



MINUTES

OCONEE COUNTY COUNCIL

Regular Meeting

March 21, 2023

MEMBERS, OCONEE COUNTY COUNCIL

Mr. John Elliott, Chairman, District I
Mr. Julian Davis III, Chairman Pro Tem, District IV
Mr. Don Mize, District III
Mr. Glenn Hart, District V
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, & Jennifer C. Adams, 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, Dick Mangrum / 101.7 WGOG

Call to Order

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

Mr. Elliott opened the meeting reminding the public they have two opportunities to speak during Council meetings, which is during the public comment session and also during the public hearing session, if scheduled. Other than those two instances, the public should remain silent during the Council meeting. Anyone making a disturbance during the meeting will be asked to leave Council Chambers for the remainder of the meeting.

Moment of Silence

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

Invocation by County Council Chaplain

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

Pledge of Allegiance

Ms. Brock led the Pledge of Allegiance to the Flag of the United States of America.

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Approval of Minutes

Mr. Davis made a motion, seconded by Mr. Hart, approved 4 - 0, to approve the March 3, 2023 Special Meeting minutes as presented.

Mr. Davis made a motion, seconded by Mr. Hart, approved 4 - 0, to approve the March 7, 2023 regular meeting minutes as presented.

Attorney's Comments

Mr. Root addressed Council with a request to amend the agenda to remove Board and Commission Appointments and Executive Session items number four and six.

Mr. Davis made a motion, seconded by Mr. Hart, approved 4 – 0, to amend the agenda to remove Board and Commission Appointments and Executive Session items number four and six.

Administrator's Comments

Ms. Brock offered a reminder of the Budget Workshop, scheduled for this Friday, March 24, 2023 at 9 a.m. in Council Chambers.

Presentation to Council

Ms. Brock introduced Ms. Lisa Jones, providing details on her experience in agricultural preservation, noting Ms. Jones was hired as a consultant for the Oconee County Taskforce on Agriculture.

Ms. Jones presented the “Oconee County Taskforce on Agriculture Final Report” [copy filed in backup] to Council and gave a brief overview of the taskforce’s findings and recommendations.

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, Jennifer C. Adams at jennifercadams@oconeesc.com or 864-718-1023, so that she may receive your comment and read it into the record.

1. Mr. Charles Lutz addressed Council in relation to the Compassionate Care Act and urged Council to resolve against this legislation.
2. Ms. Michelle Balon addressed Council with her concerns about litter in Oconee County.
3. Ms. Candy Bianco addressed Council asking for more transparency on Sewer South, Resolutions 2023-05 and 2023-06, and the topic of additional student housing.

Council Members Comments

Mr. Elliott addressed Mr. Lutz’s concern and made a motion to direct County Administrator and Council Clerk to draft a letter from County Council to County Delegation, with a copy to Governor McMaster, opposing the Compassionate Care Act.

Mr. Davis noted that he would need more information before supporting this motion.

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Mr. Elliott requested this topic to be included on the next meeting agenda to allow time for Mr. Davis to review more information.

Mr. Davis addressed Ms. Michelle Balon's concerns related to litter within the County and Ms. Candy Bianco's request concerning transparency.

Ms. Brock offered information in regard to Ms. Bianco's request for transparency related to Resolution's 2023-05 and 2023-06, clarifying that Economic Development matters are typically held exempt from the Freedom of Information Act until certain announcements from the company are released.

Mr. Root added that the resolutions on the agenda for tonight are Inducement Resolutions and are not final, just preliminary for the companies to move forward, noting that ordinances would follow these preliminary resolutions with three readings.

Mr. Elliott offered comments related to the litter problem in Oconee County.

Ms. Balon was invited back to the podium by Mr. Elliott where she urged Council to consider an advisory committee to address litter issues within the County.

Third Reading of the Following Ordinances

None at this meeting.

Second Reading of the Following Ordinances

ORDINANCE 2023-06 AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY OWNED BY OCONEE COUNTY, CONSISTING OF APPROXIMATELY .15 ACRES AND BEING A PORTION OF TAX MAP # 520-36-10-017 ("PARCEL 1"), AND AUTHORIZING THE RECEIPT OF CERTAIN REAL PROPERTY OWNED BY PINE RIDGE MHC SC, LLC, CONSISTING OF APPROXIMATELY .25 ACRES AND BEING A PORTION OF TAX MAP # 240-00-04-023 ("PARCEL 2") IN EXCHANGE FOR THE CONVEYANCE OF PARCEL 1; AND OTHER MATTERS RELATED THERETO.

Mr. Davis made a motion, seconded by Mr. Hart, approved 4 - 0, to approve **Ordinance 2023-06** on second reading.

First Reading of the Following Ordinances

None at this meeting.

First and Final Reading for the Following Resolutions

RESOLUTION 2023-04 A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A MEMORANDUM OF UNDERSTANDING BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND THE CORINTH-SHILOH VOLUNTEER FIRE DEPARTMENT REGARDING THE PROVISION OF COUNTY EMPLOYEES AND EQUIPMENT TO ASSIST THE CORINTH-SHILOH VOLUNTEER FIRE DEPARTMENT WITH INCREASED EMERGENCY RESPONSE DEMANDS.

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Mr. Davis made a motion, seconded by Mr. Hart, approved 4 - 0, to approve **Resolution 2023-04** on first and final reading.

