

# PUBLIC COMMENT SIGN IN SHEET

Tuesday, March 5, 2013 6:00 PM

### Limited to forty [40] minutes, four [4] minutes per person.

Please be advised that citizens not utilizing their full four [4] minutes may not "donate" their remaining time to another speaker. As stated above, each speaker is restricted to a maximum of four [4] minutes.

Citizens with comments related to a specific action agenda item will be called first.

If time permits additional citizens may be permitted to speak on a non agenda items fut the discretion of the Chairl.

# PRINT Information Below

	FULL NAME	AGENDA ITEM FOR DISCUSSION	NON-AGENDA ITEMS
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Exceptione speaking before Council will be required to do so in a civil manner.

Council will not tolerate personal attacks on individual council members, county stuff or any person or group.

Racial slure will not be permitted. Council's number one priority is to conduct business for the citizens of this county.

All citizens who wash to address Council and all Boards and Commission appointed by Council should do so in an appropriate manner.

NOTE: Non Agenda Item matters can be addressed except for those which, due to law or proper protocol, would be inappropriate for public meetings of Council, such as, but not limited to, partisan political activity and/or comments.

Council may make closing comments directly following the public & extended public comment sessions if time permits.

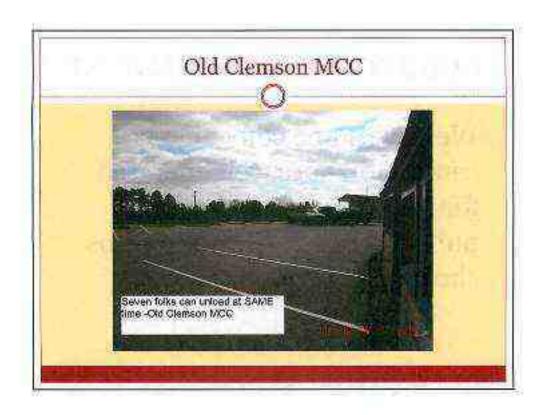
# Strawberry Farm Convenience Center

PHOTOS BY REDD GARDNER TAKEN ON FEBRUARY 28, 2012 AND ON JULY 2, 2012

# GOOD CONVENIENCE CENTERS

 We have some convenience centers that are well operated for the convenience of the public. These next two photos show examples.

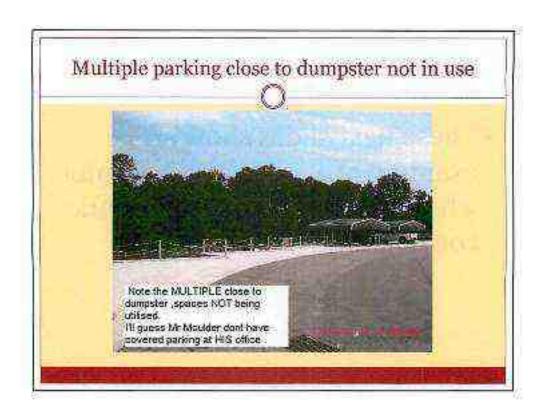




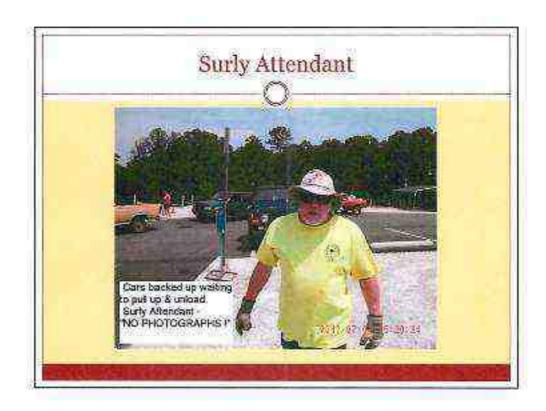
## A POORLY OPERATED CENTER

 These next slides show an example of a convenience center which is not operated for public convenience.









