

Special Called County Council Meeting

December 13, 2018

6:04 PM

County Council met in special session, in the Main Conference Room, County Administration Facility, with Chairman Roy Costner presiding. Agendas, bearing date, time, and location of meeting were mailed to members of council and local news media on December 7th, 2018.

Council Members in Attendance:

Roy Costner, Chairman
Chris Bowers, Vice Chairman
Wes Hendricks, Vice Chairman Pro-Tem
Trey Whitehurst
Ensley Feemster
Carl Hudson
Trey Whitehurst (absent)

Staff in Attendance:

Gerald Wilson, County Administrator
Michael Hayes, Risk Manager
Meagan Bradford, Clerk to Council

WELCOME AND CALL TO ORDER:

Chairman Roy Costner called the meeting of December 13, 2018 to order and welcomed those in attendance. Councilman Wes Hendricks led the Invocation and Pledge of Allegiance.

SECOND READING OF AN ORDINANCE AUTHORIZING THE CONVEYANCE OF THE GEORGES CREEK/CRAYTON CREEK SEWER INFRASTRUCTURE AND ALLOCATED CAPACITY, TO THE COMMISSION OF PUBLIC WORKS, CITY OF EASLEY, SOUTH CAROLINA; AND OTHER MATTERS RELATED THERETO.

- Chairman Roy Costner asked if there was any discussion. Seeing none, Chairman Costner asked for a motion to constitute second reading. Motion was made by Councilman Ensley Feemster, seconded by Vice Chairman Chris Bowers and carried unanimously (5-0).

A RESOLUTION CONSENTING TO AN EXTENSION OF THE INVESTMENT PERIOD FOR TAYLOR MADE GOLF COMPANY, INC. UNDER ITS FEE AGREEMENT WITH PICKENS COUNTY PURSUANT TO TITLE 12, CHAPTER 44, CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED; AND OTHER MATTERS RELATED THERETO.

- Chairman Roy Costner read the resolution as follows:

WHEREAS, pursuant to Title 12, Chapter 44 of the Code of Laws of South Carolina, 1976, as amended (the "Act"), Pickens County, South Carolina (the "County") entered into a Fee Agreement with Taylor Made Golf Company, Inc. (the "Company") dated as of April 1, 2013 in order to provide, among other things, for the payment by the Company of fees in lieu of ad valorem taxes with respect to the Company's qualifying investment in the "Project," as defined in such agreement (the "Fee Agreement"); and

WHEREAS, the qualifying investment period with respect to the Project as provided in the Fee Agreement terminates on December 31, 2018, unless otherwise extended (the "Initial Investment Period"); and

WHEREAS, pursuant to Section 12-44-30(13) of the Act and Section 3.2 of the Fee Agreement, the County may grant an up to five-year extension of the Initial Investment Period, provided that the minimum statutory investment required of the Company with respect to the Project pursuant to the Act has been met by the end of such period; and

WHEREAS, the Company has invested within the Initial Investment Period at least the minimum statutory investment requirement in the Project, and has also invested more than the expected and required investment amounts under the Fee Agreement, and as such, has now requested that the County grant a five-year investment period extension so as to include an anticipated \$8 million expansion of the Project under the terms of the Fee Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Pickens County Council ("County Council") in a meeting duly assembled as follows:

Section 1. The County Council hereby finds that the Project directly and indirectly substantially benefits the County, the taxing entities within the County and the citizens and residents of the County due to the investment created by the Company which contributes to the tax base and economic welfare of the County. Therefore, in accordance with Section 12-44-30(13) of the Act, the County hereby consents to an extension of the Investment Period (as defined in the Fee Agreement) by five (5) years to December 31, 2023.

Section 2. The Chairman of the County Council, for and on behalf of the County, is hereby authorized and directed to do any and all things necessary to effect the extension of the Investment Period under the Fee Agreement.

Section 3. The provisions of this Resolution are hereby declared to be severable, and if any section, phrase, or provision shall for any reason be declared by a court of competent jurisdiction to be invalid or unenforceable, such declaration shall not affect the validity of the remainder of the sections, phrases, and provisions hereunder.

Section 4. All orders, resolutions, ordinances, and parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed, and this Resolution shall take effect and be in full force from and after its passage and approval.

- Chairman Roy Costner asked for a motion to constitute this resolution. Motion was made by Councilman Carl Hudson, and seconded by Vice Chairman Chris Bowers. Chairman Costner asked if there was any discussion.
 - Chairman Costner asked Mr. Ray Farley to give an overview of what the resolution is.
 - Ray Farley stated Taylor Made chose to build a facility in the Pickens County Commerce Park approximately seven years ago. Mr. Farley advised at the time, County Council approved fee of lieu of property tax agreement on the capital equipment and the investment that the company was making at the time. He stated by law, County Council is empowered to extend by another five year period to the additional five year investment period, as well as the ability to approve another five year extension to the investment period. He observed that our community is fortunate that the Taylor Made program has resulted in a golf ball that is perhaps the second best golf ball in the market worldwide. Mr. Farley stated the golf ball is made only in this community. He reported that the plant has won many PGA titles for the Masters, U.S. Open, etc. He stated because of the growth, we are fortunate the company has strong anticipation of adding another manufacturing line in the building, in which they will need to hire more staff.
 - After more discussion, Chairman Costner asked for all those in favor of constituting this resolution to please signify by raising their hand. Motion carried unanimously (5-0).

ADJOURN:

Hearing no further Council business, Chairman Roy Costner called for a motion to adjourn. Motion was made by Vice Chairman Chris Bowers, seconded by Councilman Carl Hudson and carried unanimously (5-0). Pickens County Council stood adjourned at 6:12pm and moved into the Committee of the Whole meeting.

Respectively Submitted:

Approved:

Meagan Bradford, Clerk to Council

Roy B. Costner, III, Chairman of County Council