

MINUTES OF REGULAR MEETING  
SALUDA COUNTY COUNCIL  
MONDAY, OCTOBER 9, 2017 AT 6:00 P.M.  
COUNCIL CHAMBERS OF SALUDA COUNTY ADMINISTRATION BUILDING  
400 WEST HIGHLAND STREET, SALUDA, SOUTH CAROLINA 29138

A. CALL TO ORDER

Vice-Chair Gwendolyn C. Shealy called the regular meeting of Saluda County Council to order at 6:00 P.M.

Present were: Vice-Chair Gwendolyn C. Shealy  
Coun. Jones P. Butler  
Coun. J. Frank Daniel, Sr.  
Coun. D. J. Miller

Also present were: County Director, Sandra G. Padgett  
Clerk to Council, Karen T. Whittle  
Attorney, Justin T. Williams

B. INVOCATION

Coun. Daniel delivered the invocation.

C. PLEDGE OF ALLEGIANCE

Vice-Chair Shealy led the Pledge of Allegiance.

D. APPROVAL OF MINUTES

On motion of Coun. Daniel, seconded by Coun. Miller, the minutes for September 9 and 18, 2017 were unanimously approved as submitted.

E. PUBLIC INFORMATION

It is noted by the Clerk herein that in compliance with the Freedom of Information Act, notice of meeting and agenda were given to the local news media and properly posted, to include the county website.

F. REPORTS OF COUNTY OFFICIALS

1. Coun. Daniel invited everyone to the Ridge Spring Harvest Festival activities October 12<sup>th</sup> – 14<sup>th</sup>.

2. Coun. Butler thanked the five volunteer fire departments and firemen, to include an out of county fire department, for their response and work in extinguishing the fire on Sunday, October 8<sup>th</sup> at the Timbermen lumber plant located on Fruit Hill Road. Coun. Butler also thanked the Red Cross for their support in providing lunch for the firemen.

#### G. PUBLIC HEARING

1. Vice-Chair Shealy opened the Public Hearing on Ordinance No. 11-17, "AN ORDINANCE AUTHORIZING PURSUANT TO TITLE 12, CHAPTER 44 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF AD VALOREM TAXES AGREEMENT, BY AND BETWEEN SALUDA COUNTY, SOUTH CAROLINA, AND BEULAH SOLAR LLC, AS SPONSOR, AND ONE OR MORE SPONSOR AFFILIATES TO PROVIDE FOR A FEE-IN-LIEU OF AD VALOREM TAXES INCENTIVE AND CERTAIN SPECIAL SOURCE REVENUE CREDITS; TO PROVIDE FOR THE INCLUSION OF THE PROJECT IN A MULTI-COUNTY BUSINESS OR INDUSTRIAL PARK; AND OTHER RELATED MATTERS."

Economic Development Consultant Ed Parler gave an overview of the project by Cypress Creek Renewables stating it was a 75 megawatt solar farm in the Batesburg-Leesville area at a total capital investment of \$115 million. Mr. Parler said the county was asked to consider a fee-in-lieu-of-tax agreement for this project for forty (40) years at an annual fee payment of \$150,000.00 to the county to be shared with Lexington School District 55 at approximately \$82,243.00 and Saluda County general fund \$67,257.00. Mr. Parler said construction on the project was anticipated to begin in 2019, to be on the tax role in 2020. Mr. Parler said there would be a tremendous amount of economic impact on the Batesburg Leesville merchants and community during construction and the company had calculated and provided to the county that approximately \$90 million would be spent locally between suppliers, contractors, 1300 construction workers, and others. Mr. Parler, on behalf of Economic Development department, recommended Council approve third reading of Ordinance No. 11-17.

No one else spoke and the public hearing was closed.

2. Vice-Chair Shealy opened the Public Hearing on Ordinance No. 13-17, "AN ORDINANCE TO QUIT CLAIM PROPERTY OWNED BY SALUDA COUNTY CONTAINING 10 ACRES ON EAST END DRIVE, SALUDA, SOUTH CAROLINA."

Mr. James Holloway and Mr. Obie Combs spoke at the public hearing and expressed their views on the Brooks Roston Park property.

No one else spoke and the public hearing was closed.

