

# 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

Tuesday, September 5, 2023

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:

Chairman Chris Bowers

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:

- August 7, 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 – August 21, 2023

1) Log No. 141 – UDSO

- MOTION TO HIRE A STUDY TO GIVE TECHNICAL DETAILS FOR STORM WATER TO COMPLIMENT SUPPLEMENTING THE EXISTING TEAM.

b) Committee of the Whole – August 31, 2023

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) CONSIDERATION OF A RESOLUTION 2023-25 AUTHORIZING THE PICKENS COUNTY ENVIRONMENTAL ENFORCEMENT DEPARTMENT AND THE PICKENS COUNTY E-911 DEPARTMENT TO ACT IN FURTHERANCE OF THEIR EXISTING MANDATE AS COUNTY PUBLIC SAFETY AGENCIES AS WELL AS TO APPLY FOR APPROPRIATE ORIGINATING AGENCY IDENTIFIERS, ALONG WITH MATTERS REALTED THERETO.
- b) CONSIDERATION OF A RESOLUTION 2023-26 PROCLAIMING SEPTEMBER 2023 AS NATIONAL SUICIDE PREVENTION MONTH IN PICKENS COUNTY.

9. ORDINANCES FOR SECOND READING:

- a) SECOND READING OF AN ORDINANCE No. 627 AUTHORIZING AND APPROVING (1) THE DEVELOPMENT OF A JOINT COUNTY INDUSTRIAL AND BUSINESS PARK PURSUANT TO SECTION 4-1-170 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, IN CONJUNCTION WITH OCONEE COUNTY (THE "PARK"), SUCH PARK TO BE GEOGRAPHICALLY LOCATED IN OCONEE COUNTY; (2) THE EXECUTION AND DELIVERY OF A WRITTEN PARK AGREEMENT WITH OCONEE COUNTY AS TO THE REQUIREMENT OF PAYMENTS OF FEE IN LIEU OF AD VALOREM TAXES WITH RESPECT TO PARK PROPERTY AND THE SHARING OF THE REVENUES AND EXPENSES OF THE PARK; (3) THE DISTRIBUTION OF REVENUES FROM THE PARK WITHIN PICKENS COUNTY; AND (4) OTHER MATTERS RELATED THERETO.

10. ORDINANCES FOR THIRD READING:

None

11. OTHER REQUEST AGENDA ITEMS:

- a) PUBLIC HEARING TO ESTABLISH THE ANNUAL MILLAGE RATE TO MEET THE BUDGETARY REQUIREMENTS FOR THE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2023 AND ENDING JUNE 30, 2024.
- b) CATEECHEE POINT PROJECT COMPLETE PROPOSAL 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.

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)

- Nomination for Initial Appointment to First Steps Board

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

16. ADJOURN

**No. 3:**

**APPROVAL OF MINUTES**

- **August 7, 2023**

## **Regular Pickens County Council Meeting**

August 7, 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 August 4, 2023.

### **Council Members in Attendance:**

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

### **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 August 7, 2023 to order and welcomed those in attendance. Vice Chairman Roy Costner led the Invocation and the Pledge of Allegiance.

## **PUBLIC FORUM:**

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

1. Richard McWay: Mr. McWay addressed Council regarding vaccinations.
2. Steve Hayne: Mr. Haynie addressed Council regarding Allan Quinn and jobs in Pickens County.
3. Pat Mulkey: Mr. Mulkey addressed Council regarding jobs in Pickens County, and brush issues.
4. Dawn Crooks: Ms. Crooks addressed Council regarding the preservation and conservation districts within the UDSO, with adding architectural review board.
5. Tala Moore: Ms. Moore addressed Council regarding population in Pickens County.

Seeing no other public forum speakers, the Chairman closed the floor. Chairman Chris Bowers stated he would like to take a few moments to honor Mr. Allan Quinn, who passed away in July.

## **APPROVAL OF MINUTES:**

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

- July 10, 2023 Regular-Called Council Meeting
- July 17, 2023 Special-Called Meeting
- Motion was made by Councilman Chris Lollis, and seconded by Claiborne Linvill. Chairman Bowers asked if there was any discussion. Seeing none, the motion carried (6-0).

## **ADMINISTRATOR'S REPORT:**

Mr. Roper addressed Council on the following:

- 2023 Council Goals – People, Purpose, Plan
- Special Edition of Administrator's Report
- Updates to the UDSO
- Pickens County Animal Shelter
- SCAC President Recognition, Vice Chairman Roy Costner
- Behavioral Health Crisis Mapping Policy Academy, Chairman Chris Bowers

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

- Question regarding proof of legal residence that is required on a 4% designation on your home
- Question regarding Code Enforcement Class Three Officers
- Question regarding Pickens County Animal Shelter, Pickens County Humane Society, and Clemson Paw Partners

## **COMMITTEE REPORT for 7/17/23:**

**The Committee of the Whole met in Council Chambers, at the Pickens County Administration Facility, on Monday, July 17, 2023. All members of the committee were in attendance with Chairman Chris Bowers presiding. Councilman Alex Saitta led the Invocation and Pledge of Allegiance.**

## **COMMITTEE OF THE WHOLE:**

### **SEWER CAPACITY - Log No. 214**

- ❖ Administrator Ken Roper stated this is regarding a Sewer Capacity Study that Council has provided funding for this year. He stated as we go into that service, we have two partners with us in our intergovernmental agreement for sewer capacity which are the Town of Central and City of Liberty. He stated Andy Blondeau, City of Clemson Administrator, approached him asking about potential for the City of Clemson to join in with some type of sewer arrangement. Mr. Roper stated the Central and Liberty have passed resolutions stating they believe it will be a good idea if we leave it into a joint study.
- ❖ Mr. Blondeau went into discussion with Council on why he would like to join in on the study. He stated he is asking for permission to see if Council will let help pay for the study and City of Clemson join in.
  - After some discussion between Council, Chairman Chris Bowers made a motion allow the City of Clemson into the sewer capacity study. Motion was seconded by Councilman Henry Wilson and carried unanimously (6-0).

**Council Action on Log No. 214:** Chairman Chris Bowers made a motion allow the City of Clemson into the sewer capacity study. Motion was seconded by Councilman Henry Wilson and carried unanimously (6-0).

Chairman Bowers stated no second is required as this comes as a recommendation from the Committee. Hearing no discussion, the motion carried (6-0).

