

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

AMENDED

Monday, November 4, 2024

6:30 PM

Council Chambers, 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:

1. INVOCATION:

PLEDGE OF ALLEGIANCE:

Chairman Chris Bowers

Councilman Alex Saitta

Vietnam Veteran Ronnie Phillips

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:

- October 7, 2024 – *Council Meeting*
- October 21, 2024 – *Committee of the Whole*

4. ADMINISTRATOR'S REPORT

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

5. COMMITTEE REPORTS:

a) October 21, 2024

1) Log No. 231 – 2024 ATAX Applications

- MOTION TO APPROVE THE 30% ACCOMMODATIONS TAX APPLICATIONS FOR LAKE HARTWELL COUNTRY AND UPCOUNTRY SOUTH CAROLINA
- MOTION TO OPEN THE APPLICATION PROCESS FOR THE 30% ATAX FOR CONSIDERATION OF REMAINING FUNDS.

- 2) Log No. 141 – UD SO
 - IMPACT FEES
 - RV PARKS
 - TOWNHOMES
 - MULTI-FAMILY

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 IN RECOGNITION OF FAMILY COURT AWARENESS MONTH.
- b) CONSIDERATION OF A RESOLUTION SUPPORTING OPERATION GREEN LIGHT FOR VETERANS IN PICKENS COUNTY.
- c) FIRST READING IN TITLE ONLY AN ORDINANCE No. 658 TO DEVELOP A JOINTLY OWNED AND OPERATED INDUSTRIAL/BUSINESS PARK IN CONJUNCTION WITH OCONEE COUNTY, SUCH INDUSTRIAL/BUSINESS PARK TO BE GEOGRAPHICALLY LOCATED IN OCONEE COUNTY AND ESTABLISHED PURSUANT TO SECTION 4- 1-170 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED; TO PROVIDE FOR A WRITTEN AGREEMENT WITH OCONEE COUNTY TO PROVIDE FOR THE EXPENSES OF THE PARK, THE PERCENTAGE OF REVENUE APPLICATION, AND THE DISTRIBUTION OF FEES IN LIEU OF AD VALOREM TAXATION; AND OTHER MATTERS RELATED THERETO (PROJECT SHAKER).
- d) FIRST READING IN TITLE ONLY OF AN ORDINANCE No. 659 AUTHORIZING (1) THE EXECUTION AND DELIVERY OF ONE OR MORE FEE IN LIEU OF TAX AND INCENTIVE AGREEMENTS BY AND BETWEEN PICKENS COUNTY AND SC SPEEDWAY HWY 124, LLC, ACTING FOR ITSELF OR ONE OR MORE PROJECT SPONSORS, PURSUANT TO WHICH THE COUNTY WILL COVENANT TO ACCEPT CERTAIN NEGOTIATED PAYMENTS IN LIEU OF AD VALOREM TAXES WITH RESPECT TO CERTAIN FACILITIES WITHIN THE COUNTY; (2) THE EXECUTION AND DELIVERY OF A REIMBURSEMENT AGREEMENT BY AND BETWEEN PICKENS COUNTY AND SC SPEEDWAY HWY 124, LLC CONCERNING THE REIMBURSEMENT OF CERTAIN INFRASTRUCTURE COSTS; AND (3) OTHER MATTERS RELATING THERETO.
- e) CONSIDERATION OF 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 SC SPEEDWAY HWY 124, LLC, THEIR SPONSOR AFFILIATES, AFFILIATES, AND RELATED ENTITIES 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 SC SPEEDWAY HWY 124, LLC TO EFFECT THE INTENT OF THIS RESOLUTION; APPROVING A MEMORANDUM OF UNDERSTANDING IN CONNECTION WITH SUCH ACTIONS; AND OTHER MATTERS RELATED THERETO.

- f) CONSIDERATION OF 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 CAROLINA HANDLING, LLC, AND SC SPEEDWAY HWY 124, LLC, THEIR SPONSOR AFFILIATES, AFFILIATES, AND RELATED ENTITIES 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.