# REQUEST

PLEASE HAVE THE STRAWBERRY
FARM CONVENIENCE CENTER
OPERATE FOR THE CONVENIENCE
OF THE PUBLIC

THANK YOU, REDD GARDNER
MARCH 5, 2013

### STATE OF SOUTH CAROLINA COUNTY OF OCONEE ORDINANCE 2013-05

AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN INFRASTRUCTURE TAX CREDIT AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND PROJECT ZETA; AND OTHER MATTERS RELATING THERETO

WHEREAS, Oconee County, South Carolina (the "County"), acting by and through its County Council (the "County Council"), is authorized and empowered under and pursuant to the provisions of Title 4, Chapter 1 and Title 12, Chapter 37 (jointly hereinafter the "Act") of the Code of Laws of South Carolina, 1976, as amended (the "Code"), to acquire, construct, or cause to be acquired or constructed by lease or otherwise, properties (which such properties constitute "projects" as defined in the Act) and to enter into agreements with any industry or business providing for the construction, operation, maintenance and improvement of such projects; to enter into or allow financing agreements with respect to such projects; to provide for payment of a fee in lieu of taxes pursuant to the Act; and, to accept any grants for such projects through which powers the industrial development of the State of South Carolina (the "State") and will be promoted and trade developed by inducing manufacturing and commercial enterprises to locate and remain in the State and thus utilize and employ the manpower, agricultural products and natural resources of the State and benefit the general public welfare of the County by providing services, employment, recreation or other public benefits not otherwise provided locally; and

WHEREAS, the County is authorized by the Act to execute an infrastructure tax credit agreement, as defined in the Act, with respect to any such project; and

WHEREAS, Project Zeta, a company duly incorporated under the laws of the State of South Carolina (the "Company"), has requested the County to participate (i) in executing an Inducement Agreement, and an Infrastructure Tax Credit Agreement (the "Infrastructure Tax Credit Agreement" or "ITC Agreement") for the purpose of authorizing and of acquiring and expanding, by construction and purchase, certain machinery, apparati, and equipment, for the purpose of the providing information technology services for which the minimum level of new taxable investment will be not less than One Million Two Hundred Fifty Thousand Dollars (\$1,250,000) in new qualifying taxable investment in the County and will result in the creation of approximately seven (7) new, full-time jobs, and all as more fully set forth in the Inducement Agreement (previously authorized by Resolution of the County on February 19, 2013); and

WHEREAS, the County has determined that the Project would benefit the general public welfare of the County by providing service, employment, recreation or other public benefits not otherwise provided locally; and, that the Project gives rise to no pecuniary liability of the County or incorporated municipality or a charge against the general credit or taxing power of either; and, that the purposes to be accomplished by the Project, i.e., economic development, creation of jobs, and addition to the tax base of the County, are proper governmental and public purposes; and, that the inducement of the location or expansion of the Project within the County and State is of paramount importance; and, that the benefits of the Project will be greater than the costs; and

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WHEREAS, the County Council has previously determined to enter into and execute the aforesaid Inducement Agreement and an Infrastructure Tax Credit Agreement and to that end has, by its Resolution adopted on February 19, 2013, authorized the execution of an Inducement Agreement and will by this County Council Ordinance, authorize an ITC Agreement; and

WHEREAS, the County Council has caused to be prepared and presented to this meeting the form of the ITC Agreement by and between the County and the Company which includes the agreement for payment of a payment in lieu of tax in the Park (defined herein); and

WHEREAS, it appears that the instrument above referred to, which is now before this meeting, is in appropriate form and is an appropriate instrument to be executed and delivered by the County for the purposes intended; and

WHEREAS, the site at which the Project is to be constructed, will be located in a multicounty industrial/business park between the County and Pickens County (the "Park") under and pursuant to the provisions of the Act; and

WHEREAS, the County is authorized by the provisions of the Act to provide an infrastructure tax credit (the "Infrastructure Tax Credit"), secured by and payable solely from revenues of the County from payments in lieu of taxes in the Park pursuant to Article VIII, Section 13 of the South Carolina Constitution and the Act, for the purpose of defraying a portion of the cost of designing, acquiring, constructing, improving or expanding the infrastructure serving the County in order to enhance the economic development of the County; and

WHEREAS, to the extent within its authority and control, using its best reasonable efforts, the County does hereby agree, subject to the requirements of Section 4-1-170 and Section 4-1-175 of the Act, respectively, including without limitation, obtaining the consent of the City of Seneca or any other incorporated municipality within which the Project Property may be incorporated prior to execution of the Park Agreement and the Home Rule Act, to insuring that the Project Property will be placed in a Park with Pickens County, and provide an Infrastructure Tax Credit against payments in lieu of taxes from the Project in the Park in an annual amount equal to Thirty percent (30%) of the payments in lieu of taxes allocated to the County taxing entities pursuant to the agreement creating the Park (the "Park Agreement") for five (5) consecutive years of fee in lieu of tax payments by the Project in the Park pursuant to the Park Agreement, beginning with the payment due (without penalty on or before January 15, 2015 and such that the Infrastructure Credit will never exceed, at any point in time, the actual cost of Project Infrastructure to that point.

