



# MINUTES CONSERVATION BANK BOARD

September 17, 2019

Oconee County Administrative Offices, Council Chambers  
415 S. Pine Street, Walhalla, SC 29691

## **MEMBERS**

Mr. Andrew Smith, Chairman, District II  
Ms. Frances Rundlett, Vice Chairman, At Large  
Ms. Emily Hitchcock, Secretary, At Large  
Mr. Frank Ables, Treasurer, District V

Mr. Ryan Keese, District III  
Mr. Marvin Prater, District IV  
Ms. Laura Havran, District I  
Ms. Katie D. Smith, Staff Liaison

The Oconee County Conservation Bank Board [OCCB] met at 9:00 a.m. in Council Chambers, 415 South Pine Street, Walhalla, SC with all members present [except Ms. Havran & Ms. Hitchcock] and Katie D. Smith, Clerk to Council acting as staff liaison.

**Press:** Pursuant to the Freedom of Information Act, notice of the meeting, date, time, place of meeting and agenda were posted on the bulletin board at the County Administrative Offices, 415 South Pine Street, Walhalla, SC, and the County Council website [[www.oconeesc.com/council](http://www.oconeesc.com/council)]. In addition, it was made available [*upon request*] to the newspapers, radio stations, television stations and concerned citizens.

No members of the media were present.

## **Call to Order**

Mr. Smith called the meeting to order at 9:03 a.m.

## **Approval of Minutes**

Ms. Rundlett made a motion, seconded by Mr. Ables, approved 5 – 0, to approve the minutes from August 27, 2019 meeting as presented.

## **Treasurer's Report**

Mr. Ables noted the Treasurer's Reports for Community First Bank and the Local Government Investment Pool [State Pool] as presented are accurate. He further noted the balances on the reports are as follows:

Community First Bank for August 2019 is \$14,980.00;

Local Government Investment Pool [State Pool] for August 2019 is \$593,148.42.

Mr. Keese made a motion, seconded by Ms. Rundlett, approved 5 – 0, to accept as presented the Treasurer's Report for both Community First Bank and the Local Government Investment Pool [State Pool] for August 2019.

## **Discussion Items**

Lengthy discussion followed regarding the topics indicated below, with various opinions expressed, to include but not limited to:

### **Revisit 2019-2020 Budget**

Mr. Smith noted the OCCB is allowed to give funds for interest in land, not just closing costs. Mr. Eddie Martin, Oconee Water & Soil Conservation District, asked the OCCB about the ability of bridge

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funding. Mr. Smith noted he spoke with the County Attorney and the County Treasurer and further noted the South Carolina Constitution prohibits government entities from making loans except in very narrow circumstances dealing with public schools.

Mr. Smith noted that the ordinance requires that the OCCB make application decisions within 60 days of our deadlines. He further noted the ordinance does not require the OCCB to have a budget but is a good idea to have one in place. However, the previous budget that was passed is not working due to the grant cap that was set is arbitrary and set too low. Discussion continued to include:

- Percentage cap would be the appraised conservation value
- Fair market value vs. reduced value once the development rights are stripped and have a conservation value that is the difference of the two
- Grant cap that was previously set was \$25,000
- Propose 10% of the appraised conservation value for the grant value

Mr. Smith made a motion, seconded by Ms. Rundlett, to amend the budget to base the individual grant cap with a maximum of 10% conservation values of properties and have 1/3 of our funds cap for what we spend each year.

Discussion continued to include:

- Save funds for big properties
- Appraisals; must be completed prior to closing
- Percentage for the projects instead of a flat amount across the board for grants
- Limit on what OCCB spends each year

Per Mr. Keese, Mr. Martin addressed the Board and noted when they are seeking Agricultural Conservation Easement Program [ACEP] or Natural Resources Conservation Service [NRCS] funding, they use yellow book appraisals and further noted they are familiar with conservation easements. Discussion continued.

Per Mr. Smith, Mr. Mac Stone, Executive Director with Naturaland Trust, addressed the Board and noted they have worked with yellow book appraisals and noted they are only required when you are working with a federal entity. He further noted they take a lot longer and cost a lot more as well and have a much longer process. Discussion continued.

Mr. Smith made a motion, seconded by Ms. Rundlett, approved 5 – 0, to withdraw his previous motion.

Mr. Smith made a motion, seconded by Mr. Keese, approved 5 – 0, to remove the previously approved budget and replace with a budget that has an individual grant budget cap of 10% of the conservation value cited in the application.

#### Continued Discussion and/or Action Regarding Moore Property

Mr. Keese recused himself from discussion regarding the Moore property [copy of recusal form filed with these minutes.]

