

PICKENS COUNTY

SOUTH CAROLINA

COUNCIL MEMBERS

CHRIS BOWERS, CHAIRMAN
ROY COSTNER, VICE CHAIRMAN
ALEX SAITTA, VICE CHAIR PRO-TEM
C. CLAIBORNE LINVILL
CHRIS LOLLIS
HENRY WILSON



COUNTY ADMINISTRATOR

KEN ROPER

CLERK TO COUNCIL

MEAGAN NATIONS

PICKENS COUNTY COUNCIL MEETING

Monday, March 6, 2022

6:30 PM

Auditorium, County Administration Facility
222 McDaniel Avenue, Pickens SC 29671

All meetings of Pickens County Council are held in accordance with the South Carolina Freedom of Information Act, Section 30-4-70, *et seq.* of the Code of Laws of South Carolina, 1976, as amended, as well as the Organizational Rules for Pickens County Council.

WELCOME AND CALL TO ORDER:

Chairman Chris Bowers

1. INVOCATION AND PLEDGE OF ALLEGIANCE:

Councilman Alex Saitta

2. PUBLIC FORUM.

County Council hosts a public forum at its first regularly scheduled meeting of each month. Individuals wishing to speak during Public Forum should contact the Clerk to Council in advance of the meeting. Comments are limited to 3 minutes per participant and 30 minutes in total.

3. APPROVAL OF MINUTES:

- February 6, 2023

4. ADMINISTRATOR'S REPORT

Updates from the County Administrator on operations, personnel, or other day-to-day matters.

5. COMMITTEE REPORTS

- a) Committee of the Whole – February 21, 2023

- 1) Log No. 133 – Solid Waste Needs

- Motion to move forward with expanding the piggyback at the landfill and the purchase of an excavator for \$142,000

6. COUNCIL CORRESPONDENCE

Notification of future meeting dates and/or changes as well as community dates of interest.

7. MOTION PERIOD AND NEW BUSINESS

Matters can be added to the agenda by appropriate motion, second, and unanimous vote of council.

8. ORDINANCES FOR FIRST READING AND/OR RESOLUTIONS:

- a) A RESOLUTION 2023-07 CONGRATULATING LIBERTY HIGH SCHOOL'S WRESTLING TEAM AS CLASS AA SOUTH CAROLINA HIGH SCHOOL WRESTLING CHAMPIONS
- b) AN INDUCEMENT RESOLUTION 2023-08 IDENTIFYING A PROJECT TO SATISFY THE REQUIREMENTS OF TITLE 12, CHAPTER 44 OF THE SOUTH CAROLINA CODE, SO AS TO ALLOW INVESTMENT EXPENDITURES INCURRED BY ONE OR MORE COMPANIES KNOWN TO THE COUNTY AT THIS TIME, COLLECTIVELY, AS PROJECT SIERRA FOXTROT, ACTING FOR ITSELF OR ONE OR MORE SUBSIDIARIES, AFFILIATES, SUCCESSORS, ASSIGNS, LESSORS OR OTHER PROJECT SPONSORS, TO QUALIFY AS EXPENDITURES ELIGIBLE FOR A FEE-IN-LIEU OF AD VALOREM TAXES ARRANGEMENT WITH PICKENS COUNTY, SOUTH CAROLINA; PROVIDING FOR ANY OTHER NECESSARY AGREEMENTS WITH THE COMPANY TO EFFECT THE INTENT OF THIS RESOLUTION; AND OTHER MATTERS RELATED THERETO.
- c) FIRST READING IN TITLE ONLY OF AN ORDINANCE 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.

9. ORDINANCES FOR SECOND READING

None

10. ORDINANCES FOR THIRD READING

None

11. OTHER REQUEST AGENDA ITEMS

- a) Presentation from Appalachian Council of Government regarding performance of services in the county in 2022-2023
- b) Consideration of a proposed application by Pickens County to the State Transportation and Infrastructure Bank (STIB) regarding funding for improvements to South Carolina Highway 183 (SC Hwy 183) and matters related thereto
- c) Consideration of potential renovation of the flooring replacement at the Pickens County Museum and source of funds

12. CONSENT AGENDA.

Routine matters and resolutions, as well as subject referrals to Council committees, can be accomplished by one vote via the Council's Consent Agenda.

None

13. EXECUTIVE SESSION:

S.C. Code of Laws, Section 30-4-70 (A) allows that specifically delineated and qualifying matters may be discussed outside the presence of the public.

Boards and Commissions – Section 30-4-70 (a) (1)

- Beautification Committee
- Recreation Funding Advisory Board

Personnel – Section 30-4-70 (a) (1)

- Citizen Award

14. ACTION ON EXECUTIVE SESSION ITEMS (as needed)

While the SC Freedom of Information Act allows for certain matters to be discussed outside the presence of the public, any votes on such matters can only take place once Council has returned to public session.

