



# A G E N D A

## OCONEE COUNTY COUNCIL MEETING

### December 16, 2014

### 6:00 PM

Council Chambers, Oconee County Administrative Offices  
415 South Pine Street, Walhalla, SC

### Call to Order

### Public Comment Session / Agenda Action Items Only

Council will hear public comment during this portion of the meeting for Agenda Action Items on today's agenda only. Agenda Action Items are defined as Administrator Report Items, Ordinances, Resolutions, Proclamations, Action Items, advertised Old Business items, advertised New Business items and Recommendations from Committee ONLY.

*Combined the two Public Comment Sessions at this meeting are limited to a total of forty (40) minutes, four (4) minutes per person.*

### Council Member Comments *[Council may take a brief recess after Public Comment or Council Comments]*

### Moment of Silence

### Invocation by County Council Chaplain / Mr. Tom Martin

### Pledge of Allegiance to the Flag of the United States of America

### Approval of Minutes

- December 2, 2014 Regular Meeting

### Administrator Report & Agenda Summary

### Public Hearings regarding the following Ordinances

**Ordinance 2014-28** "AN ORDINANCE AMENDING CHAPTER 32 AND CHAPTER 38 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING HEIGHT RESTRICTIONS FOR STRUCTURES LOCATED IN ZONED INDUSTRIAL DISTRICTS AND FOR STRUCTURES LOCATED IN AREAS DESIGNATED BY OCONEE COUNTY AS COUNTY INDUSTRIAL PARKS; AND OTHER MATTERS RELATED THERETO."

**Ordinance 2014-29** "AN ORDINANCE AUTHORIZING (1) THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AND INCENTIVE AGREEMENT BY AND BETWEEN OCONEE COUNTY, SOUTH CAROLINA (THE "COUNTY") AND MICHELIN NORTH AMERICA, INC., A COMPANY PREVIOUSLY IDENTIFIED AS PROJECT SARAH, ACTING FOR ITSELF, AND/OR ONE OR MORE AFFILIATES OR OTHER PROJECT SPONSORS (THE "COMPANY"), PURSUANT TO WHICH THE COUNTY SHALL COVENANT TO ACCEPT CERTAIN NEGOTIATED FEES IN LIEU OF AD VALOREM TAXES WITH RESPECT TO THE ESTABLISHMENT AND/OR EXPANSION OF CERTAIN FACILITIES IN THE COUNTY (COLLECTIVELY, THE "PROJECT"); (2) THE BENEFITS OF A MULTI-COUNTY INDUSTRIAL OR BUSINESS PARK TO BE MADE AVAILABLE TO THE COMPANY AND THE PROJECT; (3) CERTAIN SPECIAL SOURCE REVENUE CREDITS IN CONNECTION WITH THE PROJECT; AND (4) OTHER MATTERS RELATING THERETO."

Council's meetings shall be conducted pursuant to the South Carolina Freedom of Information Act, Council's Rules and the Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition. This agenda may not be inclusive of all issues which Council may bring up for discussion at this meeting. Items are listed on Council's agenda to give public notice of the subjects and issues to be discussed, acted upon, received as information and/or disposed of during the meeting. Items listed on Council's agenda may be taken up, tabled, postponed, removed or otherwise disposed of as provided for under Council's Rules, and Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition, if not specified under Council's rules.

**Ordinance 2014-30** “AN ORDINANCE AUTHORIZING AND APPROVING (1) DEVELOPMENT OF A JOINT COUNTY INDUSTRIAL AND BUSINESS PARK PURSUANT TO SECTION 4-1-170 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, IN CONJUNCTION WITH PICKENS COUNTY (THE “PARK”), SUCH PARK TO BE, AT THE TIME OF ITS INITIAL DEVELOPMENT, GEOGRAPHICALLY LOCATED IN OCONEE COUNTY AND TO INCLUDE CERTAIN PROPERTY NOW OR TO BE OWNED AND/OR OPERATED BY **MICHELIN NORTH AMERICA, INC.**, A COMPANY PREVIOUSLY IDENTIFIED AS PROJECT SARAH; (2) THE EXECUTION AND DELIVERY OF A WRITTEN PARK AGREEMENT WITH PICKENS 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 WITHIN OCONEE COUNTY; AND (4) OTHER MATTERS RELATED THERETO.”

