

Regular Pickens County Council Meeting

November 4, 2024

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 October 31, 2024.

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 November 4, 2024, to order and welcome those in attendance. Councilman Alex Saitta led the invocation and Veteran Ronnie Phillips led 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. Cathy Lee: Ms. Lee addressed Council regarding environmental control.
2. Robert Nicholl: Mr. Nicholl addressed Council regarding the UDSO.
3. Caleb Green: Mr. Green addressed Council regarding the UDSO.
4. Bill McKinney: Mr. McKinney addressed Council regarding the UDSO.
5. Laura Hinty: Ms. Hinty addressed Council regarding the UDSO.

Seeing no other public forum speakers, the Chairman closed the floor.

APPROVAL OF MINUTES:

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

- October 7, 2024 Council Meeting
- October 21, 2024 Special-Called Meeting
- Motion was made by Councilman Alex Saitta and seconded by Councilman Chris Lollis to approve the minutes. The motion was carried unanimously (6-0).

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ADMINISTRATOR'S REPORT:

Mr. Roper addressed Council on the following:

- Early Voting Elections Update
- Assessment and Appeals – Boards and Commissions update
- Public Safety Building Update
- Operation Green Light for Veterans

Questions from Council:

- Update on Solid Waste Dept.
- Question regarding Contractor Pricing for picking up brush
- Landfill/MRR Question
- Hiking Trails Update from Hurricane Helene

COMMITTEE 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

The Committee of the Whole met in the Council Chambers, at the Pickens County Administration Facility, on Monday, October 21, 2024. 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:

The Committee of the Whole met in the Council Chambers, at the Pickens County Administration Facility, on Monday, October 21, 2024. 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.

2024 ATAX Applications, 30% ATAX Groups – Log No. 231

Les McCall, Lake Hartwell Country, and Tim Todd, Upcountry South Carolina, presented to Council their Accommodations tax proposals for the 30% ATAX money. Discussion between Council and staff included, but was not limited to:

- Presentation from Lake Hartwell Country and their request
- Presentation from Upcountry South Carolina and their request
- The application process for 30% Accommodations Tax money
- Remaining funds for the 65% Accommodations Tax money

After no other discussion, Chairman Chris Bowers made a motion to approve the Accommodations Tax Proposals as presented. Councilwoman Claiborne Linvill seconded the motion and carried unanimously (6-0).

- Councilman Henry Wilson amended the motion to approve the proposals and open the application process for the 30% ATAX for the remaining funds. Motion was seconded by Vice Chairman Roy Costner. The motion carried unanimously (6-0).
 - The original motion carried (6-0).

Council Action on Log No. 231: Chairman Chris Bowers stated this motion does not require a second as it comes a recommendation from the Committee. The motion carried (5-1), with Vice Chairman Roy Costner opposed.

UDSO – Log No. 141

Some members of the Planning Commission were present to discuss the UDSO with Council.

- Chairman Chris Bowers motion to move impact fees to beginning of discussion. The motion was seconded by Councilman Alex Saitta. Motion carried unanimously (6-0).
- Councilman Henry Wilson made a motion to limit conversation for impact fees to 30 minutes. Motion was seconded by Councilman Alex Saitta and carried unanimously (6-0).

Impact Fees

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

- Discussion on the DTA Impact Fees Study
- Councilman Henry Wilson made a motion to fund library and parks at half of what is there, and equally distribute that half that is taking out across fire and EMS. Councilman Alex Saitta seconded the motion for discussion.
 - After much more discussion on this motion, Councilman Henry Wilson made a substitute motion to table indefinitely. Motion was seconded by Councilman Alex Saitta. After some discussion, the motion carried (5-1), with Councilwoman Claiborne Linvill opposed.
- Councilwoman Claiborne Linvill made a motion to ask DTA, who provided the impact fee study, for more information on the study based on what we have already paid for. Motion was seconded by Vice Chairman Roy Costner. Motion carried unanimously (6-0).

RV Parks

- Discussion in difference in definition of RV Parks and Campgrounds
- Discussion in Tiny Home Update on surrounding counties
- Discussion on definition of RV
- Chairman Chris Bowers made a motion to adopt the language in the Greenville County Ordinance, in section 5.6.7 Design Standards, for (a), (b), (c) and (d). Motion was seconded by Councilman Henry Wilson.
 - Chairman Chris Bowers amended the motion to include a minimum of 5 acres and include the maximum of 10 acres in those areas. Motion was seconded by Councilman Henry Wilson. Motion carried unanimously (6-0).
 - Councilman Alex Saitta made a substitute motion to the amendment, to strike out “graded and/or” in Section 302 (b), 1a, in the Pickens County UDSO. Councilman Chris Lollis seconded the motion and carried unanimously (6-0).
- Chairman Chris Bowers made a motion to move out for third reading at the next council meeting. Motion was seconded by Councilman Henry Wilson and carried unanimously (6-0).

