



MINUTES

OCONEE COUNTY COUNCIL

Regular Meeting

December 1, 2020

MEMBERS, OCONEE COUNTY COUNCIL

Mr. John Elliott, Chair Pro Tem, District I

Mr. Paul Cain, Vice Chair, District III

Mr. Julian Davis III, Chairman, District IV

Mr. Glenn Hart, District V

Mr. Wayne McCall, District II

Oconee County Council met at 6:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members, County Administrator Amanda F. Brock, County Attorney David Root, & Katie D. Smith, Clerk to Council present.

Press: Pursuant to the Freedom of Information Act, notice of the meeting, date, time, place of meeting and agenda were posted on the bulletin board at the County Administrative Offices, 415 South Pine Street, Walhalla, SC, and the County Council website [www.oconeesc.com/council]. In addition, it was made available [*upon request*] to the newspapers, radio stations, television stations and concerned citizens.

Members of the press present: Riley Morningstar / The Journal

Call to Order

Mr. Davis called the meeting to order at 6:00 p.m.

Public Comment Session

If you are not able to attend in person and you have a comment, you may submit it by contacting our Clerk to Council, Katie Smith at ksmith@oconeesc.com or 864-718-1023, so that she may receive your comment and read it into the record.

None at this meeting.

County Council Response to Public Comment

Mr. McCall addressed the Tri-County Operations including millage rates, meeting the needs of industry, and machine tool courses.

Moment of Silence

Mr. Davis asked for a moment of silence prior to the Invocation by County Council Chaplain.

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Invocation by County Council Chaplain

Mr. Root, County Council Chaplain, gave the invocation.

Pledge of Allegiance

Mr. Cain led the Pledge of Allegiance to the Flag of the United States of America.

Approval of Minutes

Mr. Davis noted there was a scrivener's error on the agenda, which was corrected before the meeting. The corrected date for approval of minutes is November 17, 2020.

Mr. Cain made a motion, seconded by Mr. Elliott, approved 5 – 0, to approve the November 17, 2020 Regular Minutes as presented.

Administrator's Comments

None at this meeting.

Attorney's Comments

Mr. Root noted the Executive Session items were not needed and asked for a motion to amend the agenda to remove these items.

Mr. Hart made a motion, seconded by Mr. McCall, approved 5 – 0, to amend the agenda to remove the Executive Session items.

Mr. Root noted there were an addition to the Amended and Restated Fee Agreement regarding Ordinance 2020-20 and would be discussed later in the meeting.

Proclamation 2020-11

Proclamation 2020-11 Honoring the Seneca High School Girls' Cross-Country Team as State Champions

Mr. Cain read **Proclamation 2020-11** into the record.

Mr. Cain made a motion, seconded by Mr. Elliott, approved 5 – 0, to approve **Proclamation 2020-11** on first & final reading.

The coaches and athletes that were present came forward to accept **Proclamation 2020-11**.

Public Hearings for the Following Ordinances

If you are not able to attend in person and you would like to be heard during the public hearing, please contact Katie Smith at ksmith@oconeesc.com or 864-718-1023 so that she may coordinate your participation by telephone.

Ordinance 2020-20 “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF

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AN AMENDED AND RESTATED FEE IN LIEU OF TAX AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND BASF CORPORATION; THE GRANTING OF A SPECIAL SOURCE CREDIT; AND OTHER MATTERS RELATING THERETO INCLUDING, WITHOUT LIMITATION, PAYMENT OF A FEE IN LIEU OF TAXES.”

Mr. Davis opened the floor for Public Comment.

Noting that no citizens signed up to address Council, Mr. Davis opened the floor for any citizen wishing to address Council regarding this ordinance. No citizen addressed Council.

Mr. Davis asked if any citizens wished to submit written comments regarding this ordinance; no citizen presented any written comments for the record.

Mr. Davis closed the Public Hearing regarding **Ordinance 2020-20**.

Third Reading of the Following Ordinances

Ordinance 2020-20 *[see caption above]*

Mr. Davis made a motion, seconded by Mr. Cain, to approve **Ordinance 2020-20** on 3rd & final reading.

Mr. Root asked for a motion to amend Ordinance 2020-20 to add “The taxable investment requirements for the Special Source Revenue Credit pursuant to the Fee Agreement shall also be determined without regard to depreciation” under section 4.18 of the Amended and Restated Fee Agreement.

Mr. Davis made a motion, seconded by Mr. Cain, approved 5 – 0, to amend Ordinance 2020-20 to add “The taxable investment requirements for the Special Source Revenue Credit pursuant to the Fee Agreement shall also be determined without regard to depreciation” under section 4.18 of the Amended and Restated Fee Agreement.