15. APPOINTMENTS TO BOARDS AND COMMISSIONS

- a) Council Appointment to the Solid Waste Adhoc Committee

16. ADJOURN

No. 3:

APPROVAL OF MINUTES

- **February 6, 2023**

Regular Pickens County Council Meeting

February 6, 2023

6:30 PM

County Council met in regular session, in the Auditorium of the County Administration Facility, with Chairman Chris Bowers presiding. Final agendas, bearing date, time, and location of meeting were mailed to members of council and local news media on January 31, 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
Les Hendricks, Contract Attorney
Meagan Nations, Clerk to Council

WELCOME AND CALL TO ORDER:

Chairman Chris Bowers called the meeting of February 6, 2023 to order and welcomed those in attendance. Councilman Chris Lollis led the Invocation and the Pledge of Allegiance.

Chairman Chris Bowers made a motion to move Agenda Item #8 first on the agenda, to recognize the High School Teams who are present this evening. Motion was seconded by Vice Chairman Roy Costner and carried unanimously (6-0).

ORDINANCES FOR FIRST READING AND/OR RESOLUTIONS:

a.) CONSIDERATION OF A RESOLUTION 2023-01 RECOGNIZING THE PICKENS HIGH SCHOOL GIRLS GOLF TEAM

- Chairman Bowers asked for a motion to consider this Resolution. Motion was made by Vice Chairman Roy Costner, seconded by Councilman Alex Saitta and carried unanimously (6-0). Chairman Bowers recognized the Pickens High School Girls Golf Team.

b.) CONSIDERATION OF A RESOLUTION 2023-02 RECOGNIZING THE EASLEY HIGH SCHOOL COMPETITIVE CHEER TEAM

- Chairman Bowers asked for a motion to consider this Resolution. Motion was made by Chairman Chris Bowers, seconded by Councilman Henry Wilson and carried unanimously (6-0). Chairman Bowers recognized the Easley High School Competitive Cheer Team.

c.) CONSIDERATION OF A RESOLUTION 2023-03 RECOGNIZING THE DANIEL HIGH SCHOOL CROSS COUNTRY 3A STATE CHAMPION ASHBY WILLIAMS

- Chairman Bowers asked for a motion to consider this Resolution. Motion was made by Councilman Chris Lollis, seconded by Councilwoman Claiborne Linvill and carried unanimously (6-0). Chairman Bowers recognized the Daniel High School Cross Country

Team.

d.) CONSIDERATION OF A RESOLUTION 2023-04 RECOGNIZING THE DANIEL HIGH SCHOOL BAND

- Chairman Bowers asked for a motion to consider this Resolution. Motion was made by Councilman Alex Saitta, seconded by Councilman Chris Lollis and carried unanimously (6-0). Chairman Bowers recognized the Daniel High School Band.

e.) CONSIDERATION OF A RESOLUTION 2023-05 RECOGNIZING FEBRUARY AS AMERICAN HEART MONTH

- Chairman Bowers asked for a motion to consider this Resolution. Motion was made by Chairman Chris Bowers, seconded by Vice Chairman Roy Costner and carried unanimously (6-0).

f.) CONSIDERATION OF A RESOLUTION 2023-06 ESTABLISHING PROPOSED FISCAL YEAR 2024 BUDGET CALENDAR

- Chairman Bowers asked for a motion to consider this Resolution. Motion was made by Councilman Chris Lollis, seconded by Councilman Alex Saitta and carried unanimously (6-0).

PUBLIC FORUM:

Chairman Chris Bowers opened the Public Forum and requested the Clerk to call upon the citizens signed up to speak.

1. Thomas Erlindson: Mr. Erlindson addressed Council regarding Highway 11.
2. Tommy Stroud: Mr. Stroud addressed Council regarding the policy regarding alcohol on County property.
3. Allan Quinn: Mr. Quinn addressed Council regarding Economic Development.
4. Ken Smith: Ms. Perez addressed Council regarding his venue, Arabella Farms.
5. Gerald Cassell: Mr. Cassell addressed Council regarding litter in Pickens County.
6. Jessica Berryhill Massey: Ms. Massey addressed Council regarding the UDSO.
7. Clay Poole: Mr. Poole addressed Council regarding Lendhardt Road and UDSO.
8. Daniel Lee: Mr. Lee addressed Council regarding the UDSO.
9. Gary Stancell: Mr. Stancell addressed Council regarding the Landfill.
10. Melanie Ruhlman: Ms. Ruhlman addressed Council regarding UDSO.

APPROVAL OF MINUTES:

Chairman Chris Bowers called for a motion to approve the following minutes as presented:

- December 5, 2022 Regular-Called Council Meeting
- January 3, 2023 Organizational Meeting

- Motion was made by Councilman Roy Costner, and seconded by Councilman Chris Lollis. Seeing no discussion, the motion carried unanimously (5-0), with Councilman Henry Wilson abstaining.