9. ORDINANCES FOR SECOND READING:

- a) SECOND READING OF AN ORDINANCE No. 655 TO DEVELOP A JOINTLY OWNED AND OPERATED INDUSTRIAL/BUSINESS PARK IN CONJUNCTION WITH GREENVILLE COUNTY PURSUANT TO SOUTH CAROLINA CODE OF LAWS 1976, SECTION 4-1-170 ET SEQ., AS AMENDED, SUCH INDUSTRIAL/BUSINESS PARK TO BE, AT THE TIME OF ITS INITIAL DEVELOPMENT, GEOGRAPHICALLY LOCATED IN PICKENS COUNTY AND TO INCLUDE CERTAIN PROPERTY LOCATED AT THE INTERSECTION OF HIGHWAY 123 AND HIGHWAY 124; TO PROVIDE FOR A WRITTEN AGREEMENT WITH GREENVILLE COUNTY PROVIDING FOR THE EXPENSES OF THE PARK, THE PERCENTAGE OF REVENUE APPLICATION, AND THE DISTRIBUTION OF FEES IN LIEU OF AD VALOREM TAX; AND MATTERS RELATED THERETO.
- b) SECOND READING OF AN ORDINANCE No. 656 AUTHORIZING (1) THE EXECUTION AND DELIVERY OF ONE OR MORE FEE IN LIEU OF TAX AND INCENTIVE AGREEMENTS BY AND BETWEEN PICKENS COUNTY, CAROLINA HANDLING, LLC, AND SC SPEEDWAY 124, LLC, EACH ACTING FOR ITSELF OR ONE OR MORE PROJECT SPONSORS, PURSUANT TO WHICH THE COUNTY WILL COVENANT TO ACCEPT CERTAIN NEGOTIATED PAYMENTS IN LIEU OF AD VALOREM TAXES WITH RESPECT TO CERTAIN FACILITIES WITHIN THE COUNTY; (2) THE BENEFITS OF A MULTI-COUNTY INDUSTRIAL OR BUSINESS PARK TO BE MADE AVAILABLE TO THE COMPANY AND THE PROJECT; AND (3) OTHER MATTERS RELATING THERETO.
- c) SECOND READING OF AN ORDINANCE No. 657 AUTHORIZING THE CONVEYANCE OF PROPERTY OF THE PICKENS COUNTY, SOUTH CAROLINA TO A COMPANY KNOWN TO THE COUNTY AT THIS TIME AS "PROJECT PIGEON," APPROVING A PURCHASE AND SALE AGREEMENT IN CONNECTION WITH SUCH PROPERTY CONVEYANCE, AND OTHER MATTERS RELATED THERETO.

10. ORDINANCES FOR THIRD READING AND/OR PUBLIC HEARING:

- a) THIRD READING OF AN ORDINANCE No. 629 TO CONSIDER CERTAIN AMENDMENTS TO THE PICKENS COUNTY UNIFIED DEVELOPMENT STANDARDS ORDINANCE (UDSO) CONSIDERED SPECIFICALLY BY PICKENS COUNTY COUNCIL AFTER THE SUBJECT ISSUES WERE RETURNED TO THE COMMITTEE OF THE WHOLE PRIOR TO 3RD READING ON JANUARY 8, 2024. SPECIFICALLY, UDSO AMENDMENTS RELATED TO R.V. PARKS AND CAMPGROUNDS, TOWNHOMES, AND MULTI-FAMILY RESIDENCES.

11. OTHER AGENDA ITEMS:

- a) CONSIDERATION OF 30% ACCOMMODATIONS TAX FUNDING APPLICATIONS AS AUTHORIZED BY ACTION UNDER AGENDA ITEM 5(A)(1).

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.

Contractual – Section 30-4-70 (a)(2)

- Receipt and Review of Notice to Taxing Entities from the City of Clemson related to proposed Tax Increment Financing

Personnel – Section 30-4-70 (a)(1)

- Pickens County Library System

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. ADJOURN