Mr. Davis asked for a vote on **Ordinance 2020-20** on 3rd & final reading as amended. The motion passed 5 – 0.

Second Reading of the Following Ordinances

Ordinance 2020-21 “AN ORDINANCE AUTHORIZING AND APPROVING (1) THE DEVELOPMENT OF A NEW JOINT COUNTY INDUSTRIAL AND BUSINESS PARK (FRIENDSHIP COURT PROPERTY) PURSUANT TO SECTION 4-1-170 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, IN CONJUNCTION WITH ANDERSON COUNTY (THE "PARK") SUCH PARK TO BE GEOGRAPHICALLY LOCATED IN ANDERSON COUNTY AND TO INCLUDE THE AFOREMENTIONED PROJECT; (2) THE EXECUTION AND DELIVERY OF A WRITTEN PARK AGREEMENT WITH ANDERSON 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 TO THE

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COUNTIES AND RELEVANT TAXING ENTITIES; AND (4) OTHER MATTERS RELATED THERETO.”

Mr. Hart made a motion, seconded by Mr. Cain, to approve **Ordinance 2020-21** on second reading.

Mr. Davis noted this is the 1% requirement from an investment from a surrounding county.

Regarding the previous motion made by Mr. Hart, seconded by Mr. Cain, it was approved 5 – 0, to approve **Ordinance 2020-21** on second reading.

First Reading for the Following Ordinances

Ordinance 2020-23 “AN ORDINANCE GRANTING CERTAIN EASEMENT RIGHTS TO THE CITY OF SENECA AT THE SENECA RAIL PARK FOR THE PURPOSE OF CONSTRUCTING, MAINTAINING, AND OPERATING PIPELINES, MANHOLES, AND RELATED ITEMS FOR THE PURPOSE OF CONVEYING POTABLE WATER, OR SANITARY SEWAGE / INDUSTRIAL WASTE; AND OTHER MATTERS RELATED THERETO.”

Mr. Cain made a motion, seconded by Mr. Elliott, to approve **Ordinance 2020-23** on first reading.

Discussion continued to include concerns regarding flow and the City of Seneca in the future and the easement agreement.

Regarding the previous motion made by Mr. Cain, seconded by Mr. Elliott, it was approved 4 – 1 [Mr. McCall opposed] to approve **Ordinance 2020-23** on first reading.

First & Only Reading of the Following Ordinance

Ordinance 2020-22 (E) “AN EMERGENCY ORDINANCE REQUIRING INDIVIDUALS TO WEAR FACE COVERINGS IN CERTAIN FACILITIES OWNED OR OPERATED BY OCONEE COUNTY; AND OTHER MATTERS RELATED THERETO.”

Mr. Cain made a motion, seconded by Mr. Elliott, to approve **Ordinance 2020-22(E)** on first & only reading.

Discussion continued to include giving proper instruction on how to wear masks properly.

Regarding the previous motion made by Mr. Cain, seconded by Mr. Elliott, it was approved 5 – 0, to approve **Ordinance 2020-22(E)** on first & only reading.

First & Final Reading of the Following Resolutions

None at this meeting.

Discussion Regarding Action Items

None at this meeting.

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County Committee Reports

Mr. McCall read from a prepared statement [copy filed with these minutes] outlining the discussions held at the November 17, 2020 Law Enforcement, Public Safety, Health & Welfare Committee.

Mr. Cain read from a prepared statement [copy filed with these minutes] outlining the discussions held at the November 17, 2020 Planning & Economic Development Committee.

Board & Commission Appointments

Building Codes Appeal Board

No questionnaires were submitted for the 1 At Large seat.

Board of Zoning Appeals

No questionnaires were submitted for the District 5 seat.

Conservation Bank Board

No questionnaires were submitted for the District 5 or 1 At Large seat.

Arts & Historical Commission

No questionnaires were submitted for the District 4 seat.

Agricultural Advisory Board

No questionnaires were submitted for the District 4 seat.

Library Board

No questionnaires were submitted for the 1 At Large seat.

Executive Session:

~~{1} Discussion regarding an Economic Development matter, Project Rise.~~

~~{2} Discussion regarding an Economic Development matter, Project Rosin.~~

Executive Session items were removed from the agenda – see Attorney's comments

Adjourn:

Mr. Hart made a motion, approved unanimously, to adjourn at 6:25 p.m.

Respectfully Submitted:

Katie D. Smith
Clerk to Council

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