ADMINISTRATOR'S REPORT:

Mr. Roper addressed Council on the following:

- Review of Council Work Session on January 14, 2023
- 2023 Council Goals – Purpose, plan, people
- Building Permits 2022 Report
- Litter in Pickens County
- Environmental Enforcement (Litter and Code) 2022 Report
- Inmate Litter Pick-up Update

Council asked Mr. Roper questions that included, but was not limited to:

- Update on changing name of Law Enforcement Center to C. David Stone Law Enforcement Center
- Hagood Mill Foundation Questions
- Tour of Administration Departments
- Landfill Hours
- Permit process for Alcohol Permit on County Property

COMMITTEE REPORTS:

Council Work Session Report for 1/14/23: Motion out of Executive Session for Staff to work on Administrator's Contract. This item is on the agenda this evening to be discussed in Executive Session.

Committee of the Whole Report for 1/17/23:

The Committee of the Whole met in Main Conference Room, at the Pickens County Administration Facility, on Tuesday, January 17, 2023. All members of the committee were in attendance with Chairman Chris Bowers presiding the beginning of the meeting. Chairman Chris Bowers led the Invocation and Pledge of Allegiance.

WELCOME AND CALL TO ORDER:

Chairman Chris Bowers called the Committee of the Whole meeting to order.

COMMITTEE OF THE WHOLE:

UDSO – Log No. 141

- Mr. Roper gave a brief overview of the Unified Development Standards Ordinance, stating the UDSO regulates the use of land, the location and use of buildings and other site improvements, and the construction of public facilities and private improvements related to the development of land.
 - Council and staff had detailed discussion that included, but was not limited to:
 - Organization, Overview and Content of Each Article in UDSO
 - Mr. Roper reviewed the following with Council:
 - Sec. 303 – Motorized Vehicle Tracks (commercial)
 - Sec. 305 – Outdoor Firing Ranges

- Sec. 309 – Large Scale Projects
 - Sec. 310 – Major Subdivisions
 - Sec. 313 – Manufactured Home Parks
 - Sec. 314 – Multi-Family Residential Developments (including townhomes)
 - Sec. 316 – Salvage, junk and scrap yards
 - Article 4 – Lot and Building Standards
 - Article 5 – Conventional Subdivisions, Open Space Subdivisions and Master Planned Developments
 - Article 6 – Off Street Parking and Loading Standards
 - Article 7 – Sign Standards
 - Article 8 – Buffers
 - Sec. 904 – Noise
 - Sec. 911 – Exterior Illumination
 - Article 10 – Project Design Standards
 - Article 11 – Land Development Activities
 - Sec. 1205 – Land Use Approval
 - Article 14 – Grandfathered Development
 - Article 15 – Administration and Enforcement
- Council and Staff also had other discussion that included, but was not limited to:
 - Section 1012 – Private residential access
 - Article 5 – Conventional Subdivisions
 - Article 4 – Lot and Building Standards
 - Tiny Homes
 - Building permits last year vs. this year
 - Number of Homes in Pickens County & their average size
 - The Clerk to poll Council on upcoming work sessions to work more on the UDSO
 - Section 313 - Mobile Homes
 - Section 302 – Recreational Vehicle (RV) Parks and Campgrounds
 - ❖ **Vice Chairman Roy Costner made a motion for a 6-month Moratorium, with an option to be extended out 90 days, to be moved out of Committee and for staff to provide recommendations on development size. Motion was seconded by Henry Wilson and carried unanimously (6-0).**
 - ❖ **After more discussion, Chairman Chris Bowers made a motion for First Reading in Title Only to amend the UDSO and return to Committee for further discussion. Motion was seconded by Vice Chairman Roy Costner and carried unanimously (6-0).**

First Council Action on Log No. 141- Vice Chairman Roy Costner made a motion for a 6-month Moratorium, with an option to be extended out 90 days, to be moved out of Committee and for staff to provide recommendations on development size. Motion was seconded by Henry Wilson and carried unanimously (6-0).

Chairman Bowers stated that no second is required as this comes as a recommendation from the Committee. He asked for any discussion.

Council and Staff had detailed discussion that included, but was not limited to:

- Attorney Les Hendricks distributed the moratorium document to Council and discussed the moratorium
- Discussion on major subdivisions

- After more discussion, Councilman Alex Saitta made a motion to amend the Moratorium, stating he would like to change Section 2A, to **49** housing units, instead of 99 housing units. Councilwoman Claiborne Linvill seconded the motion. The motion carried unanimously (6-0).
- After much more discussion, Vice Chairman Roy Costner made a motion to amend the original motion, stating he would like this moratorium to return to Committee after voting. The motion was seconded by Councilman Alex Saitta and carried unanimously (6-0).
- Chairman Bowers called for a vote for the motion at hand. The motion carried unanimously (6-0).

Second Council Action on Log No. 141: Chairman Chris Bowers made a motion for First Reading in Title Only to amend the UDSO and return to Committee for further discussion. Motion was seconded by Vice Chairman Roy Costner and carried unanimously (6-0).

