed** 2 – 3 [Ms. Cammick, Mr. Hart, & Mr. McCall opposed] to amend the agenda to add a motion to rescind the prior motion of the Salem water line.

New Business

None at this meeting.

Council Committee Reports

Real Estate, Facilities, & Land Management Committee / Mr. Davis

Mr. Davis read from a prepared statement [copy filed with these minutes] outlining the discussions held at the August 14, 2018 Real Estate, Facilities, & Land Management Committee Meeting.

Mr. Davis made a motion, seconded by Mr. Hart, approved 5 – 0, to direct the County Administrator to send the asbestos abatement study to several abatement companies to properly bid and procurement process.

Mr. Davis made a motion, seconded by Mr. Cain, approved 5 – 0, to direct the County Administrator and staff to communicate with DHEC in the County building to receive information in regards to structures that are in need of being torn down within the County.

Transportation Committee / Mr. Hart

Mr. Hart read from a prepared statement [copy filed with these minutes] outlining the discussions held at the July 17, 2018 Transportation Committee Meeting.

Mr. Hart made a motion, seconded by Mr. Davis, approved 5 – 0, to send a letter to the Town of West Union, c/o Linda Oliver that states “Oconee County agrees to assist the Town of West Union in its attempt to obtain right-of-way and procure grants to upgrade the towns portion of Anderson Street to the extent of allowing staff to use their time and knowledge on the project to a reasonable extent.”

Mr. Davis made a motion, seconded by Mr. McCall, approved 5 – 0, to add Short Street to the construction list of roads to be rebuilt.

Executive Session:

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

[2] Receive legal advice and discuss employment matter related to hiring of County Administrator, including initial candidate evaluations and contractual matters.

[1] To receive legal advice and discuss a contractual matter related to property acquisition adjoining the Oconee County Rock Quarry.

[3] Receive legal advice and discuss a contractual matter regarding the Sewer South Transfer and Operation Agreement with the Oconee Joint Regional Sewer Authority.

~~[4] To receive legal advice and discuss potential property purchase for economic development and visitor attraction related purposes.~~

Council entered Executive Session at 9:43 p.m.

Council returned from Executive Session at 10:58 p.m. on a motion made by Mr. Davis, seconded by Mr. Hart, approved 4 – 0.

Council's meetings shall be conducted pursuant to the South Carolina Freedom of Information Act, Council's Rules and the Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition. This agenda may not be inclusive of all issues which Council may bring up for discussion at this meeting. Items are listed on Council's agenda to give public notice of the subjects and issues to be discussed, acted upon, received as information and/or disposed of during the meeting. Items listed on Council's agenda may be taken up, tabled, postponed, reconsidered, removed or otherwise disposed of as provided for under Council's Rules, and Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition, if not specified under Council's rules.

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

Mr. McCall left Executive Session prior to the discussion of the County Administrator and discussion of Sewer South.

[1] Mr. Davis made a motion, seconded by Mr. Cain, approved 4 – 0, to direct Rock Quarry personnel to negotiate terms of purchase of properties adjacent to the Quarry as discussed.

Mr. Root noted this will come back before Council with a full agreement for additional proof.

[2] Mr. Davis made a motion, seconded by Mr. Hart, approved 4 – 0, to direct staff to orchestrate interviews with all of Tier 1 candidates and candidate #9 from Tier 2 over the course of the September 4, 2018 and September 11, 2018 meetings.

[3] Mr. Davis made a motion, seconded by Mr. Hart, approved 4 – 0, to direct the County Attorney to negotiate revisions to the agreement as discussed.

Discussion Regarding Action Items

Resolution 2018-11 “A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN INTERGOVERNMENTAL TRANSFER AND OPERATION AGREEMENT BETWEEN OCONEE COUNTY AND THE OCONEE JOINT REGIONAL SEWER AUTHORITY IN RELATION TO THE SEWER SYSTEM EXTENDING BETWEEN THE GOLDEN CORNER COMMERCE PARK AND THE CONEROSS CREEK SEWER TREATMENT PLANT; AND OTHER MATTERS RELATED THERETO.”