RESOLUTION 2023-05 PROVIDING PRELIMINARY APPROVAL PURSUANT TO TITLE 12, CHAPTER 44 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, FOR THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF TAX AGREEMENT BY AND AMONG OCONEE COUNTY, SOUTH CAROLINA, A COMPANY IDENTIFIED FOR THE TIME BEING AS “PROJECT EVPACK,” ACTING FOR ITSELF, ONE OR MORE CURRENT OR FUTURE AFFILIATES OF “PROJECT EVPACK,” INCLUDING “EVPACK AFFILIATE,” AND ANY OTHER PROJECT COMPANIES (PROJECT EVPACK, EVPACK AFFILIATE, AND ANY OTHER PROJECT COMPANIES APPROVED BY THE COUNTY, COLLECTIVELY, “COMPANY”); PROVIDING FOR A FEE-IN-LIEU OF AD VALOREM TAXES INCENTIVE; PROVIDING FOR SPECIAL SOURCE REVENUE CREDITS; MODIFYING A JOINT COUNTY INDUSTRIAL AND BUSINESS PARK AGREEMENT BETWEEN OCONEE COUNTY AND PICKENS COUNTY SO AS TO ENLARGE THE PARK; AND OTHER RELATED MATTERS.

Mr. Davis made a motion, seconded by Mr. Hart, to approve **Resolution 2023-05** on first and final reading.

Mr. Davis offered background information related to Fee-In-Lieu of Tax agreements.

Motion approved 4 – 0.

RESOLUTION 2023-06 PROVIDING PRELIMINARY APPROVAL PURSUANT TO TITLE 12, CHAPTER 44 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, FOR THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF AD VALOREM TAXES AND SPECIAL SOURCE REVENUE CREDIT AGREEMENT BY AND BETWEEN OCONEE COUNTY, SOUTH CAROLINA, AND A COMPANY IDENTIFIED FOR THE TIME BEING AS PROJECT MADE, ACTING FOR ITSELF, ONE OR MORE CURRENT OR FUTURE AFFILIATES, AND OTHER PROJECT COMPANIES (COLLECTIVELY, “COMPANY”); PROVIDING FOR A FEE-IN-LIEU OF AD VALOREM TAXES INCENTIVE; PROVIDING FOR A SPECIAL SOURCE REVENUE CREDIT; CREATING A JOINT COUNTY INDUSTRIAL AND BUSINESS PARK BETWEEN OCONEE COUNTY AND PICKENS COUNTY SO AS TO INLCUDE PROJECT PROPERTY IN THE PARK; AUTHORIZING THE EXECUTION AND DELIVERY OF ONE MORE GRANT AGREEMENTS; AND OTHER RELATED MATTERS.

Mr. Davis made a motion, seconded by Mr. Hart, approved 4 - 0, to approve **Resolution 2023-06** in first and final reading.

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Discussion Regarding Action Items

PRT Commission Local ATAX Recommendations Spring 2023 Cycle / \$85,326

A portion of Local ATAX revenues received by Oconee County are made available for ATAX grants through Ordinance 2011-12. ATAX grants are to be tourism related grants that meet the ATAX guidelines specified by local and State mandates. Grants are recommended by the PRT Commission based on tourism impact of the project and approved by County Council. All external ATAX grant recipients are required to turn in intermediate reports every 60 days to the progress of the grant and a final report upon completion of the grant.

These reports are placed in the grant folder, which is kept active by the PRT staff until the grant is considered complete. Internal projects through Oconee PRT are also funneled through local ATAX for eligible projects.

Beginning Local ATAX balance: \$555,687

If all grants/projects approved/new balance will be: \$470,361

Are Matching Funds Available: Yes

If yes, who is matching and how much: Varies by grant

It is the staff's recommendation that Council approve the local ATAX recommendations per the attached spreadsheet.

Mr. Davis made a motion, seconded by Mr. Hart, to approve the local ATAX recommendations as presented.

Mr. Davis offered his appreciation to the ATAX committee and Mr. Phil Shirley for their hard work on the above ATAX recommendations.

Motion approved 4 – 0.

Council Committee Reports

Budget, Finance & Administration Committee / Mr. Elliott March 7, 2023

Mr. Elliott provided information outlining discussions held at the March 7, Budget, Finance and Administration Committee meeting.

Board & Commission Appointments

Board and Commission appointments were removed from the agenda on a motion made by Mr. Davis, seconded by Mr. Hart, approved 4 - 0.

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Executive Session:

Mr. Davis made a motion, seconded by Mr. Hart, approved 4 – 0, to enter into Executive Sessions for the following purposes, as allowed for § 30-4-70(a) of the South Carolina Code of Laws:

- 1. *Discuss an Economic Development matter, Project Dual.*
- 2. *Discuss an Economic Development matter, Project Parallel.*
- 3. *Discuss an Economic Development matter, Sanctuary Pointe.*
- 4. ~~*Discuss an Economic Development matter, Project Red.*~~
- 5. *Discuss an Economic Development matter, Project Green Paws.*
- 6. ~~*Receive legal advice related to code enforcement procedures and prospective litigation.*~~

Executive Session items number four and six were removed from the agenda on a motion made by Mr. Davis, seconded by Mr. Hart, approved 4 – 0.

Council entered into Executive Session at 6:46 p.m.

Council returned from Executive Session at 8:11 p.m. on a motion made by Mr. Davis, seconded by Mr. Hart, approved 4 – 0.

Mr. Elliott noted there was no action taken in Executive Session.

Mr. Hart made a motion, seconded by Mr. Mize, approved 4 – 0, to direct staff to proceed with negotiations as discussed in relation to Project Parallel.

Adjourn:

Mr. Hart made a motion, approved unanimously, to adjourn at 8:12 p.m.

Respectfully Submitted:

Jennifer C. Adams
Clerk to Council

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