**Ordinance 2014-31** “AN ORDINANCE TO ALLOW AN EXISTING MULTI-COUNTY INDUSTRIAL PARK AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND WILLIAMSBURG COUNTY, SOUTH CAROLINA TO EXPIRE; TO DEVELOP A MULTI-COUNTY INDUSTRIAL PARK IN CONJUNCTION WITH PICKENS COUNTY, SOUTH CAROLINA, ESTABLISHED PURSUANT TO THE SOUTH CAROLINA CODE OF LAWS OF 1976, SECTION 4-1-170, ET SEQUITUR, AS AMENDED; TO PROVIDE FOR A WRITTEN AGREEMENT WITH PICKENS COUNTY REGARDING THE MULTI-COUNTY PARK JOINTLY DEVELOPED WITH PICKENS COUNTY; TO RELOCATE PROPERTY TO THE MULTI-COUNTY PARK JOINTLY DEVELOPED WITH PICKENS COUNTY; AND OTHER RELATED MATTERS RELATED THERETO.”

### **Third & Final Reading regarding the following Ordinances**

#### **Ordinance 2014-28**

*[see caption page 1]*

Proposed ordinance 2014-28 stems from a desire to ensure Oconee’s land use regulations take into account the evolving needs of industrial development. Rapid technological advances are allowing companies to design and build facilities that ensure increased operational efficiencies. Ordinance 2014-28 will increase allowable height for property zoned in the Industrial District and for County Industrial Parks. Ordinance 2014-28 will help ensure that Oconee County maintains its competitive edge when recruiting new industry and when working with existing industry.

#### **Ordinance 2014-29**

*[see caption page 1]*

Ordinance 2014-29 puts into place a fee-in-lieu-of-taxes agreement (FILOT) between Oconee County and Project Sarah. The company will locate this capital investment in Oconee as part of this incentive offered from the County. Additionally, a Cost Benefit Analysis is also provided as information.

#### **Ordinance 2014-30**

*[see caption page 1]*

Ordinance 2014-30 expands the multi-county park to include the property associated with Project Sarah.

#### **Ordinance 2014-31**

*[see caption page 1]*

This ordinance allows for a current Multi-County Industrial Park (MCIP) Agreement with Williamsburg County to expire and establishes a new MCIP and Agreement with Pickens County. The original MCIP was established in 1994 and the Agreement is set to expire in December of 2014. The Ordinance cleans up the current situation and establishes a new, viable and continuing MCIP Agreement with Pickens County. The Ordinance will also allow for property currently in the MCIP established with Williamsburg County to transfer to the new MCIP.

## Second Reading regarding the Following Ordinances

**Ordinance 2014-27** “AN ORDINANCE TO ACKNOWLEDGE AND AUTHORIZE THE EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN OCONEE COUNTY AND THE CITY OF WESTMINSTER FOR THE PROVISION OF A COUNTY MAGISTRATE TO ACT AS MUNICIPAL JUDGE FOR THE CITY OF WESTMINSTER; AND OTHER MATTERS RELATED THERETO”

## First Reading of the following Ordinances

**Ordinance 2014-32 [title only]** “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN INFRASTRUCTURE TAX CREDIT AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND **PROJECT EAGLE**; AND OTHER MATTERS RELATING THERETO INCLUDING, WITHOUT LIMITATION, AUTHORIZATION AND THE CREATION OF A JOINT COUNTY INDUSTRIAL AND BUSINESS PARK FOR THE PROJECT”

**Ordinance 2014-33 [title only]** “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND **PROJECT CONTROL**; AND OTHER MATTERS RELATING THERETO INCLUDING, WITHOUT LIMITATION, PAYMENT OF A FEE IN LIEU OF TAXES RELATED TO THE PROJECT”

## First & Final Reading of the following Resolutions

**Resolution R2014-20** “A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN INDUCEMENT AGREEMENT BY AND BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND **PROJECT EAGLE**; WHEREBY, UNDER CERTAIN CONDITIONS, OCONEE COUNTY WILL PROVIDE AN INFRASTRUCTURE TAX CREDIT TO PROJECT EAGLE AND PLACE THE PROJECT INTO A JOINT COUNTY INDUSTRIAL AND BUSINESS PARK”