Mr. Cain made a motion, seconded by Mr. Davis, approved 4 – 0, to postpone **Resolution 2018-11** to the September 11, 2018 meeting.

Adjourn:

Mr. Davis made a motion, approved unanimously, to adjourn at 11:01 p.m.

Respectfully Submitted:

Katie D. Smith
Clerk to Council



OCONEE COUNTY COUNCIL
RECUSAL FORM

Council Member Name: Wayne McCall
[Please Print]

Council Member Signature: [Handwritten Signature]

Meeting Date: 8/21/2018

Item for Discussion/Vote: Direct County ^{Attorney} to draft letter back to Jim Headley, SCAP, for full Council approval.

Reason for Recusal I was not present for original meeting/discussion

I have a personal/familial interest in the issue.

Other: Do not agree w/ Ordinance language.

Katie D. Smith
Katie Smith
Clerk to Council



OCONEE COUNTY COUNCIL
RECUSAL FORM

Council Member Name: Wayne McCall
[Please Print]

Council Member Signature: [Handwritten Signature]

Meeting Date: 8/21/2018

Item for Discussion/Vote: Motion to approve Ordinance
2018-27 on first reading.

Reason for Recusal I was not present for original meeting/discussion

I have a personal/familial interest in the issue.

Other: Do not agree with
ordinance language.

Katie D. Smith
Katie Smith
Clerk to Council



OCONEE COUNTY COUNCIL
RECUSAL FORM

Council Member Name: Wayne McCall
[Please Print]

Council Member Signature: _____

Meeting Date: 8/21/2018

Item for Discussion/Vote: Motion to postpone Ordinance
2018-27 until 9-11-2018.

Reason for Recusal I was not present for original meeting/discussion

I have a personal/familial interest in the issue.

Other: Do not agree with
Ordinance language.

Katie D. Smith
Katie Smith
Clerk to Council



NOTES
REAL ESTATE, FACILITIES & LAND MANAGEMENT
COMMITTEE MEETING
August 14, 2018

Farm Center Update / Stanley Gibson

- Secured a \$12,000 grant and private investment allowed the market building to be moved from the old site to the new site
- Purchased signs for location of the market
- Slow start this year due to moving the building and the weather
- Average of 327 citizens every Saturday and 178 on the second and fourth Friday evenings of each month
- High School Rodeo event with over 900 people in attendance and over 160 youth participants
- Fair is scheduled for September 25 – September 29, 2018

The Committee took no action on this matter at this time.

Discussion regarding asbestos removal from Fair Play School

Mr. Davis noted Terracon completed a study and while discussing the results, it was found it quite possibly was just the cafeteria area and not the entire school. Discussion continued to include:

- Crawl space and confined spaces will require additional costs
- Asbestos must go to Anderson or Homer or if County properly bags it up, it can be buried in our landfill depending on how big and how they take it out
- Not going to cost to bid out an abatement process
- Structure could potentially cost three times what it would cost to abate the cafeteria due to the size of the structure

Mr. Davis made a motion, seconded by Ms. Cammick, approved 3 – 0, to recommend the Administrator send the study to several abatement companies to properly bid for the abatement process.

Update regarding Westminster Magistrate

- In the process of securing architect to design a building
- Possibly locating building on the current location
- 9 month maximum commitment to work toward a partnership with the City of Westminster to construct a Magistrate/City Hall

The Committee took no action on this matter at this time.

Other Business

Mr. McCall noted the Terracon study needs to be held onto because when people want to tear down a building, it's just not that easy. There are asbestos, lead paint, etc. that is potentially in the house or building.

Discussion continued to include:

- Terracon is one of our vendors
- Proper ways to control people from getting into these buildings/houses
- DHEC
- Abatement process

- Crime
- Focus was on Fair Play due to the close proximity to the Golden Corner Commerce Park

Mr. McCall made a motion, seconded by Mr. Davis, approved 3 – 0, to direct the Administrator and staff to communicate with DHEC in the County building to receive information in regards to structures that are in need of being torn down within the County.