NOW, THEREFORE, BE IT ORDAINED by Oconee County, South Carolina, as follows:

Section 1. In order to promote industry, develop trade and utilize and employ the manpower, agricultural products and natural resources of the State by assisting the Company to develop a facility in the State, and acquire by acquisition or construction and various machinery, apparati, and equipment, all as a part of the Project to be utilized for the purpose of the development of a facility for the provision of information technology services, the execution and delivery of an ITC Agreement with the Company for the Project is hereby authorized, ratified and

approved.

- Section 2. It is hereby found, determined and declared by the County Council, as follows:
- (a) The Project, the payments in lieu of taxes set forth herein, and the new jobs created are beneficial to the County;
- (b) The terms and provisions of the Inducement Agreement are hereby incorporated herein and made a part hereof;
- (c) The Project will benefit the general public welfare of the County by providing services, employment, recreation or other public benefits not otherwise provided locally;
- (d) The Project gives rise to no pecuniary liability of the County or incorporated municipality or a charge against the general credit or taxing power of either;
- (e) The purposes to be accomplished by the Project, i.e., economic development, creation of jobs, and addition to the tax base of the County, are proper governmental and public purposes;
- (f) The inducement of the location or expansion of the Project within the County and State is of paramount importance; and,
  - (g) The benefits of the Project will be greater than the costs.
- Section 3. Pursuant to the authority of the Act, there is hereby authorized to be provided, and shall be provided, the Infrastructure Tax Credit of the County to the Company in the amount of Thirty percent (30%) of the Fee Payments from the Project in the Park pursuant to the Park Agreement, beginning with the Fee Payment due (without penalty) not later than January 15, 2015.

Nothing in this ordinance shall be construed as an obligation or commitment by the County to expend any of its funds other than the portion of Fee Payments represented by the Infrastructure Tax Credit provided by the County which shall be payable solely as a credit against Fee Payments due by the Company to the County for the Project in the Park.

Section 4. The form, terms and provisions of the ITC Agreement presented to this meeting and filed with the Clerk of the County Council be and they are hereby approved and all of the terms, provisions and conditions thereof are hereby incorporated herein by reference as if the ITC Agreement were set out in this Ordinance in its entirety. The Chairman of County Council and the Clerk of the County Council be and they are hereby authorized, empowered and directed to execute, acknowledge and deliver the ITC Agreement in the name and on behalf of the County, and thereupon to cause the ITC Agreement to be delivered to the Company. The ITC Agreement is to be in substantially the form now before this meeting and hereby approved, or with such minor changes therein as shall not be materially adverse to the County and as shall be approved by the officials of the County executing the same, upon the advice of counsel to the County, their

2013-05 v3

execution thereof to constitute conclusive evidence of their approval of any and all changes or revisions therein from the form of ITC Agreement now before this meeting.

Section 5. The Chairman of the County Council and the Clerk of the County Council, for and on behalf of the County, are hereby each authorized and directed to do any and all things necessary to effect the execution and delivery of the ITC Agreement and the performance of all obligations of the County under and pursuant to the ITC Agreement and this Ordinance.

Section 6. The provisions of this Ordinance are hereby declared to be separable and if any section, phrase or provisions shall for any reason be declared by a court of competent jurisdiction to be invalid or unenforceable, such declaration shall not affect the validity of the remainder of the sections, phrases and provisions hereunder.

<u>Section 7</u>. All orders, resolutions, ordinances and parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed and this Ordinance shall take effect and be in full force from and after its passage and approval.

	F &	
Passed and ap	pproved this	day of March 2013
		OCONEE COUNTY, SOUTH CAROLINA
		By:
ATTEST:		
By:	•	Council
First Reading: Second Reading:		

Third Reading:

# STATE OF SOUTH CAROLINA OCONEE COUNTY RESOLUTION R2013-06

### A RESOLUTION TO REQUIRE THAT SPECIFIC BOARDS, COMMISSIONS AND COMMITTEES ESTABLISH A MEETING SCHEDULE ANNUALLY

WHEREAS, Oconee County Council and the five Council appointed committees [Budget, Finance & Administration; Real Estate, Facilities & Land Management; Law Enforcement, Public Safety, Health & Welfare; Planning & Economic Development; and, Transportation] annually establishes a yearly meeting schedule; and