**Resolution R2014-21** “A RESOLUTION IN SUPPORT OF THE EFFORT TO DEEPEN CHARLESTON HARBOR”

**Resolution R2014-22** “A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN INDUCEMENT AGREEMENT BY AND BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND **PROJECT CONTROL**; WHEREBY, UNDER CERTAIN CONDITIONS, OCONEE COUNTY WILL PROVIDE AN INFRASTRUCTURE TAX CREDIT TO PROJECT EAGLE AND PLACE THE PROJECT INTO A JOINT COUNTY INDUSTRIAL AND BUSINESS PARK”

## Discussion Regarding Action Items

### Local and/or State ATAX Grants / \$20,000

These requests include \$5,000 for USA Triathlon Collegiate National Championships and \$15,000 to Mountain Lakes CVB as the final payment of the 2014-2015 budget. \$15,000 was withheld from original CVB allocation until the 4<sup>th</sup> Quarter ATAX payment was received from the State. The requests were approved and recommended by the PRT Commission on 11/20/14. Request A portion of Local and State ATAX revenues received by Oconee County are made available for ATAX grants through Ordinance 2011-12. All 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 and approved by County Council. All 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. Local ATAX Balance after award = \$147,622 State ATAX Balance after award = \$24,000

**It is the staff's recommendation that Council approved the ATAX grant recommendations as recommended by the PRT Commission.**

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## Seven [7] Chevrolet Tahoe's / Sheriff's Office / \$204,903

Sheriff's fleet vehicles necessary for fiscal year 2014-2015 operations include (7) seven 2015 Chevrolet Tahoes with the Police Pursuit package. Five (5) of the seven (7) will have a left hand spotlight option added.

The new vehicles will replace high-mileage vehicles currently used in the Sheriff's fleet. The replaced vehicles will either be used as spares, rotated to other departments, or sold on GovDeals.com. The Fleet Maintenance Director also approves this purchase. Pricing for this purchase is per State Contract # 4400009456

**It is the staff's recommendation that Council approve purchase of seven Chevrolet Tahoes to Love Chevrolet, of Columbia, SC, in the amount of \$204,903.00, per State Contract # 4400009456.**

## Old Business

[None scheduled at this meeting.]

[to include Vote and/or Action on matters brought up for discussion, if required]

- Transit Implementation Plan Update / Mr. Moulder

## New Business

[None scheduled at this meeting.]

[to include Vote and/or Action on matters brought up for discussion, if required]

## Council Committee Reports

- Planning & Economic Development Committee / Mr. Corbeil
- Real Estate, Facilities & Land Management Committee / Mr. Cain

## Board & Commission Appointments

*Oconee County Council is seeking interested citizens wishing to serve on council appointed Boards or Commissions. Questionnaires are required for all interested applicants and can be obtained on the Council Website, at the County offices or from the Clerk to Council.*

*Council will actively begin appointments and/or reappointments for district specific seats [District I, III and some At Large Seats] for many Boards/Commissions beginning on January 20, 2015.*

## Executive Session

[for the purpose of receiving legal advice regarding an Economic Development matter]

- Vote and/or Action on matters discussed in Executive Session [if required]

## Public Comment Session / **Non Agenda Action Items** [time permitting]

Council will hear public comment during this portion of the meeting for Non-Agenda Items

*Combined the two Public Comment Sessions at this meeting are limited to a total of forty (40) minutes, four (4) minutes per person.*

## Council Member Comments

## Adjourn

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 The Honorable William F. Derrick will administer the Oath of Office to  
 Ms. Edda Cammick, Council Member, District I &  
 Mr. Paul A. Cain, Council Member, District III  
 at 5:30 pm on January 6, 2015 prior to the 6:00 p.m. Council Meeting.  
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Assisted Listening Devices [ALD] are available to accommodate the special needs of citizens attending meetings held in Council Chambers.

ALD requests should be made to the Clerk to Council at least 30 minutes prior to the meeting start time.

Oconee County Council & Committee meeting schedules and agendas are posted at the Oconee County Administration Building & are available on the County Council Website.

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