### **2023 ATAX FUNDING APPLICATIONS – Log No. 211**

- Council and staff had very detailed discussion that included, but was not limited to:
  - City of Pickens Request for Independence Day Spectacular
    - Total calculation cost for County to approach but not exceed \$30,000
    - City of Pickens spent less than \$20,000
- Councilman Alex Saitta made a motion to allocate \$7,000 of ATAX Funding to the City of Pickens and reimburse the County \$30,000 regarding the Independence Day Spectacular Event. Motion was seconded by Councilman Henry Wilson. Discussion included:
  - Councilwoman Linvill stated the City of Pickens did not submit a formal application like all of the other organizations. She stated she realizes this is different but all Council has received was a memo and she is wondering where the \$7,000 is coming from.
  - Discussion on invoicing the Trump Campaign for the expenses
- Chairman Chris Bowers amended the original motion, stating he would like to bill the campaign to see if they will help pay any expenses of the \$30,000 and \$7,000 before allocating the ATAX money. Motion was seconded by Councilwoman Claiborne Linvill. Discussion included:
  - Councilman Alex Saitta went into discussion on why he opposes this amendment and original motion.
  - Councilwoman Claiborne Linvill stated she feels it is important for this Council to set a precedent that when it comes to Pickens County, we have some obligations to understand that there will be police and EMS expenses, and we would like for them to cover it because some campaigns have. She stated she realizes it may not get paid because a contract wasn't met, and that is a whole other issue.
- Seeing no other discussion on the amendment, the motion failed (1-5), with Councilwoman Claiborne Linvill in favor.
- Vice Chairman Roy Costner made an amended motion, stating he would like the City of Pickens to fill out an application to be turned into the ATAX Committee and the \$7,000 to be contingent on the application. Motion was seconded by Councilman Alex Saitta and approved unanimously (6-0).
- After more discussion, Councilman Henry Wilson made a motion to amend the total from \$7,000 to \$10,100 of ATAX Funding for the City of Pickens for life safety. Motion was seconded by Councilman Alex Saitta. After some discussion, the motion carried (5-1), with Councilwoman Claiborne Linvill opposed.
- Seeing no other discussion, the motion carried (5-1), with Councilwoman Claiborne Linvill opposed.

### **Council Action on Log No. 211:**

1. Councilman Alex Saitta made a motion to allocate \$7,000 of ATAX Funding to the City of Pickens and reimburse the County \$30,000 regarding the Independence Day Spectacular Event. Motion was seconded by Councilman Henry Wilson.
  - Chairman Chris Bowers amended the original motion, stating he would like to bill the campaign to see if they will help pay any expenses of the \$30,000 and \$7,000 before allocating the ATAX money. Motion was seconded by Councilwoman Claiborne Linvill.
  - The motion failed (1-5), with Councilwoman Claiborne Linvill in favor.
2. Vice Chairman Roy Costner made an amended motion, stating he would like the City of Pickens to fill out an application to be turned into the ATAX Committee and the \$7,000 to be contingent on the application. Motion was seconded by Councilman Alex Saitta and approved unanimously (6-0).

3. Councilman Henry Wilson made a motion to amend the total from \$7,000 to \$10,100 of ATAX Funding for the City of Pickens for life safety. Motion was seconded by Councilman Alex Saitta. After some discussion, the motion carried (5-1), with Councilwoman Claiborne Linvill opposed.

Chairman Bowers stated no second is required as this comes as a recommendation from the Committee. Discussion included but was not limited to:

- ATAX Application from City of Pickens
- Update from County Attorney on Council's Questions

Chairman Bowers made an amended motion to require the application for the \$30,000 to go before the ATAX Committee to reimburse the County, since the city of Pickens is no longer requesting funding, and the County to seek the opinion from the Ethics Commission on the allocation of ATAX funding to reimburse our Emergency Services cost on that day. He withdrew his motion.

Councilman Henry Wilson made a motion to table discussion until the ATAX Committee reviews the application from the County. Motion was seconded by Councilwoman Claiborne Linvill.

- Councilwoman Claiborne Linvill made an amended motion to direct the invoice to the City of Pickens, instead of sending the application the ATAX Committee. The motion was not seconded, and the motion died.

After much more discussion, the amended motion carried (6-0).

The motion out of Committee carried (6-0).

#### **UDSO – Log No. 141**

- Council and staff had very detailed discussion that included, but was not limited to:
  - Comments from Public Meetings: Administrator Roper went into great detail on the following concerns/comments from the Public Meetings that have been held:
    - Increase Open Space Requirements
    - Concern about Increased Traffic with Increased Development
    - Concern about Impact to the Roads with Increased Development
    - Concern about Storm Water Issues related to Increased Development/Tree and Waterway Protections
    - Annexation
    - Concern about Quality of Home Construction
    - Attainable Housing
    - Increased Trash
    - Impact on Schools
  - Hector Perez, Senior Manager of DTA Finance, gave Council a brief overview of a nexus study.
- ❖ No Action Taken by the Committee.

**Council Action on Log No. 141:** No Action Taken by the Committee.

#### **COUNCIL RULES – Log No. 215**

- Council and Staff had detailed discussion that was included, but not limited to:
  - Discussion of Councilwoman Linvill's request, *Alternative Attendance by a member*
    - Councilwoman Linvill went into discussion on her proposed changes for Council consideration regarding Alternative Attendance by a Member.

- Councilwoman Claiborne Linvill made a motion to amend the bylaws to allow alternative attendance. Councilman Henry Wilson seconded the motion. Discussion included:
  - SCAC Rules on Alternative Attendance
  - Capable of Technology at County Administration Building
  - Excuses as to why Council Members are missing the meetings
- Seeing no other discussion, the motion carried (4-2), with Councilman Alex Saitta and Councilman Chris Lollis opposed.
- Discussion of Vice Chairman Costner's request, *Rule 2, 2.1, section D*
  - Vice Chairman Costner made a motion to remove the following from Rule 2.1, Section D: "*No officer can serve more than two consecutive two-year terms in a particular office.*" Motion was seconded by Councilman Henry Wilson. Discussion included:
    - Councilman Saitta went into discussion on why he will not be voting in favor.
  - The motion carried (5-1), with Councilman Alex Saitta opposed.
- Discussion on Rule 2, County Officers, *Succession of the Office*
  - Attorney Les Hendricks went into discussion on this Rule.
  - Councilman Henry Wilson made a motion to eliminate Section D in Rule 2.1. Motion was seconded by Vice Chairman Roy Costner.
    - Chairman Chris Bowers made a motion make language for all three positions (Chair, Vice Chair, Vice Chair Pro-Tem) be in the events of their vacancy, the position will be replaced by an election of Council. Motion was seconded by Councilwoman Claiborne Linvill and carried (5-1), with Councilman Alex Saitta opposed.
  - The original motion carried (5-1), with Councilman Alex Saitta opposed.