Chairman Bowers stated that no second is required as this comes as a recommendation from the Committee. After some discussion between Council, Chairman Bowers asked for all those in favor to please signify by raising their hands. Motion carried unanimously (6-0).

ADJOURN:

Hearing no further Committee business, Chairman Chris Bowers called for a motion to adjourn. Motion was made by Councilman Henry Wilson, seconded by Vice Chairman Roy Costner and carried unanimously (6-0). Meeting was adjourned at 7:49 p.m.

Council Work Session Report for 2/1/23: No Action

COUNCIL CORRESPONDENCE:

Chairman Chris Bowers announced the following:

- Non-Essential County Offices will be closed on Monday, February 20, for the Presidents Day Holiday. Offices will reopen on Tuesday, February 21 at 8:00 AM.
- The Committee of the Whole meeting will take place on Tuesday, February 21, at 6:00 p.m. in the Main Conference Room of the Administration Building.
- The next Council meeting will be held on Monday, March 6, at 6:30 p.m. in Council Chambers of the Administration Building.

Chairman Bowers called for other council correspondence. Seeing no other correspondence, Chairman Bowers announced moving to Motion Period and New Business.

MOTION PERIOD AND NEW BUSINESS:

Chairman Chris Bowers opened the floor for motion period and new business.

Seeing no discussion, Chairman Bowers closed the floor.

ORDINANCES FOR SECOND READING

None

ORDINANCES FOR THIRD READING

None

OTHER REQUEST AGENDA ITEMS

a) Presentation from Upstate Alliance President John Lummus

- Mr. John Lummus, President and CEO of Upstate Alliance, presented a 2023 Update of Economic Development to Council and Staff. He discussed the following:
 - Role of Upstate Alliance
 - Regionalism
 - 2022 Announcements
 - Pickens County
 - Keys to 2023

b) Update on county administration roof and potential solutions

- Mr. Roper addressed a roofing issue on the Administration Building near the Main Conference Room. He stated we would like to have the roof engineered to figure out what the problem is and the solutions are. He stated this will be handled through our procurement process. He stated to have an engineer to come back with an opinion will be \$20,000. Mr. Roper stated this money will come from fund balance.
- Discussion between Council and Staff included, but was not limited to:
 - Timeline of when the roof was upgraded
- Vice Chairman Roy Costner made a motion to allocate \$20,000 out of fund balance to start the process of having an engineer give an opinion of the roof, and to proceed with legal proceedings with the former company who installed the roof. Motion was seconded by Councilman Henry Wilson and carried unanimously (6-0).

c) Consideration of technology/transparency upgrades in administration building and source of funds

- Mr. Roper went into an overview of technology upgrades needed in the Administration Building for council meetings, an overview of security cameras needed outside the Administration Building due to a couple of incidents regarding a broken window and car parts stolen off of county cars. He stated the technology deficiencies are starting to create transparency issues, such as no live stream in the Main Conference Room and on the televisions in the lobby. He asked Information Systems Director, Robert Furr, to bring him a plan on how we can update our security and delivery of information to the public. Mr. Roper stated through our membership with NACO, we were alerted of the availability of grant funds to the delivery of government service. He stated the grant funds were by the bipartisan infrastructure law and Pickens County has been allocated \$50,000 last year, and \$50,000 this year. He stated he is asking for Council's permission to move forward with this grant funding to fix these two problems.
- Chairman Chris Bowers made a motion to accept the grants and allocate funding for these two issues. Motion was seconded by Vice Chairman Roy Costner and carried unanimously (6-0).

CONSENT AGENDA

None

EXECUTIVE SESSION: S.C. Code of Laws, Section 30-4-70 (a):

Chairman Chris Bowers called for a motion to convene into Executive Session as defined by S.C. Code of Laws, Section 30-4-70 (a). Chairman Bowers further stated that each issue would be discussed as the Law provides.

Boards and Commissions – Section 30-4-70 (a) (1)

- ACOG
- Beautification Committee

Contractual – Section 30-4-70 (a) (5)

- Project Charlie Echo
 - Administrator’s Contract
 - Legal Briefing on Arial Mill/Bailey Bill
- Motion was made by Councilman Roy Costner, seconded by Councilman Alex Saitta and carried unanimously (6-0), to convene in executive session for the stated purposes after a five-minute recess.

ACTION AS NEEDED VIA EXECUTIVE SESSION ITEMS:

Chairman Chris Bowers called the Public Session back to Order and advised the following:

Boards and Commissions – Section 30-4-70 (a) (1)

- **ACOG** – Chairman Chris Bowers made a motion to appoint Britt Gillespie to the ACOG Board. Motion was seconded by Vice Chairman Roy Costner and carried unanimously (6-0).
- **Beautification Committee** – No Action

Contractual – Section 30-4-70 (a) (5)

