

## **Special Called County Council Meeting**

April 26, 2023

3:00 PM

County Council met in special session at Alliance Pickens, with Chairman Chris Bowers presiding. Agendas, bearing date, time, and location of meeting were mailed to members of council and local news media on April 21, 2023.

### Council Members in Attendance:

Chris Bowers, Chairman  
Roy Costner, Vice Chairman  
Alex Saitta, Vice Chairman Pro-Tem  
C. Claiborne Linvill  
Chris Lollis  
Henry Wilson

### Staff in Attendance:

Ken Roper, County Administrator  
Meagan Nations, Clerk to Council

### **WELCOME AND CALL TO ORDER:**

Chairman Chris Bowers called the meeting of April 26, 2023 to order and welcomed those in attendance. Vice Chairman Roy Costner led the Invocation and Pledge of Allegiance.

**PUBLIC HEARING AND THIRD READING OF AN ORDINANCE NO. 621 AUTHORIZING (1) THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU-OF-TAX AND INCENTIVE AGREEMENT BY AND BETWEEN PICKENS COUNTY, SOUTH CAROLINA AND A COMPANY KNOWN TO THE COUNTY AT THIS TIME AS PROJECT SIERRA FOXTROT, ACTING FOR ITSELF, ONE OR MORE SUBSIDIARIES, AFFILIATES, SUCCESSORS, ASSIGNS, LESSORS OR OTHER PROJECT SPONSORS, PURSUANT TO WHICH THE COUNTY SHALL COVENANT TO ACCEPT CERTAIN NEGOTIATED PAYMENTS IN LIEU OF AD VALOREM TAXES WITH RESPECT TO CERTAIN FACILITIES IN THE COUNTY; (2) THE BENEFITS OF A MULTI-COUNTY INDUSTRIAL OR BUSINESS PARK TO BE MADE AVAILABLE TO THE COMPANY AND THE PROJECT; (3) THE CONVEYANCE OF CERTAIN PROPERTY TO THE COMPANY AND THE REIMBURSEMENT TO THE COMPANY OF CERTAIN INCURRED COSTS; AND (4) OTHER MATTERS RELATING THERETO.**

Chairman Bowers opened the public hearing for comments regarding Ordinance 621.

Hearing none, Chairman Bowers declared the public hearing closed.

Chairman Chris Bowers asked for a motion to constitute third reading of Ordinance 621.

- Councilman Alex Saitta made the motion to constitute third reading, and the motion was seconded by Vice Chairman Roy Costner.
  - Vice Chairman Roy Costner moved to amend the company name to FN America, LLC. Motion was seconded by Councilman Alex Saitta and carried unanimously (6-0).
  - Chairman Bowers asked if there was any discussion on the original motion.
    - Councilwoman Claiborne Linvill stated she will be voting no on this ordinance. She stated she feels she had questions and comments that were not fully resolved.
    - Councilwoman Claiborne Linvill added the following statement to this meeting:

“I have three key complaints about how the process of this fee-in-lieu-of-taxes agreement was handled with FN America, formerly known as Project Sierra Foxtrot.

First, despite my requests, the county did not negotiate with the company to offer positive community projects.

At the first reading of the ordinance to give a fee-in-lieu-of taxes to Project Sierra Foxtrot, I abstained from voting because I felt like I needed a lot more information.

I had just learned moments before, in Executive Session, that Project Sierra Foxtrot was a gun manufacturer that wanted to be based in Pickens County. Guns are the leading cause of death for America’s children, so I knew that many of my constituents would have some concerns about giving tax breaks to this industry.

That said, I also do not want County Council to be in the business of picking and choosing which businesses can operate here. Of course, any business that wants to open and work in Pickens County is welcome – that’s for capitalism to sort out. But government can choose which companies we offer tax incentives to, and we can negotiate those deals.