**Council Action on Log No. 215:**

1. Councilwoman Claiborne Linvill made a motion to amend the bylaws to allow alternative attendance. Councilman Henry Wilson seconded the motion. The motion carried (4-2), with Councilman Alex Saitta and Councilman Chris Lollis opposed.

Chairman Bowers stated no second is required as this comes as a recommendation from the Committee. The motion carried (4-2), with Councilman Alex Saitta and Councilman Chris Lollis opposed.

2. Vice Chairman Costner made a motion to remove the following from Rule 2.1, Section D: "*No officer can serve more than two consecutive two-year terms in a particular office.*" Motion was seconded by Councilman Henry Wilson. The motion carried (5-1), with Councilman Alex Saitta opposed.

Chairman Bowers stated no second is required as this comes as a recommendation from the Committee. The motion carried (5-1), with Councilman Alex Saitta.

3. Councilman Henry Wilson made a motion to eliminate Section D in Rule 2.1. Motion was seconded by Vice Chairman Roy Costner. The motion carried (5-1), with Councilman Alex Saitta opposed.
  - a. Chairman Chris Bowers made a motion make language for all three positions (Chair, Vice Chair, Vice Chair Pro-Tem) be in the events of their vacancy, the position will be replaced by an election of Council. Motion was seconded by Councilwoman Claiborne Linvill and carried (5-1), with Councilman Alex Saitta opposed.

Chairman Bowers stated no second is required as this comes as a recommendation from the Committee. Councilman Alex Saitta went into discussion on why he is not voting in favor for this. The motion carried (5-1), with Councilman Alex Saitta.

**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 8:07 p.m.

**COUNCIL CORRESPONDENCE:**

Chairman Chris Bowers announced the following:

- The Committee of the Whole meeting will take place on Monday, August 21, 2023, at 6:00 p.m. in the Main Conference Room of the Administration Building.
- Non-Essential County Offices will be closed on Monday, September 4 for the Labor Day Holiday.
- The next Council meeting will be held on Tuesday, September 5, 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 FIRST READING AND/OR RESOLUTIONS:**

- a) CONSIDERATION OF A RESOLUTION DECLARING AUGUST 23 AS C. DAVID STONE DAY IN PICKENS COUNTY
  - Vice Chairman Roy Costner made a motion to consider this Resolution. Councilman Chris Lollis seconded the motion. The motion carried (6-0).
- b) FIRST READING IN TITLE ONLY OF AN ORDINANCE No. 627 AUTHORIZING AND APPROVING (1) THE DEVELOPMENT OF A JOINT COUNTY INDUSTRIAL AND BUSINESS PARK PURSUANT TO SECTION 4-1-170 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, IN CONJUNCTION WITH OCONEE COUNTY (THE "PARK"), SUCH PARK TO BE GEOGRAPHICALLY LOCATED IN OCONEE COUNTY; (2) THE EXECUTION AND DELIVERY OF A WRITTEN PARK AGREEMENT WITH OCONEE COUNTY AS TO THE REQUIREMENT OF PAYMENTS OF FEE IN LIEU OF AD VALOREM TAXES WITH RESPECT TO PARK PROPERTY AND THE SHARING OF THE REVENUES AND EXPENSES OF THE PARK; (3) THE DISTRIBUTION OF REVENUES FROM THE PARK WITHIN PICKENS COUNTY; AND (4) OTHER MATTERS RELATED THERETO.
  - Vice Chairman Costner made a motion to constitute first reading in title only. Motion was seconded by Councilman Wilson. The motion carried (6-0).

## **ORDINANCES FOR SECOND READING**

None

## **ORDINANCES FOR THIRD READING**

- a) THIRD READING OF AN ORDINANCE No. 625 REGARDING AMENDMENTS TO CHAPTER 6 OF THE PICKENS COUNTY CODE OF ORDINANCES SPECIFIC TO THE OPERATIONS OF THE PICKENS COUNTY AIRPORT AND MATTERS RELATED THERETO.
  - Councilman Alex Saitta made the motion to constitute third reading of this Ordinance. Motion was seconded by Councilman Chris Lollis. The motion carried unanimously (6-0).
- b) PUBLIC HEARING AND THIRD READING OF AN ORDINANCE No. 626 TO PROVIDE FOR THE ISSUANCE AND SALE OF NOT EXCEEDING TWELVE MILLION SEVEN HUNDRED FIFTY THOUSAND DOLLARS (\$12,750,000) AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS OF PICKENS COUNTY, SOUTH CAROLINA, TO PRESCRIBE THE PURPOSES FOR WHICH THE PROCEEDS SHALL BE EXPENDED, TO PROVIDE FOR THE PAYMENT THEREOF, AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.
  - Chairman Bowers gavelled into Public Hearing and asked if there were any speakers. Seeing none, he declared public hearing is now closed.
  - Councilman Henry Wilson made a motion to constitute third reading of this ordinance. Motion was seconded by Councilman Chris Lollis. Discussion included:
    - Councilman Saitta went into discussion on why he will be voting no on this ordinance.
    - Councilman Henry Wilson and Vice Chairman Roy Costner discussed why they are in favor for this Ordinance.
    - State Infrastructure Bank Money being used in Pickens County
  - After much more discussion, the motion carried (5-1), with Councilman Alex Saitta opposed.

## **OTHER REQUEST AGENDA ITEMS:**

- a) PROPOSED UPDATES TO CATEECHEE POINT PARK AND SOURCE OF AVAILABLE FUNDING
  - Mr. Roper went into discussion on proposed improvements for the Cateechee Point Park. He stated the PCB Class Action Funding will be funding \$27,000 that they would like to fund towards Cateechee Point park. He stated \$25,500 will be also be funded from the Local Accommodations Tax. He went into detail on the proposed improvements.
  - After some discussion between Council, Councilwoman Linvill made a motion to approve funding for Cateechee Point Park. Motion was seconded by Councilman Chris Lollis. Motion carried (6-0).

## **CONSENT AGENDA**

- a) Administration Roof Replacement – Committee of the Whole
- b) Emergency Services – Committee of the Whole
- Chairman Chris Bowers asked for a motion to approve the Consent Agenda. Motion was made by Councilman Alex Saitta and seconded by Councilwoman Claiborne Linvill. The motion carried (6-0).