- **Project Charlie Echo** – Chairman Chris Bowers made a motion to allocated \$1.5 million dollars to Site A1 cross litigation from previous allocated funds. Motion was seconded by Councilwoman Claiborne Linvill and carried unanimously (6-0).
- **Administrator’s Contract** – Chairman Chris Bowers made a motion to approve the Administrator’s Contract as presented. Motion was seconded by Vice Chairman Roy Costner and carried (5-1), with Councilman Alex Saitta opposed. Councilman Alex Saitta went into discussion on why he voted no.
- **Legal Briefing on Arial Mill/Bailey Bill** – Chairman Chris Bowers made a motion to grant a special tax assessment under Article IV, Section 36, for a period of 15 years, upon final certification, which shall be granted upon completion of the project with expenditures of least \$72,182,639 and pursuant to the updated application. Motion was seconded by Councilman Henry Wilson and carried (4-2), with Councilman Alex Saitta and Councilman Chris Lollis opposed. Councilman Alex Saitta went into discussion on why he voted no.

ADJOURN:

Hearing no further Council business, Chairman Chris Bowers called for a motion to adjourn. Motion was made by Councilman Henry Wilson, seconded by Vice Chairman Roy Costner and carried unanimously (6-0). Pickens County Council stood adjourned at 10:19 p.m.

Respectively Submitted:

Approved:

Meagan Nations, Clerk to Council

Chris Bowers, Chairman of County Council

DRAFT

No. 5:

COMMITTEE REPORT

- **February 21, 2023**

COMMITTEE OF COUNCIL AS A WHOLE REPORT

Council Members:

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

Staff in Attendance:

Ken Roper, County Administrator
Meagan Nations, Clerk to Council
Les Hendricks, Attorney
Steve Raines, Solid Waste Director
Allison Fowler, Community Development and Tourism Director
Trad Julian, Senior Planner
Todd Steadman, Part Time Planner
Ray Holiday, Full Time Planner
Kyle Bennett, Stormwater Inspector

The Committee of the Whole met in Main Conference Room, at the Pickens County Administration Facility, on Tuesday, February 21, 2023. All members of the committee were in attendance with Chairman Chris Bowers presiding the beginning of the meeting. Councilman Chris Lollis led the Invocation and Pledge of Allegiance.

WELCOME AND CALL TO ORDER:

Chairman Chris Bowers called the Committee of the Whole meeting to order.

COMMITTEE OF THE WHOLE:

Solid Waste Needs – Log No. 133

- Steve Raines, Solid Waste Director, gave an overview of the landfill and went into discussion regarding the Landfill Expansion. Council and staff had detailed discussion that included, but was not limited to:
 - Current landfill capacity
 - Discussion regarding the SCDHEC Demonstration of Need filing on February 2
 - Proposed expansion
 - Proper Equipment needed in future at Landfill
 - Plan for Solid Waste in 50+ years
 - Tipping Fees
 - Recycling
 - Saturday Operating Cost
 - Discussion of Solid Waste Adhoc Committee
- After much more discussion, Chairman Chris Bowers made a motion to move forward with expanding the piggyback at the landfill and the purchase of an excavator for \$142,000. Motion was

COMMITTEE OF COUNCIL AS A WHOLE REPORT

seconded by Councilman Henry Wilson and carried (4-2), with Councilman Alex Saitta and Councilman Chris Lollis opposed.

UDSO – Log No. 141

- Mr. Roper gave a brief overview of the Unified Development Standards Ordinance, stating the UDSO regulates the use of land, the location and use of buildings and other site improvements, and the construction of public facilities and private improvements related to the development of land.
- Planning Staff did an overview of General Improvements, Housing and Growth. They presented Council with a recommended plan of action and had detailed discussion on changes that Council would like to see updated in the ordinance.
- Council and staff had detailed discussion that included, but was not limited to:
 - Traffic and Infrastructure
 - High Density
 - Standards for transition zones
 - Overlay district
 - Open Space
 - Planned Developments
 - Conventional Subdivisions
 - Tiny Homes, RV, and townhomes
 - Traffic Studies
 - UDSO Section 10 (Roads)

❖ No Action Taken by the Committee.

ADJOURN:

Hearing no further Committee business, Chairman Chris Bowers called for a motion to adjourn. Motion was made by Councilman Henry Wilson, seconded by Councilman Chris Lollis and carried unanimously (6-0). Meeting was adjourned at 8:32 p.m.

No. 8:

ORDINANCES FOR FIRST READING AND/OR RESOLUTIONS:

- a) A RESOLUTION 2023-07 CONGRATULATING LIBERTY HIGH SCHOOL'S WRESTLING TEAM AS CLASS AA SOUTH CAROLINA HIGH SCHOOL WRESTLING CHAMPIONS**
- b) AN INDUCEMENT RESOLUTION 2023-08 IDENTIFYING A PROJECT TO SATISFY THE REQUIREMENTS OF TITLE 12, CHAPTER 44 OF THE SOUTH CAROLINA CODE, SO AS TO ALLOW INVESTMENT EXPENDITURES INCURRED BY ONE OR MORE COMPANIES KNOWN TO THE COUNTY AT THIS TIME, COLLECTIVELY, AS PROJECT SIERRA FOXTROT, ACTING FOR ITSELF OR ONE OR MORE SUBSIDIARIES, AFFILIATES, SUCCESSORS, ASSIGNS, LESSORS OR OTHER PROJECT SPONSORS, TO QUALIFY AS EXPENDITURES ELIGIBLE FOR A FEE-IN-LIEU OF AD VALOREM TAXES ARRANGEMENT WITH PICKENS COUNTY, SOUTH CAROLINA; PROVIDING FOR ANY OTHER NECESSARY AGREEMENTS WITH THE COMPANY TO EFFECT THE INTENT OF THIS RESOLUTION; AND OTHER MATTERS RELATED THERETO.**
- c) FIRST READING IN TITLE ONLY OF AN ORDINANCE 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.**

STATE OF SOUTH CAROLINA)
)
COUNTY OF PICKENS)

RESOLUTION # _____

A RESOLUTION CONGRATULATING LIBERTY HIGH SCHOOL'S WRESTLING TEAM AS CLASS AA SOUTH CAROLINA HIGH SCHOOL WRESTLING CHAMPIONS

WHEREAS, Pickens County is the home of Liberty High School, a public secondary school offering excellent education and training to our citizens; and

WHEREAS, under the leadership of Principal Johnny Garrett, Liberty High School has maintained excellent athletics programs, including a wrestling team coached by Dale Burrell; and

WHEREAS, at the South Carolina High School Wrestling Championship at Dreher High School on Saturday, February 11, 2023, Liberty High's Wrestling Team won their first ever state championship in the Class AA division; and

WHEREAS, Pickens County Council recognizes the hard work and exemplary performance of the Liberty High School Wrestling Team and is appreciative of the fine representation they made for all of Pickens County;

NOW THEREFORE, be it resolved that Pickens County Council, in recognition of outstanding achievement that brings honor to our county as well as Liberty High School, does hereby congratulate Liberty High School Wrestling Team as the winners of the Class AA South Carolina High School Wrestling Championship.

Passed and approved, this ____ day of _____, 2023.

COUNTY COUNCIL OF PICKENS COUNTY,
SOUTH CAROLINA

Chris Bowers, Chairman of County Council
Pickens County, South Carolina

(SEAL)
Attest:

Meagan Nations, Clerk of County Council
Pickens County, South Carolina

RESOLUTION NO. ____

AN INDUCEMENT RESOLUTION IDENTIFYING A PROJECT TO SATISFY THE REQUIREMENTS OF TITLE 12, CHAPTER 44 OF THE SOUTH CAROLINA CODE, SO AS TO ALLOW INVESTMENT EXPENDITURES INCURRED BY ONE OR MORE COMPANIES KNOWN TO THE COUNTY AT THIS TIME, COLLECTIVELY, AS PROJECT SIERRA FOXTROT, ACTING FOR ITSELF OR ONE OR MORE SUBSIDIARIES, AFFILIATES, SUCCESSORS, ASSIGNS, LESSORS OR OTHER PROJECT SPONSORS, TO QUALIFY AS EXPENDITURES ELIGIBLE FOR A FEE-IN-LIEU OF *AD VALOREM* TAXES ARRANGEMENT WITH PICKENS COUNTY, SOUTH CAROLINA; PROVIDING FOR ANY OTHER NECESSARY AGREEMENTS WITH THE COMPANY TO EFFECT THE INTENT OF THIS RESOLUTION; AND OTHER MATTERS RELATED THERETO.

WHEREAS, Pickens County, South Carolina (the “*County*”), acting by and through its County Council (the “*Council*”), is authorized and empowered under and pursuant to the provisions of Title 12, Chapter 44 Code of Laws of South Carolina 1976, as amended (the “*Fee Act*”), to enter into agreements with any industry whereby the industry would pay fees-in-lieu-of taxes with respect to qualified projects; through which powers the development of the State of South Carolina (the “*State*”) will be promoted and trade developed by inducing manufacturing and commercial enterprises to locate or remain in the State and thus utilize and employ the manpower, products and resources of the State and benefit the general public welfare of the County by providing services, employment, recreation or other public benefits not otherwise provided locally;

WHEREAS, the County is recruiting an investment in the County by one or more companies known to the County at this time, collectively, as Project Sierra Foxtrot, on its or their own or together with one or more of its or their subsidiaries, affiliates, successors, assigns, sponsors, lessors, and others (collectively, the “*Company*”), through the establishment and/or expansion of a manufacturing facility within the County (the “*Project*”);

WHEREAS, the Council, in order to induce the Company to locate the Project in the County, has committed to the Company that the Council will take certain actions and provide certain incentives, including, but not limited to, entering into fee-in-lieu of taxes (“*FILOT*”) agreement and, upon the agreement of an adjoining county, the location of the site of the Project within a multi-county industrial/business park pursuant to Title 4, Chapter 1 of the Code of Laws of South Carolina 1976, as amended, and Article VIII, Section 13(D) of the South Carolina Constitution, which incentives provide certain benefits to the Company, if the Company locates the Project in the County;