3. Vice-Chair Shealy opened the Public Hearing on Ordinance No. 14-17, "AN ORDINANCE TO AMEND THE MULTI-COUNTY INDUSTRIAL PARK AGREEMENT BETWEEN SALUDA COUNTY AND AIKEN COUNTY ATTACHED AS SCHEDULE I OF ORDINANCE NO. 13-13; TO ADD OTHER PROPERTIES REQUESTED TO BE PLACED IN THE MULTI-COUNTY PARK; TO REMOVE PROPERTY PLACED IN THE MULTI-COUNTY PARK; AND TO EXTEND THE TERM OF THE MULTI-COUNTY INDUSTRIAL PARK AGREEMENT."

Vice-Chair Shealy read the following additions, deletion, and term extension of the multi-county park agreement.

To amend Schedule I, the Ridge Spring Industrial and Business Park Agreement between Saluda County, South Carolina and Aiken County, South Carolina, in accordance with Section 1.02 (b) to add the following properties to Exhibit A of the Multi-County Park Agreement:

<u>Property Name</u>	<u>Tax Map Number</u>	<u>County</u>
Saluda Solar, LLC	063-00-00-051	Saluda
Saluda Solar II, LLC	099-00-00-051	Saluda
Beulah Solar	175-00-00-028 185-00-00-004 184-00-00-001 184-00-00-048	Saluda
Southland Saluda LLC	100-00-00-046	Saluda
S. C. Pet Food Solutions	103-00-00-043	Saluda
Project Thunder	106-00-00-007 106-00-00-008 106-00-00-016 107-00-01-022	Saluda
Project Catalina	178-00-00-001 178-00-00-002	Saluda

To amend Schedule I, the Ridge Spring Industrial and Business Park Agreement between Saluda County, South Carolina and Aiken County, South Carolina, in accordance with Section 1.02 (b) for the removal of the following property listed in Exhibit A of the Multi-County Park Agreement:

<u>Property Name</u>	<u>Tax Map Number</u>	<u>County</u>
Vision 8	079-19-02-015	Saluda

To amend Section 1.02 (d) to read for a period of (40) forty years from the approval date of Project Beulah, thus October 2057.

No one spoke and the public hearing was closed.

4. Vice-Chair Shealy opened the Public Hearing on Ordinance No. 15-17, "AN ORDINANCE TO AMEND ORDINANCE NO. 06-14, AN ORDINANCE TO LEASE T-HANGARS OWNED BY SALUDA COUNTY, SOUTH CAROLINA, LOCATED AT THE SALUDA COUNTY AIRPORT, TO CHANGE SECTION 5, USE OF PREMISES, OF THE T-HANGAR LEASE AGREEMENT."

Vice-Chair Shealy read the following highlighted changes to Section 5 – Use of Premises:

- b. Lessee shall not store any fuels, oils or other flammables in the hangar or on the leased premises.
- c. T-Hangars are for storage of airworthy aircraft only. Lessee shall not conduct or allow any fueling or major alterations or major repairs in the hangar or on the leased premises other than "preventative maintenance", as defined in Federal Aviation Regulations (FAR) Part 43, and no commercial activities of any nature shall be conducted in the hangar or on the leased premises.
- d. Hangars are not to be used as sleeping quarters.
- e. The aircraft owner's automobile may be parked in the hangar only while the aircraft is being flown.
- f. Kerosene or gas heaters or any type open flame heaters or apparatus are prohibited. Welding nor welding equipment is not allowed in T-Hangars.
- g. Locks are furnished with each hangar. These locks shall not be replaced, removed, or re-keyed. If lock changes are necessary for any reason, the Lessor must be contacted.
- h. Lessee shall keep the Premises clean and free of debris at all times. Rubbish, trash, rags, cans, grease, food items, gasoline, or other combustible material in and about the T-Hangars will not be tolerated. Lessee shall keep their T-Hangar clean at all times, and it shall be subject to inspection by the Lessor at any time. If found to be a fire or accident hazard, Lessee shall be so informed and Lessor shall immediately clean the hangar.

No one spoke and the public hearing was closed.