## **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.

Personnel– Section 30-4-70 (a) (5)

- Personnel – County Employee Recognition
- Motion was made by Councilman Henry Wilson, seconded by Councilman Chris Lollis 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:

Personnel– Section 30-4-70 (a) (5)

- Personnel – County Employee Recognition – **No Action Taken**

## **ADJOURN:**

Hearing no further Council business, Councilman Henry Wilson made a motion to adjourn. The motion was seconded by Vice Chairman Roy Costner and carried unanimously (6-0). Pickens County Council stood adjourned at 8:57 p.m.

Respectively Submitted:

Approved:

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Meagan Nations, Clerk to Council

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Chris Bowers, Chairman of County Council

**No. 5:**

**COMMITTEE REPORTS**

**Committee of the Whole**

- **August 21, 2023**
- **August 31, 2023**

## COMMITTEE OF COUNCIL AS A WHOLE REPORT

### **Council Members:**

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

### **Staff in Attendance:**

Ken Roper, County Administrator  
Meagan Nations, Clerk to Council  
Les Hendricks, Attorney

**The Committee of the Whole met in Council Chambers, at the Pickens County Administration Facility, on Monday, August 21, 2023. All members of the committee were in attendance with Chairman Chris Bowers presiding. Vice Chairman Roy Costner led the Invocation and Pledge of Allegiance.**

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

Vice Chairman Roy Costner 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 timeline regarding Council discussion of the UDSO. Council and staff had very detailed discussion that included, but was not limited to:
  - **OVERVIEW**
    - ❖ Online Citizen Input Option on the Pickens County Website
    - ❖ Public Meeting Notices for proposed updates to UDSO
  - **IMPACT**
    - ❖ Pickens County has selected Finance DTA as a partner to undergo the Impact Fee Study
    - ❖ Discussion on cost of Impact Fee Study
  - **INFRASTRUCTURE**
    - ❖ **TRAFFIC**
      - Discussion on perimeters
      - Discussion on purpose and standards applying to County roads only
      - Discussion on Roadway Paving Analysis by the County Engineer
      - Discussion on adding bike lanes to the traffic study
    - ❖ **ROADS**
      - Discussion on proposals for Council to consider, which include updating the existing Road Ordinance (managed by the County Engineer) and remove the road standards from the UDSO, to only reference roads when necessary **OR** update the UDSO to incorporate standards from Roads

## COMMITTEE OF COUNCIL AS A WHOLE REPORT

Ordinance to have all information in one document.

### ❖ **COMMON DRIVE**

- Discussion on proposals for Council to consider, which include remove common drives as a development standard in the UDSO **OR** leave common drives in the UDSO as an option for development.
- Council requested more discussion at a later meeting to discuss the Common Drive in the UDSO.

### ❖ **QUALITY**

- The County has adopted the International Building Code and it is what our staff is applying every day.
- Another consideration is for the County to adopt the International Property Maintenance Code. It establishes minimum requirements for the maintenance of existing buildings through model code regulations that contain clear and specific property maintenance and property improvement provisions.
  - Discussion on International Property Maintenance Code
    - City of Clemson uses the IPMC

### ❖ **WATERWAYS/TREES**

- Discussion on Riparian Buffer Zones
- Discussion on the four amendment options presented by Storm Water Staff
- Councilman Henry Wilson made a motion to hire a study to give technical details for storm water to compliment supplementing the existing team. Motion was seconded by Vice Chairman Roy Costner and carried unanimously (6-0).

### ❖ **DENSITY**

- Discussion on open space subdivisions
- Discussion on conventional subdivisions
- Discussion on the four considerations presented by County Staff
- Discussion on possibility of maximum number of houses in a subdivision

### ❖ **HOUSING**

- Council will be having another Committee of the Whole meeting in the next few weeks to continue discussion on Housing.

- ❖ Councilman Henry Wilson made a motion to hire a study to give technical details for storm water to compliment supplementing the existing team. Motion was seconded by Vice Chairman Roy Costner and carried unanimously (6-0).

COMMITTEE OF COUNCIL AS A WHOLE REPORT

**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 8:07 p.m.

## COMMITTEE OF COUNCIL AS A WHOLE REPORT

### **Council Members:**

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

### **Staff in Attendance:**

Ken Roper, County Administrator  
Meagan Nations, Clerk to Council  
Les Hendricks, Attorney

**The Committee of the Whole met in Council Chambers, at the Pickens County Administration Facility, on Monday, August 31, 2023. All members of the committee were in attendance with Chairman Chris Bowers presiding. Chairman Chris Bowers led the Invocation and Pledge of Allegiance.**

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

Vice Chairman Roy Costner called the Committee of the Whole meeting to order.

### **COMMITTEE OF THE WHOLE:**

#### **UDSO – Log No. 141**

- Council and staff had very detailed discussion that included, but was not limited to:
  - Overview of Council and Staff Discussion on the UDSO from previous Committee Meeting
  - **HOUSING**
    - Discussion on attainable housing program in Pickens County
    - Discussion on policy containing different levels of tax abatement
  - **DENSITY**
    - Discussion of a map provided by Pickens County GIS, providing parcel density excluding municipalities (building square footage per acre)
    - Discussion of a map provided by Pickens County GIS, providing parcel density with municipalities incorporated (building square footage per acre)
    - Discussion of a map provided by Pickens County GIS, providing parcel density (building square footage per acre)
    - Discussion on overlay districts
    - Discussion on matrix
  - Other discussion included:
    - Questions and discussion regarding RVs as a dwelling unit
    - Discussion on Tiny Home Development and Subdivisions
    - Discussion on Open Subdivisions

❖ No Action Taken by the Committee.

COMMITTEE OF COUNCIL AS A WHOLE REPORT

**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 8:45 p.m.

**No. 8:**

**ORDINANCES FOR FIRST READING AND/OR RESOLUTIONS:**

- a) Resolution 2023-25 – Code Enforcement**
- b) Resolution 2023-26 – Suicide Prevention Month**

STATE OF SOUTH CAROLINA

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COUNTY OF PICKENS

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RESOLUTION # \_\_\_\_\_

A RESOLUTION AUTHORIZING THE PICKENS COUNTY ENVIRONMENTAL ENFORCEMENT DEPARTMENT AND THE PICKENS COUNTY E-911 DEPARTMENT TO ACT IN FURTHERANCE OF THEIR EXISTING MANDATE AS COUNTY PUBLIC SAFETY AGENCIES AS WELL AS TO APPLY FOR APPROPRIATE ORIGINATING AGENCY IDENTIFIERS, ALONG WITH MATTERS REALTED THERETO.