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Discussion regarding the Criteria Worksheet and scoring of the Moore property continued to include but not limited to:

| <b>Conservation Criteria</b>                                  | <b>Maximum Points</b> | <b>Received</b> |
|---|-----------------------|-----------------|
| Environmental Sensitivity                                     | 35                    | 0               |
| Percentage of Property Sharing a Boundary with Protected Land | 10                    | 0               |
| Historical / Cultural Features                                | 5                     | 1               |
| Prime / Statewide Important Soil Types                        | 10                    | 4               |
| Actively Farmed   | 5                     | 5               |
| Public Visibility of Property                                 | 5                     | 5               |
| Scenic View from Property                                     | 5                     | 5               |
| Public Access   | 10                    | 0               |
| Threat of Development   | 5                     | 5               |
| Size of Protected Property                                    | 10                    | 3               |
|   |                       |                 |
| <b>Total Points Received</b>                                  |                       | <b>28</b>       |

| <b>Financial</b>   | <b>Scoring of Financial Criteria</b> |      |      |      |           |           |
|--|--------------------------------------|------|------|------|-----------|-----------|
|  | None                                 | Poor | Fair | Good | Excellent | Score     |
|  | 0                                    | 2    | 3    | 4    | 5         |           |
| Funding Percentage Requested   |                                      |      | ✓    |      |           | 3         |
| Matching or Other Monetary Contributions from Other Agencies or Groups |                                      |      | ✓    |      |           | 3         |
| Low Cost for Value Received  |                                      |      |      |      | ✓         | 5         |
| Other Financial Benefit  | ✓                                    |      |      |      |           | 0         |
| Other Incentives   |                                      |      | ✓    |      |           | 3         |
|  |                                      |      |      |      |           |           |
| <b>Total Points Received</b>   |                                      |      |      |      |           | <b>14</b> |
|  |                                      |      |      |      |           |           |
|  |                                      |      |      |      |           |           |
| <b>Total OCCB Scoring Index (OSI)</b>                                  |                                      |      |      |      |           | <b>42</b> |

Mr. Ables made a motion, seconded by Mr. Prater, approved 4 – 0, [Mr. Keese recused himself; copy of recusal form filed with these minutes] to approve the evaluation scoring sheet as presented for the Moore property at a score of 42 [copy filed with these minutes].

Continued Discussion and/or Action Regarding William Lyles Estate

Mr. Prater recused himself from discussion regarding the William Lyles Estate property [copy of recusal form filed with these minutes.]

Discussion regarding the Criteria Worksheet and scoring of the William Lyles Estate continued to include but not limited to:

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| <b>Conservation Criteria</b>                                  | <b>Maximum Points</b> | <b>Received</b> |
|---|-----------------------|-----------------|
| Environmental Sensitivity                                     | 35                    | 18              |
| Percentage of Property Sharing a Boundary with Protected Land | 10                    | 4               |
| Historical / Cultural Features                                | 5                     | 5               |
| Prime / Statewide Important Soil Types                        | 10                    | 3               |
| Actively Farmed   | 5                     | 5               |
| Public Visibility of Property                                 | 5                     | 5               |
| Scenic View from Property                                     | 5                     | 5               |
| Public Access   | 10                    | 5               |
| Threat of Development   | 5                     | 5               |
| Size of Protected Property                                    | 10                    | 5               |
|   |                       |                 |
| <b>Total Points Received</b>                                  |                       | <b>60</b>       |

| <b>Financial</b>   | <b>Scoring of Financial Criteria</b> |      |      |      |           | <b>Score</b> |
|--|--------------------------------------|------|------|------|-----------|--------------|
|  | None                                 | Poor | Fair | Good | Excellent |              |
|  | 0                                    | 2    | 3    | 4    | 5         |              |
| Funding Percentage Requested   |                                      |      |      | ✓    |           | 4            |
| Matching or Other Monetary Contributions from Other Agencies or Groups |                                      |      | ✓    |      |           | 3            |
| Low Cost for Value Received  |                                      |      |      | ✓    |           | 4            |
| Other Financial Benefit  | ✓                                    |      |      |      |           | 0            |
| Other Incentives   |                                      |      |      |      | ✓         | 5            |
|  |                                      |      |      |      |           |              |
| <b>Total Points Received</b>   |                                      |      |      |      |           | <b>16</b>    |
|  |                                      |      |      |      |           |              |
|  |                                      |      |      |      |           |              |
| Total OCCB Scoring Index (OSI)   |                                      |      |      |      |           | <b>76</b>    |

Mr. Ables made a motion, seconded by Ms. Rundlett, approved 4 – 0, [Mr. Prater recused himself; copy of recusal form filed with these minutes] to approve the evaluation scoring sheet as presented for the William Lyles Estate at a score of 76 [copy filed with these minutes].