Since Pickens County was considering offering a 20-year tax break and a \$1.5 million grant, I wanted to ask FN America as part of this deal to give back to the community they were joining in a way that would help Pickens County and mitigate some of the harm surrounding their industry. Perhaps they could offer programs that would support our sheriff’s department or our schools. I proposed these ideas, and was told that “of course” the company would be doing some kind of outreach, and that these types of public relations campaigns were to be expected.

But since this was supposed to be a business negotiation, and I did not want to rely on just assuming a private company would offer hand-outs, I pressed: I wanted to negotiate support for our police or schools as part of the tax break package. I mean, Pickens County has a lot to offer: we have Scholar Technicians as future employees, an environment friendlier to guns than most other counties, and even the name “Liberty” to stamp on each gun – we were in a strong place to negotiate for our side of the deal. I asked a series of questions about other similar deals and community relations with this company. Then, I waited for answers and proposals.

For the second vote on this ordinance, I was out of the country. I asked if I could submit comments, but no one responded to me. I asked again about my questions concerning this project, and received no answers.

Only a few days before the scheduled third reading did I finally receive answers to my questions, and learned that FN America had not offered any community programs, and Pickens County had no plans to negotiate for any. This council had assumed actions would happen that clearly were not codified. In fact, members of this council were so eager to show their support for the gun industry that they gave up any chance to make this partnership

more valuable for our community. We lost the opportunity entirely to negotiate or even request programs that could have helped make our community safer.

Second, from what I have witnessed, the process of economic development is not transparent, as too much information is kept completely hidden from the public.

During the time between readings, I wanted to talk with my constituents about their thoughts on offering tax incentives to a gun manufacturer, but I could not, due to the terms of Executive Session. Economic development conversations are considered especially private, for the sake of negotiations, and I had been clearly instructed to say nothing, especially in light of a recent public and contentious council conversation about Executive Session rules. I did not like knowing that Council was moving ahead on a tax deal with an industry that I know people have strong feelings about. The public, however, was never allowed to comment.

Third, the process of three readings should be treated as an opportunity to govern, discuss and amend at every reading, and therefore the third reading should not be held in conjunction with a public celebration.

When I received the agenda for our third reading for this ordinance, I was surprised to see that it was held at the same time as the celebration welcoming the company. Our third reading was an assumed yes vote followed by a PR event. This seemed unwise especially when another county council in our state recently voted down an agreement with this company in third reading. I was put in the awkward situation of wanting to govern and wanting to speak up for my constituents and voice their concerns, and yet this was not the appropriate venue to do so.

Due to my three concerns about how this process was handled, in which no negotiation for further county benefit took place despite my requests, in which the public was not made aware of this industry and not allowed to comment, and because the process of three readings was railroaded, I would like to make the following two requests:

1. The process of negotiating economic development deals should be more transparent. Specifically, the industry and the type of jobs (pay scale, level, etc.) should be made public after the first reading of a proposed fee-in-lieu-of-taxes agreement. This way, the public can know what type of business and jobs their elected officials are considering giving tax breaks for, and the public can give feedback. As it stands, everything about a company is kept secret, and I do not think that is good governing.
2. I would like to request that in future meetings, the third reading is not scheduled at the same time as a large public announcement. Third readings should be treated as any other public meeting, with opportunities for debate, discussion and amendments.

Thank you.”

- Councilman Saitta stated he is a strong second amendment supporter and he is happy to offer FN America, LLC a home in Pickens County.
- Seeing no other discussion, the original motion as amended carried (5-1), with Councilwoman Claiborne Linvill opposed.

**ADJOURN:**

Hearing no further Council business, Chairman Chris Bowers called for a motion to adjourn. Motion was made by Vice Chairman Roy Costner, seconded by Councilman Henry Wilson and carried unanimously (6-0). Pickens County Council stood adjourned at 3:06 p.m.

Respectively Submitted:

Approved:

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Meagan Nations, Clerk to Council

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Chris Bowers, Chairman of County Council