WHEREAS Pickens County, South Carolina (the "County") is a political subdivision of the State of South Carolina and is authorized to enact regulations, resolutions, and ordinances, not inconsistent with the Constitution and general law of this State, including the exercise of general powers in relation to safety within the community as it appears to be necessary and proper for the security, general welfare, and convenience of the County and preserving health, peace, order, and good government within the County; and

WHEREAS, pursuant to said above described powers, the duly elected Council of Pickens County has established both an Environmental Enforcement Department and an E911 Dispatch Department ("Departments") by previous legislative and budgetary actions; and

WHEREAS, the International Justice and Public Safety Network ("NLETS") is a not-for-profit computer-based message switching system that links together and supports state, local, and federal law enforcement, justice, and public safety agency for the purposes of sharing and exchanging critical information.

WHEREAS, NLETS assigns public safety agencies such as the Departments with an Originating Agency Identifier ("ORI"), a nine-character code that identifies a particular agency or terminal within the NLETS database, which then serves as an authentication for a public safety agency for electronic communication, and electronic database access (via the National Crime Information Center), as well as specialized public safety training purposes (via the South Carolina Criminal Justice Academy);

WHEREAS, the efficient and effective operation of the above referenced Departments should include participation in the NLETS system, including the issuance of an ORI for each of the Departments;

NOW THEREFORE, the Duly elected County Council of Pickens County does hereby find and resolve as follows:

1. That the Pickens County Environmental Enforcement Department is a duly authorized public safety agency, empowered to enforce County Ordinances and the general laws of the State as they relate to litter, trash, illegal dumping, unsecured loads, county development standards, junkyards, abandoned vehicles, and property maintenance.
2. That the Pickens County E911 Dispatch Department is a duly authorized public safety agency, empowered to utilize the County's electronic communications infrastructure for local emergency services purposes.
3. Both Departments are hereby authorized to apply for an ORI through NLETS, and to utilize said ORI once issued in the furtherance of their respective training, certifications, and/or emergency communications.

Resolved and Approved, this 6th day of September, 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

DRAFT

RESOLUTION #\_\_\_\_\_

WHEREAS, September is nationally recognized as Suicide Prevention Month and is intended to promote awareness and educate the public about the suicide prevention resources available to the community; and

WHEREAS, completed suicide rates increased approximately 36% between 2000–2021, in addition to an estimated 12.3 million adults seriously thought about suicide, 3.5 million made a plan, and 1.7 million attempted suicide; and

WHEREAS, crisis care is a common need in our communities, as evidenced by the more than 38,000 calls from people with South Carolina area codes made to the hotline in the year since the 988 lifeline launched; and

WHEREAS, Pickens County government and partnering organizations and non-profits collaborate on a number of public behavioral and mental health initiatives at the local, regional, state, and national levels throughout the year, including the Pickens County Behavioral Health and Suicide Prevention Crisis Mapping teams through SAMHSA and the SCDHEC Behavioral Health and Injury Workgroup; and

NOW THEREFORE, BE IT RESOLVED that Pickens County Council recognizes September 2023 as National Suicide Prevention Month; and

BE IT FURTHER RESOLVED that Pickens County Council supports the “Every Mind Matters” multi-agency collaboration campaign between Pickens County, SCDMH AOP Mental Health Center, and Behavioral Health Services of Pickens County, whose goal is to help Pickens County citizens talk openly about mental health, recognize signs of mental health challenges, find local resources, and seek support when needed in order to inspire physical and mental wellness, reduce stigma, and prevent suicide in Pickens County.

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

**No. 9:**

**ORDINANCES FOR SECOND READING**

- a) SECOND READING OF AN ORDINANCE No. 627  
AUTHORIZING AND APPROVING (1) THE  
DEVELOPMENT OF A JOINT COUNTY INDUSTRIAL AND  
BUSINESS PARK PURSUANT TO SECTION 4-1-170 OF  
THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS  
AMENDED, IN CONJUNCTION WITH OCONEE COUNTY  
(THE "PARK"), SUCH PARK TO BE GEOGRAPHICALLY  
LOCATED IN OCONEE COUNTY; (2) THE EXECUTION  
AND DELIVERY OF A WRITTEN PARK AGREEMENT  
WITH OCONEE COUNTY AS TO THE REQUIREMENT OF  
PAYMENTS OF FEE IN LIEU OF AD VALOREM TAXES  
WITH RESPECT TO PARK PROPERTY AND THE  
SHARING OF THE REVENUES AND EXPENSES OF THE  
PARK; (3) THE DISTRIBUTION OF REVENUES FROM  
THE PARK WITHIN PICKENS COUNTY; AND (4) OTHER  
MATTERS RELATED THERETO.**

STATE OF SOUTH CAROLINA  
COUNTY OF PICKENS  
ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AUTHORIZING AND APPROVING (1) THE DEVELOPMENT OF A JOINT COUNTY INDUSTRIAL AND BUSINESS PARK PURSUANT TO SECTION 4-1-170 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, IN CONJUNCTION WITH OCONEE COUNTY (THE “PARK”), SUCH PARK TO BE GEOGRAPHICALLY LOCATED IN OCONEE COUNTY; (2) THE EXECUTION AND DELIVERY OF A WRITTEN PARK AGREEMENT WITH OCONEE COUNTY AS TO THE REQUIREMENT OF PAYMENTS OF FEE IN LIEU OF *AD VALOREM* TAXES WITH RESPECT TO PARK PROPERTY AND THE SHARING OF THE REVENUES AND EXPENSES OF THE PARK; (3) THE DISTRIBUTION OF REVENUES FROM THE PARK WITHIN PICKENS COUNTY; AND (4) OTHER MATTERS RELATED THERETO.**

WHEREAS, pursuant to Article VIII, Section 13(D) of the South Carolina Constitution and Section 4-1-170 of the Code of Laws of South Carolina 1976, as amended (the “Act”), Pickens County and Oconee County are authorized to enter into a multi-county industrial or business park to promote economic development and encourage investment and employment opportunities in and around Pickens County and Oconee County; and

WHEREAS, in order to continue to promote economic development and encourage investment and employment opportunities in and around Pickens County and Oconee County, as authorized by Article VIII, Section 13(D) of the South Carolina Constitution and the Act, Oconee County has requested that Pickens County develop, together with Oconee County, a joint county industrial and business park (the “Park”); and

WHEREAS, Pickens County and Oconee County have agreed to the specific terms and conditions of the Park arrangement as set forth in that certain Agreement for Development of a Joint County Industrial and Business Park proposed to be entered into by and between Pickens County and Oconee County effective as of May 16, 2023 (the “Park Agreement”); and

WHEREAS, it is the expressed intent of Pickens County by the establishment of the Park and the Agreement, that the properties totaling approximately 32.6 acres appearing in Exhibit A to the Park Agreement shall be located within a Multi County Industrial or Business Park; and

WHEREAS, it appears that the Park Agreement now before this meeting is in appropriate form and is an appropriate instrument to be executed and delivered by Pickens County for the purposes intended.