WHEREAS, it is anticipated that the Project will represent an investment of not less than \$33,060,000, in the aggregate, in the County (without regard to whether some or all of the investment is included in a FILOT arrangement);

WHEREAS, the County has determined and found after considering all relevant factors and criteria as prescribed by law (with assistance, to the extent needed, from the South Carolina

Department of Revenue and/or Board of Economic Advisors) that the Project is anticipated to benefit the general public welfare of the County by providing services, employment, recreation or other public benefits not otherwise provided locally; that the Project gives rise to no pecuniary liability of the County or any incorporated municipality or a charge against the general credit or taxing power of either; that the purposes to be accomplished by the Project, i.e., economic development, creation of jobs, and addition to the tax base of the County, are proper governmental and public purposes; that the inducement of the location or expansion of the Project within the County and State is of paramount importance; and that the benefits of the Project will be greater than the costs; and

WHEREAS, the County has determined on the basis of the information supplied to it by the Company that the Project would be a “project” as that term is defined in the Fee Act and that the Project would serve the purposes of the Fee Act.

NOW, THEREFORE, BE IT RESOLVED by the Pickens County Council, in meeting duly assembled, that, if the Company locates the Project in the County and creates the investment indicated above:

1. The Council, upon request by the Company, hereby agrees to enter into one or more agreements under the Fee Act that will provide the Company with the benefits allowed pursuant to a FILOT agreement for twenty years for each component of the Project placed in service during the standard “Investment Period” (as that term is defined in the Fee Act), with the calculation of the FILOT thereunder on the basis of a fixed assessment ratio of 6%, and a millage rate fixed at the applicable millage rate at the Project site as of June 30, 2023, which the parties hereto believe to be 262.1 mills.
2. The County will use its best efforts to insure that the Project will be included, and will remain, within the boundaries of a multi-county industrial park created pursuant to the provisions of the Title 4, Chapter 1 of the Code of Laws of South Carolina 1976, as amended, and Article VIII, Section 13(D) of the South Carolina Constitution.
3. The Council agrees to provide the Company with the most favorable provisions allowable under the Fee Act for a project of this size with respect to the disposal and replacement of property.
4. To the extent permitted by the Fee Act, the Council agrees to waive the recapitulation requirements set forth in the Fee Act, to the extent that and so long as the Company provides the County with copies of all filings and reports which the Company is required to make under the Fee Act during the term of any FILOT agreement entered into by and between the County and the Company with respect to the Project.
5. The Council agrees to enter into and execute the appropriate agreements and other documents to implement the provisions of this Resolution and such other provisions as the Company may request consistent with this Resolution and such applicable statutes.

6. All orders, resolutions and parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed. This resolution shall take effect and be in full force from and after its passage by the Council.

APPROVED AND ADOPTED IN A MEETING this 6th day of March 2023.

PICKENS COUNTY, SOUTH CAROLINA

By: _____
Chris Bowers
Chairman, County Council

[SEAL]

Attest:

By: _____
Meagan Nations
Clerk to County Council

No. 11:

OTHER REQUEST AGENDA ITEMS

- a) **Presentation from Upstate Alliance
President John Lummus**
- b) **Bailey Bill**
- c) **Update on county administration
roof and potential solutions**
- d) **Consideration of
technology/transparency upgrades
in administration building and
source of funds**

COMMUNITY & TOURISM DEVELOPMENT



ALLISON FOWLER
DIRECTOR

2/24/2023

Local Accommodations "Capital" Request
Pickens County Museum

PRT is requesting \$15,000 from the Local Accommodations Fee account to replace the flooring and display rails in the upstairs portion of the Pickens County Museum. These funds would come from the Local Accommodations Fee fund collections, 50% of which are eligible to be used for tourism related activities in the following fiscal year. Tourism related cultural, recreational or historic facilities are specifically outlined as a use for these funds by the State of South Carolina.

As a point of clarification, the Local Accommodations Fee account is separate from the 65% of state accommodations collections that requires a committee to review applications and recommend to County Council. Rather, this fund is generated from our local 3% fee on short term rentals.