TOWNHOMES

- Councilman Henry Wilso made a motion to limit the townhomes discussion to 20 minutes. Motion was seconded by Chairman Chris Bowers and the vote was (3-3), which means the motion dies. Councilman Chris Lollis, Councilwoman Claiborne Linvill and Councilman Alex Saitta were opposed.
- Discussion on the staff recommendations for Townhomes around density
- Councilman Henry Wilson made a motion to accept staff recommendation on densities for townhomes as presented. Councilwoman Claiborne Linvill seconded the motion.
 - Councilman Alex Saitta made an amended motion to drop that on sewer to the current DSO standard, which

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- is 4 units per acre for sewer and 2 units for septic in the Appalachian, Agricultural and Natural Heritage areas. Chairman Chris Bowers seconded the amended motion.
- Chairman Chris Bowers made a substitute motion, to adopt the equivalent of staff recommendation but change Appalachian & Agricultural areas to 4 units per acre on sewer, natural heritage and community center areas to mirror what the current municipalities standards are, and gateway areas would be 20 units per acre on sewer. Councilman Henry Wilson seconded the motion. The motion carried (4-2), with Councilman Alex Saitta and Councilwoman Claiborne Linvill opposed.
- The original motion as amended carried (4-2), with Councilman Alex Saitta and Councilwoman Claiborne Linvill opposed.
- Councilman Henry Wilson made a motion to accept the apartments recommendations from staff. Motion was seconded by Councilwoman Claiborne Linvill.
 - Chairman Chris Bowers made a motion to amend to change the Community Center areas to mirror what the current municipalities ordinances are. Motion was seconded by Vice Chairman Roy Costner and carried (5-1), with Councilwoman Claiborne Linvill opposed.
 - The original motion as amended carried (5-1), with Councilwoman Claiborne Linvill opposed.
- Councilman Henry Wilson made a motion to adopt the staff recommendations on the Duplexes as written. Motion was seconded by Vice Chairman Roy Costner.
 - Councilman Henry Wilson amended the motion to adopt the staff recommendations as written, with the addition of 8 units per acre on public water. Motion was seconded by Vice Chairman Roy Costner.
 - Chairman Chris Bowers made a substitute motion for the density for duplexes to match the townhomes on sewer. Motion was seconded by Councilman Henry Wilson. The motion carried (5-1), with Councilman Alex Saitta opposed.
 - The motion as amended carried (5-1), with Councilman Alex Saitta opposed.
- Chairman Chris Bowers made a motion to move the following motions out for third reading at the next Council meeting. Motion was seconded by Vice Chairman Roy Costner and carried unanimously (6-0).

Council Action on Log No. 141: Chairman Bowers stated this will be discussed later during the meeting under Other Agenda Items.

ADJOURN:

Hearing no further Committee business, Chairman Chris Bowers called for a motion to adjourn. The motion was made by Councilman Henry Wilson, seconded by Councilman Chris Lollis, and carried unanimously (6-0). The meeting was adjourned at 9:06 p.m.

COUNCIL CORRESPONDENCE:

Chairman Chris Bowers announced the following:

- The Committee of the Whole meeting will take place on Monday, November 11, 2024, at 6pm in the Main Conference Room of the Administration Building.
- The next Council meeting will be held on Monday, December 2, 2024, at 6:30 p.m. in Council Chambers of the Administration Building.
- Pickens County Council members are invited to attend an Open House for FAVOR Upstate's new Pickens County Center. FAVOR Upstate provides free addiction recovery services to individuals and families suffering with substance use disorder. The Open House is set for 4-6pm Friday, Nov. 22 at the center, located in the gym building of Brushy Creek Baptist Church in Easley and will feature refreshments, live music and a ribbon-cutting

Chairman Chris Bowers called for other council correspondence.

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Seeing no other correspondence, Chairman Chris 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 Chris Bowers closed the floor.