NOW, THEREFORE, BE IT ORDAINED BY PICKENS COUNTY COUNCIL:

**Section 1. Approval of the Park Agreement.** The form, provisions, terms and conditions of the Park Agreement now before this meeting and filed with the Clerk to Pickens County Council be and they are hereby approved and all of the provisions, terms and conditions thereof are hereby incorporated herein by reference as if the Park Agreement were set out in this Ordinance in its entirety. The Chairman of the Pickens County Council and the County Administrator of Pickens County are hereby authorized and empowered to execute the Park Agreement in the name and on behalf of Pickens County; the Clerk to the Pickens County Council is hereby authorized and empowered to attest the same; and the Chairman of the Pickens County Council and the County Administrator of Pickens County are further authorized and empowered to deliver the Park Agreement to Oconee County.

The Park Agreement is to be in substantially the form now before this meeting and hereby approved, or with such changes therein as shall not materially adversely affect the rights of Pickens County thereunder and as shall be approved by the officials of Pickens County executing the same, their execution thereof to constitute conclusive evidence of their approval of any and all changes or revisions therein from the form of the Park Agreement now before this meeting.

The Chairman of Pickens County Council and the County Administrator of Pickens County, for and on behalf of Pickens County, are hereby each authorized and empowered to do any and all things necessary or proper to effect the development of the Park and the performance of all obligations of Pickens County under and pursuant to the Park Agreement and to carry out the transactions contemplated thereby and by this Ordinance.

**Section 2. Payment of Fee in Lieu of Tax.** The businesses and industries located in the Park must pay a fee in lieu of *ad valorem* taxes as provided for in the Park Agreement. With respect to properties located in the Oconee County portion of the Park, the fee paid in lieu of *ad valorem* taxes shall be paid to the Treasurer of Oconee County. That portion of such fee allocated pursuant to the Park Agreement to Pickens County shall be thereafter paid by the Treasurer of Oconee County to the Treasurer of Pickens County within ten (10) business days following the end of the calendar quarter of receipt, for distribution in accordance with the Park Agreement. The provisions of Section 12-2-90 of the Code of Laws of South Carolina 1976, as amended, or any successor statutes or provisions, apply to the collection and enforcement of the fee in lieu of *ad valorem* taxes.

**Section 3. Distribution of Revenues within Pickens County.** The provisions of Ordinance No. 452 regarding the allocation of fee-in-lieu of *ad valorem* taxes to the Pickens County Taxing Entities shall be applicable to the fee-in-lieu of *ad valorem* taxes received or retained by Pickens County pursuant to the Park Agreement. The Pickens County Treasurer shall distribute all fee-in-lieu of *ad valorem* taxes received by Pickens County for premises located within Oconee County, or retained by Pickens County for premises located within Pickens County, in accordance with Ordinance No. 452.

**Section 4. Applicable Ordinances and Regulations.** Any applicable ordinances and regulations of Pickens County including those concerning zoning, health and safety, and building code requirements shall apply to the Park properties unless the

properties are within the boundaries of a municipality in which case, the municipality's applicable ordinances and regulations shall apply.

**Section 5. Law Enforcement Jurisdiction.** Jurisdiction to make arrests and exercise all authority and power within the boundaries of the Park in Oconee County is vested with the Sheriff's Department of Oconee County. If any of the Park properties are within the boundaries of a municipality, then jurisdiction to make arrests and exercise law enforcement jurisdiction is vested with the law enforcement officials of the municipality.

**Section 6. Conflicting Provisions.** To the extent this ordinance contains provisions that conflict with provisions contained elsewhere in the Pickens County Code or other Pickens County ordinances, the provisions contained in this ordinance supersede all other provisions and this ordinance is controlling.

**Section 7. Severability.** If any section of this ordinance is, for any reason, determined to be void or invalid by a court of competent jurisdiction, it shall not affect the validity of any other section of this ordinance which is not itself void or invalid.

**Section 8. Effectiveness.** This Ordinance shall be effective upon third and final reading.

[End of Ordinance - Signature page to follow]

Enacted and approved, in meeting duly assembled, this \_\_\_\_\_ day of \_\_\_\_\_,  
2023.

PICKENS COUNTY, SOUTH CAROLINA

\_\_\_\_\_  
Chris Bowers, Chairman  
Pickens County Council

\_\_\_\_\_  
Ken Roper  
County Administrator

ATTEST:

\_\_\_\_\_  
Meagan Nations, Clerk to Council  
Pickens County Council

READINGS:

First Reading: August 7, 2023  
Second Reading: September 5, 2023 (tentative)  
Third Reading:  
Public Hearing:



inclusion is proposed, within the boundaries of a municipality, then the municipality must give its consent prior to the inclusion of the property in the Park.

(B) In the event of any enlargement or diminution of the boundaries of the Park, this Agreement shall be deemed amended and there shall be attached a revised Exhibit A related to property located in Oconee County, or a revised Exhibit B related to property located in Pickens County, which shall contain a legal or other description of the parcel(s) to be included within the Park within Oconee County or Pickens County, as the case may be, as enlarged or diminished, together with a copy of the ordinances of Oconee County Council and Pickens County Council pursuant to which such enlargement or diminution was authorized.

(C) Prior to the adoption by Oconee County Council and by Pickens County Council of ordinances authorizing the diminution of the boundaries of the Park, separate public hearings shall first be held by Oconee County Council and Pickens County Council. Notice of such public hearings shall be published in newspapers of general circulation in Oconee County and Pickens County, respectively, at least once and not less than 15 days prior to such hearing. Notice of such public hearings shall also be served in the manner of service of process at least 15 days prior to such public hearing upon the owner and, if applicable, the lessee of any property which would be excluded from the Park by virtue of the diminution.

(D) Notwithstanding anything in this paragraph 3 to the contrary, in the event that a tract or site of land located in the Park is purchased and developed by a person or business enterprise whose employees, because of the nature of their employment, do not qualify for the corporate income tax credit provided in Section 12-6-3360 of the Code ("Non-Qualifying Site"), the Host County (defined below) may unilaterally remove by ordinance, the Non-Qualifying Site from the Park, so long as, and to the extent that such removal does not adversely impact any financing or other incentive then in effect.