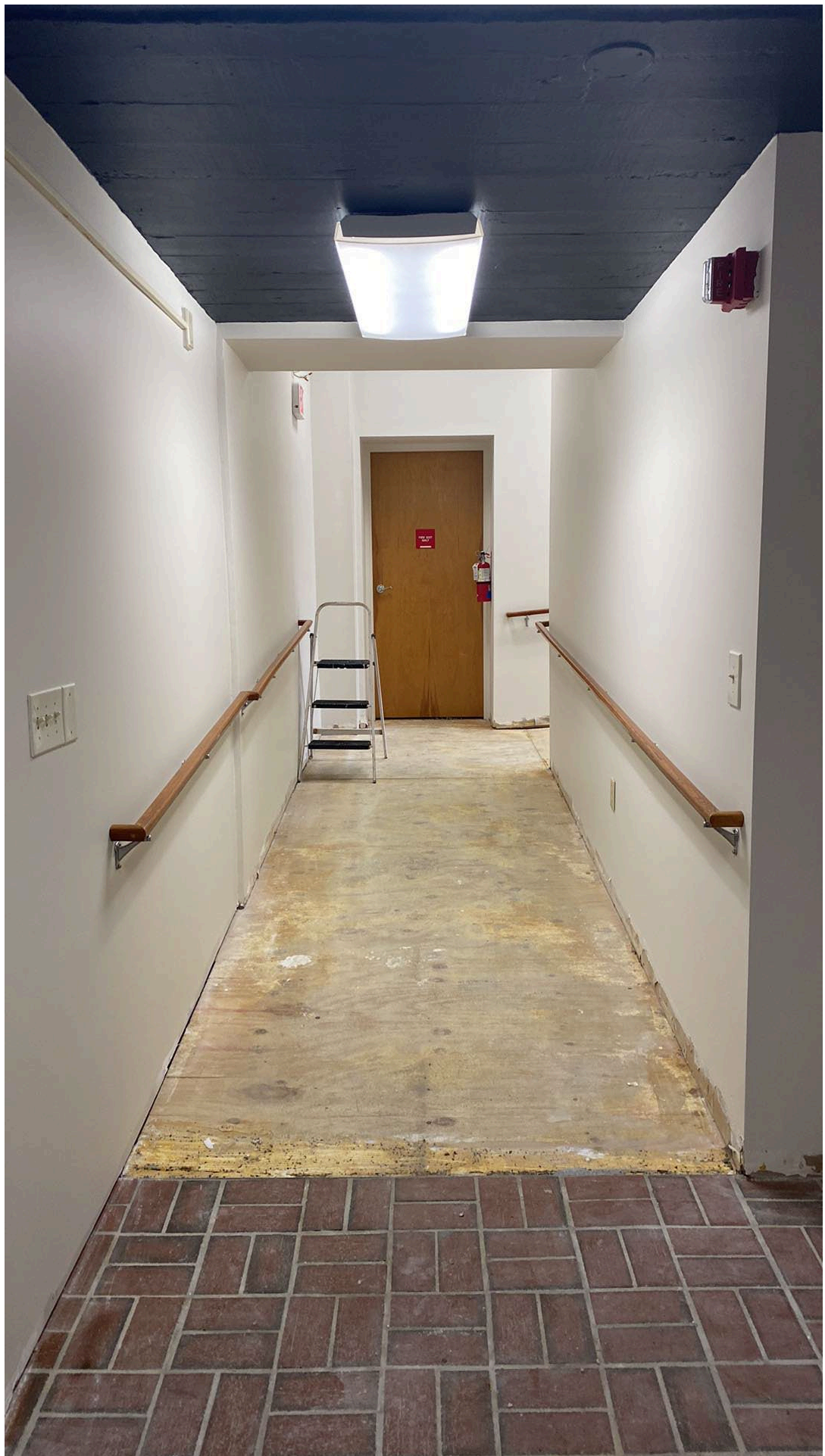
With Council's approval, PRT plans to replace the flooring on the upstairs level of the Museum and repair damaged wall treatments on the upstairs level of the Museum. Building Maintenance has been briefed on the project and agreed to oversee implementation.

Thank you for your consideration.

Allison Fowler
Director of Community & Tourism Development







HIGHWAY 183



Application

Project Type	Widening
Total Cost	\$63,880,000
SCTIB Request	\$44,716,000
Local Match	\$19,164,000*
Local Match as % of Total Cost	30%
Other Funds	\$0
MPO/COG Score	38.5 Two Sections (Score 40 & 37 = 38.5 average)
Public Benefit Preliminary Score	19.25 (38.35/2 = 19.25)
Financial Plan Score	25 (Excess match 30%, 5% = 10 pts, 15 Min match)
TOTAL SCORE	44.25

* The Pickens County CTC has saved \$2,250,000 which will be contributed as an upfront lump sum. This will be partnered \$918,000 upfront by Pickens County and a 20 year bond of \$15,996,000 million to establish a 30% match. The Pickens County CTC will contribute \$750,000 per year into the County's 20 year bond.

Financial Score

- Total Cost - \$63,880,000
 - SCTIB Request - \$44,716,000
 - Local Match - \$19,164,000
 - Local Match as % of Total Cost - 30%
- Meeting the minimum Local Match of 25% = 15pts
- Local Match additional 5% = 10pts
- Total Financial Score = **25pts**

Where we stand....Option 3?

- GPATS meets on November 14th to approve the Long-Range Transportation Plan
- SCTIB Staff needs to affirm GPATS Ranking for the Public Benefit Scoring
- Pickens County will then need to determine whether it will increase Local Match
- SCTIB Staff has said they “want to approve” this application. The next Board meeting has not been set yet in order to give GPATS/Pickens the time to improve the scoring.