WHEREAS, the citizens of Oconee County come to rely on an advertised annual schedule of board, commission and committee meetings; and

WHEREAS, the Clerk to Council maintains the calendar for Oconee County Council, Oconee County Council Committees and County Boards, Commissions and Committees; and

WHEREAS, Oconee County Council makes appointments to the Aeronautics Commission, the Arts & Historical Commission, the Board of Zoning Appeals, the Building Codes Appeal Board, the Capital Projects Advisory Committee, the Conservation Bank Board, the Economic Development Commission, the Infrastructure Advisory Committee, the Library Board, the Parks, Recreation & Tourism Commission, the Planning Commission, the Scenic Highway Committee; and

NOW THEREFORE, BE IT RESOLVED in meeting duly assembled that the Oconee County Council requires that the Aeronautics Commission, the Arts & Historical Commission, the Board of Zoning Appeals, the Building Codes Appeal Board, the Capital Projects Advisory Committee, the Conservation Bank Board, the Economic Development Commission, the Infrastructure Advisory Committee, the Library Board, the Parks, Recreation & Tourism Commission, the Planning Commission, the Scenic Highway Committee establish annually their meeting schedule and that the schedule be forwarded to the Clerk to Council for posting to the County Calendar.

APPROVED AND ADOPTED this 5th day of March, 2013.

By:	
	Joel Thrift, Chairman of County Council
	Oconee County, South Carolina
	ATTEST:
	By:
	Elizabeth G. Hulse, Clerk to County Council
	Oconee County, South Carolina

#### **NOTES**



#### TRANSPORTATION COMMITTEE MEETING

#### February 26, 2013 COMMITTEE MEMBERS

Mr. Joel Thrift, District IV, Chairman Mr. Paul Corbeil, District I Mr. Wayne McCall, District II

**Ongoing Staff Projects Report:** Period covering July 1, 2012 through January 31, 2013.

#### **Dyar Road: Bridge Review/Discussion**

The Committee instructed Staff to [1] contact Norfolk Southern Railroad to identify if they are willing to allocate any funding to the bridge repair, and [2] schedule a public meeting in the community to addresses concerns and options related to the bridge.

The Committee also asked that all Council be informed of the date & time so they may attend if their schedules permit.

#### **Cobb Bridge: Update/Action Requested**

Mr. Thrift instructed Staff to schedule a public meeting in the community to addresses concerns [specifically addressing the possibility re: Council's consideration of the use of imminent domain in this situation] and other options related to the bridge.

#### **In House Paving List Update**

The Committee requests a **MOTION** to approve the Committee's recommendation to add Miller Road to the In House Paving list to be paved as funds become available.

#### **McGee Road Culvert Issues**

The Committee requests a **MOTION** to approve the Committee's recommendation to add McGee Road Culvert to the Bridges & Culverts Priority List.

#### **Draft of Official Road Maintenance Map**

The proposed ordinance will be placed on the agenda for first reading at the March 19, 2013 Council meeting.

#### **Road Backbone Project**

Mr. Breed & Mr. Kelly addressed the Committee utilizing a PowerPoint presentation highlighting the goals for the project and progress to date.

#### **Next Meeting:**

The next meeting of the Committee will be on Tuesday, April 9, 2013 at 6:30 p.m.

Mr. Breed & Mr. Kelly provided the Committee with handouts [copies filed with these minutes] related to

- [1] Road Ordinance Amendment, and
- [2] Encroachment Permit Process, both of which will be scheduled for discussion and action at the meeting.

## NOTES



#### BUDGET, FINANCE & ADMINISTRATION COMMITTEE

COUNCIL CHAMBERS
OCONEE ADMINISTRATIVE OFFICES, WALHALLA, SC
February 26, 2013

#### MEMBERS, OCONEE COUNTY COUNCIL

Mr. Reg Dexter, District V, Chairman Mr. Paul Corbeil, District I Mr. Wayne McCall, District II Mr. Archie Barron, District III Mr. Joel Thrift, District IV

#### "One Stop" Community Development Update

Mr. David Stokes; Building Codes Director

Mr. Josh Stephens, Zoning Administrator
Highlighted the recent changes to the Community Development Office.

The Committee took a 10 minute recess to allow all Committee members, staff, press and members of the public present to walk down to the Community Development Office [including DHFC space] to see the renovations that facilitate better citizen access:

#### Other Post-Employment Benefits [OPEB] Review

Mr. Pullium who addressed the Committee utilizing a PowerPoint presentation [copy filed with these minutes] entitled "GASB 45 Impact of Proposed Retiree Medical Plan Changes".