**4. Fee in Lieu of Taxes.** To the extent provided in Article VIII, Section 13(D) of the South Carolina Constitution, all property located in the Park is exempt from all ad valorem taxation. The owners or lessees of any property situated in the Park shall pay in accordance with this Agreement an amount (referred to as fees in lieu of ad valorem taxes) equivalent to the ad valorem taxes or other in-lieu-of payments that would have been due and payable but for the location of such property within the Park.

**5. Allocation of Expenses.** Oconee County and Pickens County shall each be responsible for and bear expenses incurred in connection with the property located in that county's portion of the Park, including, but not limited to, those incurred in the administration, development, operation, maintenance, and promotion of the Park, in the following proportions:

If the property is located in the Oconee County portion of the Park:

A.	Oconee County	100%
B.	Pickens County	0%

If the property is located in the Pickens County portion of the Park:

A.	Oconee County	0%
B.	Pickens County	100%

Notwithstanding anything herein to the contrary, to the extent that privately owned property is located in the Park, the owner of such property shall bear, exclusively, any expense associated with such property.

**6. Allocation of Revenues.** Oconee County and Pickens County shall receive an allocation of all net revenues (after payment of all Park expenses and other deductions from Park revenue necessitated by each agreement between the Host County and a project related to the project located in the Park) generated by the Park through payment of fees in lieu of *ad valorem* taxes in the following proportions:

If the property is located in the Oconee County portion of the Park:

A.	Oconee County	99%
B.	Pickens County	1%

If the property is located in the Pickens County portion of the Park:

A.	Oconee County	1%
B.	Pickens County	99%

With respect to such fees generated from properties located in the Oconee County portion of the Park, that portion of such fees allocated to Pickens County shall thereafter be paid by the Treasurer of Oconee County to the Treasurer of Pickens County within 15 business days following the end of the calendar quarter of receipt for distribution, and such distribution shall be made in accordance with this Agreement. With respect to such fees generated from properties located in the Pickens County portion of the Park, that portion of such fees allocated to Oconee County shall thereafter be paid by the Treasurer of Pickens County to the Treasurer of Oconee County within 15 business days following the end of the calendar quarter of receipt for distribution, and such distribution shall be made in accordance with this Agreement.

**7. Revenue Allocation within Each County.**

(A) Revenues generated by the Park through the payment of fees in lieu of ad valorem taxes shall be distributed to Oconee County and to Pickens County, according to the proportions established by Section 6 of this Agreement. Revenues allocable to Oconee County by way of fees in lieu of ad valorem taxes generated from properties located in Oconee County shall be distributed within Oconee County in accordance with the applicable governing ordinance of Oconee County in effect from time to time. Revenues received by Pickens County by way of fees in lieu of taxes from property in Oconee County in the Park shall be retained by Pickens County.

(B) Revenues allocable to Oconee County by way of fees in lieu of ad valorem taxes generated from properties located in the Pickens County portion of the Park shall be distributed solely to Oconee County. Revenues allocable to Pickens County by way of fees in lieu of ad valorem taxes generated from properties located in the Pickens County portion of the Park shall be distributed within Pickens County in accordance with the applicable governing ordinance of Pickens County in effect from time to time.

**8. Fees in Lieu of Ad Valorem Taxes Pursuant to Title 4 or Title 12 of the Code.** It is hereby agreed that the entry by Oconee County into any one or more fee in lieu of ad valorem tax agreements pursuant to Title 4 or Title 12 of the Code or any successor or comparable statutes ("Negotiated Fee in Lieu of Tax Agreements"), with respect to property located within the Oconee County portion of the Park and the terms of such agreements shall be at the sole discretion of Oconee County. It is further agreed that entry by Pickens County into any one or more Negotiated Fee in Lieu of Tax Agreements with respect to property located within the Pickens County portion of the Park and the terms of such agreements shall be at the sole discretion of Pickens County.

**9. Assessed Valuation.** For the purpose of calculating the bonded indebtedness limitation and for the purpose of computing the index of taxpaying ability pursuant to Section 59- 20-20(3) of the Code, allocation of the assessed value of property within the Park to Oconee County and Pickens County and to each of the taxing entities within the participating counties shall be in accordance with the allocation of revenue received and retained by each of the counties and by each of the taxing entities within the participating counties, pursuant to Section 6 and Section 7 of this Agreement.

**10. Applicable Ordinances and Regulations.** Any applicable ordinances and regulations of Oconee County including those concerning zoning, health, and safety, and building code requirements shall apply to the Park properties located in the Oconee County portion of the Park unless any such property is within

the boundaries of a municipality in which case, the municipality's applicable ordinances and regulations shall apply. Any applicable ordinances and regulations of Pickens County including those concerning zoning, health, and safety, and building code requirements shall apply to the Park properties located in the Pickens County portion of the Park unless any such property is within the boundaries of a municipality in which case, the municipality's applicable ordinances and regulations shall apply.

**11. Law Enforcement Jurisdiction.** Jurisdiction to make arrests and exercise all authority and power within the boundaries of the Park properties located in Oconee County is vested with the Sheriff's Office of Oconee County, for matters within the Sheriff's Office's jurisdiction. Jurisdiction to make arrests and exercise all authority and power within the boundaries of the Park properties located in Pickens County is vested with the Sheriff's Office of Pickens County, for matters within the Sheriff's Office's jurisdiction. If any of the Park properties located in either Oconee County or Pickens County are within the boundaries of a municipality, then jurisdiction to make arrests and exercise law enforcement jurisdiction is also vested with the law enforcement officials of the municipality for matters within their jurisdiction. Fire, sewer, water, and emergency medical and other similar services will be provided by the service district or other political unit within whose jurisdiction the Park premises are located.

**12. Emergency Services.** All emergency services in the Park shall be provided by those emergency service providers who provide the respective emergency services in that portion of the Host County.

**13. South Carolina Law Controlling.** This Agreement has been entered into in the State of South Carolina and shall be governed by and construed in accordance with South Carolina law, including for example, the availability and application of credits as permitted by Section 12-6-3360 of the Code.

**14. Severability.** In the event and to the extent (and only to the extent) that any provision or any part of a provision of this Agreement shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable the remainder of that provision or any other provision or part of a provision of this Agreement.

**15. Counterpart Execution.** This Agreement may be executed in multiple counterparts, each of which shall be considered an original, and all of which, taken together, shall constitute but one and the same document.