ORDINANCES FOR FIRST READING AND/OR RESOLUTIONS:

- CONSIDERATION OF A RESOLUTION IN RECOGNITION OF FAMILY COURT AWARENESS MONTH.
 - Councilwoman Claiborne Linvill made a motion to consider this Resolution. Motion was seconded by Vice Chairman Roy Costner and carried unanimously (6-0).
- CONSIDERATION OF A RESOLUTION SUPPORTING OPERATION GREEN LIGHT FOR VETERANS IN PICKENS COUNTY.
 - Chairman Chris Bowers made a motion to consider this Resolution. Motion was seconded by Vice Chairman Roy Costner and carried unanimously (6-0).
- 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).
 - Vice Chairman Roy Costner made a motion to constitute first reading in title only of this Ordinance. Motion was seconded by Councilman Alex Saitta and carried unanimously (6-0).
- 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.
 - Councilman Henry Wilson made a motion to consider this resolution. Motion was seconded by Councilman Councilwoman Claiborne Linvill and carried unanimously (6-0).

- 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.
 - Councilman Henry Wilson made a motion to consider this resolution. Motion was seconded by Councilman Chris Lollis and carried unanimously (6-0).
- 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.
 - Councilman Chris Lollis made a motion to consider this resolution. Motion was seconded by Councilman Henry Wilson and carried unanimously (6-0).

ORDINANCES FOR SECOND READING

- 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.
 - Vice Chairman Roy Costner made a motion to constitute second reading of this Ordinance. Motion was seconded by Councilman Chris Lollis and carried unanimously (6-0).
- 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.

- Councilman Henry Wilson made a motion to constitute second reading of this Ordinance. Motion was seconded by Councilman Chris Lollis and carried unanimously (6-0).
- SECOND READING IN TITLE ONLY 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.
 - Vice Chairman Roy Costner made a motion to constitute second reading of this Ordinance. Motion was seconded by Councilman Chris Lollis and carried unanimously (6-0).

ORDINANCES FOR THIRD READING

- 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 SUBJET 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.
 - Councilman Alex Saitta made a motion to vote on Townhomes, Apartments, and RV parks separately. Motion was seconded by Councilman Chris Lollis and carried unanimously (6-0).
 - Councilwoman Claiborne Linvill made a motion to constitute third reading of the Townhomes and Duplexes Ordinance as amended. Motion was second by Councilman Alex Saitta.
 - Councilman Alex Saitta made a motion to amend, stating he would like for Natural Heritage will remain what the current DSO standard is for sewer and septic. Motion was seconded by Councilman Chris Lollis and carried (5-1), with Councilwoman Claiborne Linvill opposed.
 - The original motion carried (5-1), with Councilwoman Claiborne Linvill opposed.
 - Councilwoman Claiborne Linvill made a motion to constitute third reading of the Apartments Ordinance as amended. Motion was seconded by Councilman Alex Saitta and carried unanimously (6-0).
 - Councilman Chris Lollis made a motion to constitute third reading of the RV Parks ordinance as amended. Motion was seconded by Councilwoman Chris Lollis and carried unanimously (6-0).

OTHER AGENDA ITEMS:

- a) CONSIDERATION OF 30% ACCOMMODATIONS TAX FUNDING APPLICATIONS AS AUTHORIZED BY ACTION UNDER AGENDA ITEM 5(A)(1).
 - Allison Fowler stated they had a total of four applications, but two were not eligible for the 30% funding.

- Councilwoman Claiborne Linvill made a motion to fully fund the Holly Springs Center request, and the remaining funds in the account to the join project for Lake Hartwell Country and Upcountry. Motion was seconded by Councilman Henry Wilson. After much discussion, the motion carried (5-1), with Councilman Chris Lollis opposed.

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). Vice Chairman Costner further stated that each issue would be discussed as the Law provides.

Personnel– Section 30-4-70 (a)(1)

- Pickens County Library System

Contractual– Section 30-4-70 (a)(2)

- Receipt and Review of Notice of Taxing Entities from the City of Clemson related to proposed Tax Increment Financing
- Motion was made by Councilman Chris Lollis and seconded by Vice Chairman Roy Costner. The motion was 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)(1)

- Pickens County Library System – **No Action Taken**

Contractual– Section 30-4-70 (a)(2)

- Receipt and Review of Notice of Taxing Entities from the City of Clemson related to proposed Tax Increment Financing – **We will hold a meeting at a later date to discuss. 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 8:53 p.m.

Respectively Submitted:

Approved:

Meagan Nations, Clerk to Council

Chris Bowers, Chairman of County Council