



A G E N D A

OCONEE COUNTY COUNCIL MEETING

December 15, 2015

6:00 PM

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

Call to Order

Public Comment Session [Limited to a total of forty (40) minutes, four (4) minutes per person.]

Council Member Comments

Moment of Silence

Invocation by County Council Chaplain

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

Approval of Minutes

- December 1, 2015 Regular Meeting

Administrator Report & Agenda Summary

First Reading Regarding the Following Ordinances

Ordinance 2015-35 “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A REFORMED AND RESTATED GROUND LEASE AGREEMENT BETWEEN OCONEE COUNTY, AS LESSOR, AND HANGAR, III, LLC, AS LESSEE, AND AUTHORIZING THE CONTEMPORANEOUS EXECUTION AND DELIVERY OF A RELEASE AND STIPULATION OR ORDER OF DISMISSAL WITH PREJUDICE, ENDING THE LITIGATION CAPTIONED OCONEE COUNTY, KEVIN ROBINSON, OCONEE COUNTY DELINQUENT TAX COLLECTOR V. HANGAR III, LLC, 25 EP CORP., BDS, JERRY EDWARDS, AND STEVE EDWARDS, C.A. NO. 2014-CP-37-539; AND OTHER MATTERS RELATING THERETO”

Ordinance 2015-36 [title only] “AN ORDINANCE CONSENTING TO THE CONVERSION BY THE COUNTY OF CERTAIN RIGHTS OF BORGWARNER TORQTRANSFER SYSTEMS, INC. (THE “COMPANY”) UNDER AN EXISTING LEASE PURCHASE AGREEMENT WITH THE COUNTY TO A FEE AGREEMENT PURSUANT TO TITLE 12, CHAPTER 44, SOUTH CAROLINA CODE, 1976, AS AMENDED (THE “ACT”), AS PROVIDED IN THE ACT, AUTHORIZING THE EXECUTION AND DELIVERY OF SUCH FEE AGREEMENT BETWEEN THE COUNTY AND THE COMPANY IN PLACE OF SAID LEASE PURCHASE AGREEMENT, AND AUTHORIZING THE RECONVEYANCE BY THE COUNTY TO THE COMPANY OF THE PROPERTY SUBJECT TO SUCH LEASE PURCHASE AGREEMENT; AND OTHER MATTERS RELATING THERETO”

The sole purposes of the ordinance will be to authorize the conversion FILOT Agreement (converting the old title-transfer lease agreement into the non-title-transfer Fee Agreement) and to authorize return of the Company's property (transferred to the County under the previous FILOT Lease Agreement) to them, once the new Fee Agreement is in place, all at the request of the Company, with no risk or liability to the County, no cost to the County, and all as authorized by South Carolina law.

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.

First & Final Reading Regarding the Following Resolutions

Resolution R2015-18 “A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGREEMENT RELATING TO THE USE OF SOUTH CAROLINA LICENSE TAX CREDITS FOR INFRASTRUCTURE IMPROVEMENT, BY AND AMONG OCONEE COUNTY, BLUE RIDGE ELECTRIC COOPERATIVE, INC. (“COOPERATIVE”) AND POINTE WEST DEVELOPMENT (“DEVELOPER”); AND OTHER MATTERS RELATED THERETO”

Blue Ridge Electric Cooperative is providing Utility Tax Credits (UTCs) for the Pointe West Development (i.e. The Pier) located in Oconee County. The “Pointe West project” is located on 220 +/- acres bordering Hartwell Lake, across Cherry Road from the Highpointe student housing development. The Cooperative desires to provide, in cash, the sum of One Hundred Thousand Dollars (\$100,000.00), which it intends to use as an allowable credit against its South Carolina license tax liability, to the extent, only, that such sum is to be used for improvements, consistent with “eligible” projects under Section 12-20-105 of the Code, as specified in the agreement. {These funds are to be used sewer infrastructure and treatment upgrades.} Oconee County is merely acting as a conduit and NO county funds are associated with this manner. Ultimate responsibility falls on the developer.

Discussion Regarding Action Items

Local ATAX / PRT Commission Recommendations / \$14,932

A portion of Local and State 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 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.

It is the staff’s recommendation that Council approve the Local ATAX recommendations as provided.

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

None scheduled at this meeting.

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

None scheduled at this meeting.

Council Committee Reports

Planning & Economic Development Committee / Mr. Cain

Board & Commission Appointments

Destination Oconee Action Committee

District IV, District V & 2 At Large Seats **[at large members to be selected through ballot process]**
[FYI: Committee will not meet until 1Q 2016 once the Destination Oconee staff position is filled]

Conservation Bank Board / 1 At Large Seat / 3 Questionnaires on file

[membership criteria outlined in 2015-17-provided]

Adjourn

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**Oconee County Council will hold its first 2016 meeting  
on Tuesday, January 5, 2016 at 6:00 p.m.**  
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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, Board & Commission meeting schedules, agendas are posted at the Oconee County Administration Building & are available on the County Council Website

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