**16. Term; Termination.** This Agreement shall extend for a term of 10 years from the effective date of this Agreement, or such later date as shall be specified in any amendment. Notwithstanding the foregoing provisions of this Agreement or any other provision in this Agreement to the contrary, this Agreement shall not expire and may not be terminated to the extent that Oconee County or Pickens County has outstanding contractual covenants, commitments, or agreements to any owner or lessee of Park property, including, but not limited to, Meyn America, LLC, a Georgia limited liability company, to provide, or to facilitate the provision of, special source revenue credits, including, but not limited to, those set forth in that certain Fee in Lieu of Tax and Special Source Credit Agreement, by and between Oconee County, South Carolina and Meyn America, LLC, a Georgia limited liability company, dated as of [●], as may be amended, modified, or supplemented from time to time, or other incentives requiring inclusion of property of such owner or lessee within the boundaries of a joint county industrial or business park created pursuant to Article VIII, Section 13(D) of the South Carolina Constitution and Title 4, Chapter 1 of the Code, unless the Host County shall first (i) obtain the written consent of such owner or lessee and, to the extent required (ii) include the property of such owner or lessee as part of another joint county industrial or business park created pursuant to Article III, Section 13(D) of the South Carolina Constitution and Title 4, Chapter 1 of the Code, which inclusion is effective immediately upon termination of this Agreement.

[ONE SIGNATURE PAGE AND TWO EXHIBITS FOLLOW]  
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**IN WITNESS WHEREOF**, the parties hereto have executed this Agreement to be effective as of the day and the year first above written.

**OCONEE COUNTY, SOUTH CAROLINA**

By: \_\_\_\_\_  
Chair of County Council  
Oconee County, South Carolina

[SEAL]

Attest:

By: \_\_\_\_\_  
Clerk to County Council  
Oconee County, South Carolina

**PICKENS COUNTY, SOUTH CAROLINA**

By: \_\_\_\_\_  
Chair of County Council  
Pickens County, South Carolina

[SEAL]

Attest:

By: \_\_\_\_\_  
Clerk to County Council  
Pickens County, South Carolina

**EXHIBIT A**  
**OCONEE COUNTY PROPERTY**

[DESCRIPTION TO BE INSERTED PRIOR TO ADOPTION]

[REMAINDER OF PAGE INTENTIONALLY BLANK]

**EXHIBIT B**  
**PICKENS COUNTY PROPERTY**

NONE

[REMAINDER OF PAGE INTENTIONALLY BLANK]

**No. 11:**

**OTHER REQUEST AGENDA ITEMS**

- a) PUBLIC HEARING TO ESTABLISH THE ANNUAL  
MILLAGE RATE TO MEET THE BUDGETARY  
REQUIREMENTS FOR THE COUNTY FOR THE FISCAL  
YEAR BEGINNING JULY 1, 2023 AND ENDING JUNE 30,  
2024.**
- b) CATEECHEE POINT PROJECT COMPLETE PROPOSAL  
AND SOURCE OF FUNDS**

**Public Hearing Notice:**

**NOTICE OF PUBLIC HEARING  
STATE OF SOUTH CAROLINA  
COUNTY OF PICKENS  
BEFORE THE PICKENS COUNTY COUNCIL**

Notice is hereby given that, pursuant to law, the following Public Hearings will be held in the Auditorium, Pickens County Administration Facility, 222 McDaniel Avenue, Pickens, South Carolina, commencing at 6:30 p.m. on **Tuesday, September 5, 2023** on the following matters:

- TO ESTABLISH THE ANNUAL MILLAGE RATE TO MEET THE BUDGETARY REQUIREMENTS FOR THE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2023 AND ENDING JUNE 30, 2024.

Below is a chart representing the actual millage rates for FY 2023 and the recommended millage rates for FY 2024 based on the approved budget of Council.

COUNTY MILLAGE				
	Value of a Mill	Recommend 2023/2024	Actual 2022/2023	Difference
County Operation	\$668,178	63.7	63.7	0.0
Bonded Indebtedness	\$668,178	2.8	2.8	0.0
Library	\$686,263	5.1	5.1	0.0
Tri-County Tech	\$686,263	2.4	2.4	0.0
Total		74.0	74.0	0.0
Special Tax District for Sewer (Unincorporated)	\$394,345	1.4	1.1	0.0
Pickens Fire District	\$409,642	23.0	23.0	0.0

\*Fire Millage replacing all Residential and Commercial Fire Fees which were repealed by County Council\*

Members of the general public are invited to attend the public hearing. It is requested that those desiring to be heard concerning these matters advise the Clerk to Council in writing at 222 McDaniel Ave., B-1, Pickens, SC 29671. Such requests should be received by the Clerk to Council on or before September 1<sup>st</sup>, 2023.

Chris Bowers, Chairman

## LOCAL ATAX PROJECT PROPOSALS

for funding consideration

Location	Project	Anticipated Cost	Additional Phases	Estimated Completion
CATEECHEE POINT	Additional Landscaping	\$2,000	N/A	Nov-23
	Upgrade to Playground Equipment	\$30,000	N/A	Nov-23
	Improved River Access	\$20,000	N/A	Feb-23
	Access Gate	\$3,000	N/A	Nov-23
	Restroom Facilities with Screening	\$5,000	Mural on Screening	Nov-23
*Cateechee Point Total Request:		\$60,000	*does not include already approved improvements	
MILE CREEK PARK	TRACK Trail Signage	\$6,500	N/A	Mar-24
	Completion of hiking trail with UGATA	\$13,000	N/A	Apr-24
	Tree Study	\$20,000	remove dead and/or diseased trees in interior of park	Mar-24
	Engineering for campground electric	\$30,000	Installation of Upgraded Electric in Campground	Mar-24
	Engineering for day use expansion	\$30,000	Day Use Parking Expansion	Mar-24
	Grills at cabins	\$11,000	N/A	Dec-23
	Mattresses for cabins	\$27,500	N/A	Dec-23
	RFP for Master Plan	unknown	solicit proposals for master plan completion & then request funding	Mar-25
Mile Creek Park Total Request:		\$138,000		
EQUONI POINT	Engineering for repairs to kayak launch	\$21,000	Repairs to kayak launch	
	Access Gate	\$3,000	N/A	Nov-23
Equoni Point Total:		\$24,000		
AIRPORT PLAYGROUND	Handicap Accessible Swingset	\$52,000	N/A	Dec-23
	Additional Signage	\$5,000	N/A	Oct-23
	Landscaping	\$2,000	N/A	Oct-23
Airport Playground Total:		\$59,000		
MUSEUM	Exterior Mural	\$3,000	N/A	Dec-23
Total Museum:		\$3,000	*if Elevate Upstate Grant funding not awarded	
Total amount requested:		\$284,000		
Total amount available in Local ATAX Fund:		\$925,000		
Amount remaining after Proposals:		\$641,000		

**No. 13:**

**EXECUTIVE SESSION**

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

- **Nomination for Initial Appointment to First Steps Board**