The next Real Estate, Facilities & Land Management Committee meeting is scheduled for November 13, 2018 and will either immediately precede or follow the Budget, Finance, & Administration Committee meeting, which is also scheduled at 5:30 pm.



NOTES

TRANSPORTATION COMMITTEE MEETING

Mr. Glenn Hart, District V, Chairman

Mr. Julian Davis, District IV

Ms. Edda Cammick, District I

July 17, 2018

Mr. Davis made a motion, seconded by Ms. Cammick, approved 3 – 0, to amend the agenda to add “Discussion regarding Anderson Road” under Discussion & Action Regarding the Following items.

Savannah Dr (P-3050) – Update regarding acceptance of the road into the Rudimentary Road Program

- On hold until right-of-way pins are identified
- Must have recorded plat
- Savannah Drive is currently a private road that is approximately 2,300 feet in length
- Assisted property owners in getting petition signed for acceptance into the program [one person left]

The Committee took no action on this matter at this time.

Linhart Road (WA-156) – Update regarding the abandonment of a portion of the road

- Abandonment was approved by Council
- Usually have a petitioner or homeowner who wants the road abandoned and files the court petition, however, the County is completing this one
- Following statutory procedures outlined
- Posted property with two signs are required by the statute where the road is going to be terminated
- Filed within Court of Common Pleas and should get a hearing fairly quickly
- Assuming no one objects, the Court would issue an order abandoning that portion of the road, ceasing County maintenance

The Committee took no action on this matter at this time.

Golden Corner Commerce Park – Update on grading for road and spec building

- Road is ready for stone base
- Start trying to stabilize some areas
- May be some places where 3 inch rock would need to be put in but not the entire road

The Committee took no action on this matter at this time.

Parkview Drive (P-52) – Discussion regarding the requested acceptance of a private road into county maintenance

- Department was contacted by the property owners to review the road that is approximately 3,300 feet in length for acceptance into county maintenance
- Following the procedures outlined in the Ordinance to ensure the road meets the regulations and any deficiencies are noted

- Should have an as built of the road to review by the end of this week

The Committee took no action on this matter at this time.

Addition of roads to new construction list

- Roads previously on the list are:
 - Alexander Road (SE-375)
 - Rainbow Road (SE-239)
 - Turner Road (CE-132)
 - Kelley Ridge Road (SE-345)
 - Miller Road (PU-45)
 - Brushy Mt Rd (PU-9)
 - Coneross Farm Rd (WA-149)
 - Cobb Dr (SE-427)
 - **Short St (CE-92)**
- Obtained right-of-ways and actively trying to get paved to minimize the maintenance on the roads
- Three have already been completed and looking to complete some this year in-house or bid out
- Alexander Road is approximately 1,200 feet in length
- Motion to add Short St to the construction list

Mr. Davis made a motion, seconded by Ms. Cammick, approved 3 – 0, to add Short Street to the construction list.

Discussion regarding Anderson Road

- Contacted by the Town of West Union regarding the ownership of Anderson St
- Sections of the road are owned by the SCDOT and Oconee County with approximately 1,800 ft section of the road not being claimed
- County has ownership of the other side of Anderson St where it ties back into West Union Road
- Road is in need of repairs
- The Town of West Union has requested a letter stating that the county would be willing to assist the town in obtaining right-of-way and upgrading the road through a possible C Funds grant

Mr. Davis made a motion, seconded by Ms. Cammick, approved 3 – 0, to make a recommendation to full Council to send letter to The Town of West Union, c/o Linda Oliver that states “Oconee County agrees to assist the Town of West Union in its attempt to obtain right-of-way and procure grants to upgrade the towns portion of Anderson Street to the extent of allowing staff to use their time and knowledge on the project to a reasonable extent”.

The next Transportation Committee is scheduled for Tuesday, October 9, 2018 to immediately precede or follow the Law Enforcement, Public Safety, Health & Welfare meeting, which is also scheduled at 5:30 pm.