#### MGT's Compensation & Classification Study Review

Mr. Moulder addressed the Committee utilizing a PowerPoint presentation [copy filed with these minutes] entitled "Classification & Compensation Study".

#### **Budget Process Update**

Mr. Moulder noted that the FY 2012-2013 budget was approximately \$41.2 million dollars, however, requests received for FY 2013-2014 equaled \$49.9 million dollars. He stated that his initial cuts will be in excess of \$8 million dollars. In addition, he noted that approximately 45 new positions were requested in the amount of \$1.6 million dollars.

#### Greenville News "Bill would be bad for SC"

Mr. Dexter distributed to all Committee members a re-print of an article that appeared in the Greenville News on February 25, 2013 related to the SC House bill H-3290 and its impact regarding where solid waste is disposed of and Home Rule.

# SCAC Winter Meeting / Council Members Attempt to Meet with Oconec Delegation Representatives

Mr. Dexter expressed disappointment that during the scheduled times during the SCAC Winter meeting, held February 20-21, 2013, that Council was not able to meet with the county delegation representatives and that none of the representatives attended the reception specifically designed as a time to meet with representatives to discuss important issues affecting Oconec County.

# OCONEE COUNTY BOARD / COMMISSION / COMMITTEE

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# OCONEE COUNTY BOARD / COMMISSION / COMMITTEE CANDIDATE LISTING

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Mr. Mize submitted a questionnaire for reappointment to the Aerosutics Commission HOWEVER he is not eligible to serve a third term on this Commission.

Mr. Workman submitted questionnaire. He currently serves on Building Codes Appeal Board HOWEVER he will complete his 2nd of two terms the end of 2012 and is not eligible for reappointment to the Building Codes Appeal Board. He may be appointed to another board and/or commission.

Areas of Interest [please check one or more]	Board/Commissions Applicable to Interests
Aeronautics	Aeronautics Commission
Public Safety, Health & Welfare	Anderson-Oconec Behavior Health Services Commission Energency Services Commission
Regulatory	Building Codes Appeal Board. Parks, Recreation & Tourism Commission Board of Zoning Appeals
Planning Activities	Appalachian Council of Governments Board of Directors Board of Zoning Appeals Capital Project Advisory Committee Conservation Bank Beard Economic Development Commission Planning Commission Scenic Highway Committee
Education	Arts & Historical Commission

			40				Paul Corbell	Wayne McCall	Archie Barron	Joel Thrift	Reg Dexter		
Boards & Commissions	State / OC Code Reference	622	Co-Terminus	Term Limits	4 Year Term	Meeting Date to Appoint	2010-2014	2013-2016	2010-2014	2013-2016	2013-2016	2010-2014 At Large	2013/2016 At Large
Commissions		Reps [DX:At Large]		Term			District I	District II	District III	District IV	Districti V		
Aeronautics Commission	2-262	5-2	YES	2X	YES		Randy Renz [1]	Dan Suddeth (2)	Edward Perry [1]	Dan Schmeldt (2)	Ronald Chiles [1]	Thomas Luke [2]	Michael Gray [<1]
Arts & Historical Commission	2-321	5-2	YES	2X	YES		Rick Bethea [1]	Euther Lylé (2)	Robinson [1]	Barbara Waters (2)	B. Nichardson	Bess Clupak [1]	Jean Dobson (2)
Board of Zoning Appeals	38-5-1	5-2	YES	2X	YES	Jan - June 2013	Alten Medford [1]	Sammy Lee [2]	Gary Littlefield [1]	Marty McKee [2]	Dick Hughes [2]	Berry Nichols [1]	Paul Reckert [2]
Building Codes Appeal Board		5 - 0	YES	2X	YES		Roger Mize	Matt Rochester (1)	Bob DuBose [1]	Mike Willimon [2]	Harry Tollison [2]		
Conservation Bank Board	2-381	Appoint Cated	CONTRACTOR OF THE PARTY OF	2X	YES	Jan - June 2013	Shea Alrey [1]	Andy Lee [2]	Recky Nation [1]	Marvin Prater [2]	Frank Ables [1]	VACANT	Glenn Buddin [1]
Economic Development Commission	24-31	5+0	YES	3X	YES	Jan - June 2013	Dave Eldridge [1]	WASANT	Hank Field [3]	Sam Dickson [3]	Gene Blair [2]		
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