*[remaining left blank intentionally]*

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Discussion and/or Action Regarding Worthington Hyde Partners property

Discussion regarding the Criteria Worksheet and scoring of the Worthington Hyde Partners property continued to include but not limited to:

| <b>Conservation Criteria</b>                                  | <b>Maximum Points</b> | <b>Received</b> |
|---|-----------------------|-----------------|
| Environmental Sensitivity                                     | 35                    | 30              |
| Percentage of Property Sharing a Boundary with Protected Land | 10                    | 5               |
| Historical / Cultural Features                                | 5                     | 0               |
| Prime / Statewide Important Soil Types                        | 10                    | 0               |
| Actively Farmed   | 5                     | 0               |
| Public Visibility of Property                                 | 5                     | 5               |
| Scenic View from Property                                     | 5                     | 5               |
| Public Access   | 10                    | 10              |
| Threat of Development   | 5                     | 5               |
| Size of Protected Property                                    | 10                    | 5               |
|   |                       |                 |
| <b>Total Points Received</b>                                  |                       | <b>65</b>       |

| <b>Financial</b>   | <b>Scoring of Financial Criteria</b> |      |      |      |           |           |
|--|--------------------------------------|------|------|------|-----------|-----------|
|  | None                                 | Poor | Fair | Good | Excellent | Score     |
|  | 0                                    | 2    | 3    | 4    | 5         |           |
| Funding Percentage Requested   |                                      |      |      |      | ✓         | 5         |
| Matching or Other Monetary Contributions from Other Agencies or Groups |                                      |      |      |      | ✓         | 5         |
| Low Cost for Value Received  |                                      |      |      |      | ✓         | 5         |
| Other Financial Benefit  |                                      |      | ✓    |      |           | 3         |
| Other Incentives   |                                      |      |      |      | ✓         | 5         |
|  |                                      |      |      |      |           |           |
| <b>Total Points Received</b>   |                                      |      |      |      |           | <b>23</b> |
|  |                                      |      |      |      |           |           |
| <b>Total OCCB Scoring Index (OSI)</b>                                  |                                      |      |      |      |           | <b>88</b> |

When Mr. Stone submitted his application, the grant cap was \$25,000. However, the OCCB amended the budget prior in the meeting to a maximum of 10% conservation value of the property, which would be more funds than what Mr. Stone asked for. Per Mr. Smith, Mr. Stone is to submit Section III, pages 6 thru 8 to the Clerk to Council after the meeting to increase the amount sought for the proposal for \$60,000.00.

Mr. Keese made a motion, seconded by Mr. Prater, approved 5 – 0, to approve Mr. Mac Stone to amend the amount requested for the Worthington Hyde Partners property in the amount of \$60,000.00 on the application.

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Mr. Ables made a motion, seconded by Mr. Smith, approved 5 – 0, to approve the evaluation scoring sheet as presented at a score of 88 [copy filed with these minutes].

Mr. Keese made a motion, seconded by Mr. Ables, to approve the funding for the Worthington Hyde Partners property in the amount of \$60,000 for a fee simple purchase.

Mr. Smith noted the budgetary motion was 10% of the conservation value, not 10% of conservation value plus 20% of the closing costs. The maximum award amount would be \$58,000 for the Worthington Hyde Partners property.

Mr. Keese made a motion, seconded by Mr. Ables, approved 5 – 0, to withdraw his previous motion to approve funding for the Worthington Hyde Partners property in the amount of \$60,000 for a fee simple purchase.

Mr. Keese made a motion, seconded by Mr. Ables, approved 5 – 0, to approve the funding for the Worthington Hyde Partners property in the amount of \$58,000.00, which is 10% of the conservation value, for a fee simple purchase.

Mr. Ables made a motion, seconded by Ms. Rundlett, approved 4 – 0 [Mr. Prater recused himself; copy of recusal filed with these minutes], to approve the funding for the William Lyles Estate property in the amount of \$34,000.00, which is 10% of the conservation value, for a conservation easement.

Mr. Smith made a motion, seconded by Ms. Rundlett, approved 4 – 0 [Mr. Keese recused himself; copy of recusal form filed with the minutes] to approve the funding for the Moore property in the amount of \$8,100.00, which is 10% of the conservation value, for a conservation easement.

#### Continued discussion regarding Alternate Funding Sources

Ms. Rundlett made a motion, seconded by Mr. Smith, to approve to give Mr. Keese the authority to speak on behalf of the OCCB regarding request for funding presentations.

Discussion continued to include:

- All members can speak in regards to presentations
- Keowee Key has a conduit for members and residents to be able to make charitable donations
- Approve a member to make presentations?
- Include Ms. Havran in the request for funding presentations
- Table the motion until Mr. Keese and Ms. Havran are ready to give presentations

The Clerk noted if the motion is tabled, the motion will die if it has not been taken from the table by the close of the next meeting.

Ms. Rundlett made a motion, seconded by Mr. Smith, approved 5 – 0, to withdraw the previous motion regarding giving Mr. Keese the authority to speak on behalf of the OCCB for request of funding presentations.

