

Council to revisit Doug Hollow Road relocation

Councilman Wayne McCall thinks
it's a lawsuit waiting to happen

BY CARLOS GALARZA
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WALHALLA — An elected official thinks Oconee County's climbing legal expenses will grow higher if Oconee County Council gets caught in the crosshairs of a brewing legal battle between the developer of a Lake Keowee restaurant and irate nearby residents.

A request by the developer to have Doug Hollow Road relocated is back on council's agenda tonight.

Councilman Wayne McCall said Monday that he thinks the majority

on council has already decided to approve the request.



McCall

McCall is championing the cause of residents opposing the relocation.

Residents claim the relocated road would give developer Richard Cottingham control of an easement they say is legally theirs to access the lake with their boats.

McCall thinks it's a legal land mine the county

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should avoid.

"If there is a lawsuit, I'll be a witness for the plaintiffs," said McCall, referring to residents' threats to take the case to court.

Doug Hollow Road currently ends at the edge of Lake Keowee.

Cottingham calls the end of the road an eyesore.

He proposes to landscape that area after the road is relocated to go past his restaurant and eventually connect with Duke Energy property.

In a recent interview with The Journal, Cottingham said the county could authorize him to relocate the road, but acknowledged it might take a court to decide the easement issue.

"It might take court action to determine who the rightful owners are," Cottingham said.

Council tabled making a decision on Cottingham's request during its March 15 meeting.

Three councilmen, including Council Chairman Joel Thrift, voted in a Transportation Commit-

tee meeting in March to recommend the relocation to full council.

When the issue came up at the March 15 council meeting, Thrift asked County Attorney Tom Martin for his opinion.

Martin said council could consent and agree with the relocation of the road, but cannot relocate the road.

"It would not be County Council making any decision as to property rights," Martin said. "That's why it is referred to the legal system to take it out of the political arena."

Oconee's legal expenses in fiscal 2009-10 increased more than 114 percent from the previous fiscal year to \$601,863.51.

Also council added to its schedule today a 5:30 p.m. workshop to hear a presentation from Duke Energy about its Keowee-Toxaway relicensing.

To see the full agenda of tonight's council meeting, which begins with public comments at 6 p.m., go to www.oconeesc.com/council/councilagendas-minutes.aspx on the Web.

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