H. OLD BUSINESS

1. On motion of Coun. Butler, seconded by Coun. Miller, and unanimously approved, Third Reading was given on Ordinance No. 11-17, "AN ORDINANCE AUTHORIZING PURSUANT TO TITLE 12, CHAPTER 44 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF AD VALOREM TAXES AGREEMENT, BY AND BETWEEN SALUDA COUNTY, SOUTH CAROLINA, AND BEULAH SOLAR LLC, AS SPONSOR, AND ONE OR MORE SPONSOR AFFILIATES TO PROVIDE FOR A FEE-IN-LIEU OF AD VALOREM TAXES INCENTIVE AND CERTAIN SPECIAL SOURCE REVENUE CREDITS; TO PROVIDE FOR THE INCLUSION OF THE PROJECT IN A MULTI-COUNTY BUSINESS OR INDUSTRIAL PARK; AND OTHER RELATED MATTERS."
2. On motion of Coun. Butler, seconded by Coun. Daniel, and unanimously approved, Third Reading was given on Ordinance No. 13-17, "AN ORDINANCE TO QUIT CLAIM PROPERTY OWNED BY SALUDA COUNTY CONTAINING 10 ACRES ON EAST END DRIVE, SALUDA, SOUTH CAROLINA."
3. On motion of Coun. Daniel, seconded by Coun. Butler, and unanimously approved, Third Reading was given on Ordinance No. 14-17, "AN ORDINANCE TO AMEND THE MULTI-COUNTY INDUSTRIAL PARK AGREEMENT BETWEEN SALUDA COUNTY AND AIKEN COUNTY ATTACHED AS SCHEDULE I OF ORDINANCE NO. 13-13; TO ADD OTHER PROPERTIES REQUESTED TO BE PLACED IN THE MULTI-COUNTY PARK; TO REMOVE PROPERTY PLACED IN THE MULTI-COUNTY PARK; AND TO EXTEND THE TERM OF THE MULTI-COUNTY INDUSTRIAL PARK AGREEMENT."
4. On motion of Coun. Butler, seconded by Coun. Miller, and unanimously approved, Third Reading was given on Ordinance No. 15-17, "AN ORDINANCE TO AMEND ORDINANCE NO. 06-14, AN ORDINANCE TO LEASE T-HANGARS OWNED BY SALUDA COUNTY, SOUTH CAROLINA, LOCATED AT THE SALUDA COUNTY AIRPORT, TO CHANGE SECTION 5, USE OF PREMISES, OF THE T-HANGAR LEASE AGREEMENT."
5. On motion of Coun. Butler, seconded by Coun. Miller, and unanimously approved, Second Reading was given on Ordinance No. 16-17, "AN ORDINANCE AUTHORIZING (1) THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AND INCENTIVE AGREEMENT BY AND BETWEEN SALUDA COUNTY, SOUTH CAROLINA (THE "COUNTY") AND A COMPANY IDENTIFIED FOR THE TIME BEING AS PROJECT PBM, ACTING FOR ITSELF, ONE OR MORE AFFILIATES, AND/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.”

I. NEW BUSINESS

1. Vice-Chair Shealy recognized EMS Director Jacob Starnes to present the High School Emergency Medical Services (EMS) Explorer Program.

Mr. Starnes presented to Council the EMS Explorer Program through the Boy Scouts of America that allowed young men and women in the 9<sup>th</sup> through 12<sup>th</sup> grades to participate in the program that had an interest in learning more about careers in the field of Emergency services. Mr. Starnes said if Saluda County chose to participate in this program, the participants would be able to ride along with EMS units, participate in high school activities, and receive training and certifications such as CPR, first aid, etc. by EMS staff. Mr. Starnes said at the end of the training, they would like to pursue the possibility of the 501(c)(3) organization On Point, offering tuition for the EMT class to one or two of the top participants that had an interest in pursuing a career in EMS. Mr. Starnes informed Council the liability and insurance would be through the Boy Scouts of America; not by Saluda County.

Mr. Starnes informed Council if they would like for him to pursue participating in this program, he would need to get legal review of all agreements for Council's consideration in the November meeting.

General consensus of Council was for Mr. Starnes to pursue having the agreements reviewed by the County Attorney to present at the November Council meeting.

J. EXECUTIVE SESSION

On motion of Coun. Butler, seconded by Coun. Miller, it was unanimously approved for Council to go into Executive Session pursuant to Section 30-4-70(a)(2) and (5) of the South Carolina Code of Laws 1976, as amended to discuss a contractual matter and to receive legal advice in relation to potential repairs at the Saluda County Detention Center; receive information on Cab Business Development Center, to return at the Call of the Vice-Chair.

Council returned into open session at the Call of the Vice-Chair.

No action came out of Executive Session.

K. ADJOURNMENT

On motion of Coun. Daniel, seconded by Coun. Miller, it was unanimously approved to adjourn the meeting at 7:37 P.M.

Karen T. Whittle  
Karen T. Whittle  
Clerk to Council

Gwendolyn C. Shealy  
Gwendolyn C. Shealy  
Vice-Chair

November 13, 2017  
Date Approved