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Ms. Rundlett asked that since Greenville and Pickens Counties do not have a conservation bank board, can we incorporate those counties into Oconee's Conservation Bank. Mr. Smith noted the grant was from Duke Energy and the parameters are for only Oconee County. Discussion continued.

Mr. Smith updated the Board on the PowerPoint presentation to Council noting it would be at the October 1, 2019 Council meeting. He further noted he would have spoken about the bridge funding but that is constitutionally prohibited. Discussion continued.

Mr. Smith made a motion, seconded by Mr. Ables, approved 5 – 0, to send the recommendations for funding to full Council regarding the Moore property in the amount of \$8,100, William Lyles Estate in the amount of \$34,000, and Worthington Hyde Partners property in the amount of \$58,000, which was approved by OCCB.

**New Business:**

Mr. Smith noted the Clerk created an introduction for the website regarding the OCCB and read into the record [copy filed with backup materials].

Mr. Keese made a motion, seconded by Ms. Rundlett, approved 5 – 0, to upload the introduction to the website under the OCCB tab.

**Old Business**

None at this meeting.

**Next Meeting:**

The next meeting will be held at 9:00 a.m., Tuesday, November 19, 2019 at the Oconee County Council Chambers, 415 South Pine Street, Walhalla, SC 29691.

**Adjourn:**

Mr. Keese made a motion, approved unanimously, to adjourn the meeting at 10:59 a.m.

Respectfully Submitted:

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Katie D. Smith  
Clerk to Council & Staff Liaison

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OCONEE CONSERVATION  
BANK BOARD RECUSAL  
FORM

OCCB Member Name: Ryan Keese  
[Please Print]

OCCB Member Signature: RK

Meeting Date: 9.17.2019

Item for Discussion/Note: Continued discussion and/or  
action regarding Moore property

Reason for Recusal  I was not present for original meeting/discussion

I have a personal/familial interest in the issue.

Other: \_\_\_\_\_

I am related to the Moore  
family.

Katie D. Smith  
Katie Smith  
Clerk to Council





OCONEE CONSERVATION  
BANK BOARD RECUSAL  
FORM

OCCB Member Name:

Ryan Keese  
(Please Print)

OCCB Member Signature:

RK

Meeting Date:

9.17.2019

Item for Discussion/Note:

Approval of evaluation scoring  
Sheet for the Moore property.

Reason for Recusal

I was not present for original meeting/discussion

I have a personal/familial interest in the issue.

Other:

I am related to  
the Moore family.

Katie D. Smith  
Katie Smith  
Clerk to Council



OCONEE CONSERVATION  
BANK BOARD RECUSAL  
FORM

OCCB Member Name: Ryan Keese  
(Please Print)

OCCB Member Signature: RK

Meeting Date: 9-17-2019

Item for Discussion/Note: Approval of funding for the Moore property in the amount of \$8,100, which is 10% of the conservation easement, for a conservation easement.

Reason for Recusal  I was not present for original meeting/discussion

I have a personal/familial interest in the issue.

Other: I am related to the Moore family.

Katie D. Smith  
Katie Smith  
Clerk to Council



OCONEE CONSERVATION  
BANK BOARD RECUSAL  
FORM

OCCB Member Name: Marvin Prater  
[Please Print]

OCCB Member Signature: Marvin Prater

Meeting Date: 9.17.2019

Item for Discussion/Note: Continued discussion and/or  
action regarding William Lyles  
Estate

Reason for Recusal  I was not present for original meeting/discussion

I have a personal/familial interest in the issue.

Other: \_\_\_\_\_

Katie D. Smith  
Katie Smith  
Clerk to Council



OCONEE CONSERVATION  
BANK BOARD RECUSAL  
FORM

OCCB Member Name:

Marvin Prater

[Please Print]

OCCB Member Signature:

Marvin Prater

Meeting Date:

9-17-2019

Item for Discussion/Note:

Approval of evaluation scoring sheet  
for the William Lyles Estate.

Reason for Recusal

I was not present for original meeting/discussion

I have a personal/familial interest in the issue.

Other:

Katie D. Smith  
Katie Smith  
Clerk to Council

[This form to be filed as part of the permanent record of the meeting.]





OCONEE CONSERVATION  
BANK BOARD RECUSAL  
FORM

OCCB Member Name: Marvin Prater  
[Please Print]

OCCB Member Signature: Marvin Prater

Meeting Date: 9-17-2019

Item for Discussion/Note: Approval of funding for the William Lyles Estate property in the amount of \$34,000, which is 10% of the Conservation value for a conservation easement.

Reason for Recusal  I was not present for original meeting/discussion

I have a personal/familial interest in the issue.

Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Katie Smith  
Katie Smith  
Clerk to Council