



MINUTES
FEBRUARY 23, 2016
LAURENS COUNTY COUNCIL
HISTORIC COURTHOUSE – PUBLIC SQUARE
COUNTY COUNCIL CHAMBERS

ATTENDANCE: COUNCIL MEMBERS PRESENT- County Council Chairman Joe Wood and Vice Chairman Keith Tollison; County Council Members: Diane Anderson, Stewart Jones, Garrett McDaniel, Ted Nash and David Pitts.

COUNCIL MEMBERS ABSENT: None

COUNTY STAFF: Laurens County Administrator, Ernest Segars; Laurens County Clerk to Council Betty Walsh and Laurens County Attorney, Sandy Cruickshanks.

DEPARTMENT HEADS PRESENT: Laurens County Public Works Director Rob Russian; Captain Tyson, Detention Center Administrator and Laurens County Human Resources Manager, Debi Parker.

PRESS: Corey Engle, *Laurens County Advertiser* and Iva Cadmus, *WLBG Radio*.

SCHEDULED MEETING AGENDA ITEMS –FEBRUARY 23, 2016 - 1.) Call to Order Chairman Wood; **2.)** Invocation, Councilman McDaniel; **3.)** Pledge of Allegiance; **4.)** Approval of Agenda, February 23, 2016; **5.)** Approval of Minutes – February 9, 2016; **6.)** Public Hearing, Ordinance #809, “An Ordinance To Exchange And Transfer Real Property With The City Of Laurens And All Other Matters Related Thereto”; **A.)** Third Reading, Ordinance #809, “An Ordinance To Exchange And Transfer Real Property With The City Of Laurens And All Other Matters Related Thereto”; **7.)** Public Hearing, Ordinance #810, “An Ordinance Authorizing The Conversion Of A Fee In Lieu Of Ad Valorem Taxes Arrangement Under Title 4, Chapter 29, Code of Laws of South Carolina, 1976, As Amended, Between Laurens County (The “County”) And A Company Known To The County At This Time As Project Duo (The “Company”) TO a simplified Fee In Lieu Of Ad Valorem Taxes Arrangement Under Title 12, Chapter 44 Code of Laurens Of South Carolina, 1976, As Amended; The Cancellation And Termination Of Certain Lase And Industrial Revenue Bond Documentation Between The County And The Company; The Conveyance By The County Of Related Property To The Company; And Other Matters Related Thereto.”; **A.)** Third Reading, Ordinance #810, “An Ordinance Authorizing The Conversion Of A Fee In Lieu Of Ad Valorem Taxes Arrangement Under Title 4, Chapter 29, Code of Laws of South Carolina, 1976, As Amended, Between Laurens County (The “County”) And A Company Known To The County At This Time As Project Duo (The “Company”) TO a simplified Fee In Lieu Of Ad Valorem Taxes Arrangement Under Title 12, Chapter 44 Code of Laurens Of South Carolina, 1976, As Amended; The Cancellation And Termination Of Certain Lase And Industrial Revenue Bond Documentation Between The County And The Company; The Conveyance By The County Of Related Property To The Company; And Other Matters Related Thereto.”; **8.)** First Reading, Ordinance #811, “An Ordinance To Transfer Real Estate And Grant A Right of Way of Ingress and Egress To The Laurens Commission of Public Works And All Other Matters Related Thereto”; **9.)** Resolution #2016-02, “Authorizing the Assignment and Assumption of an Amended and Restated Fee In Lieu Of Tax Agreement By And Between Laurens County, South Carolina (The County) Faurecia Interior Systems, Incorporated (The Company), And Wachovia Financial Services, Incorporated And The Assignment and Assumption Of A Fee In Lieu Of Tax (Conversion) Agreement By And Between The County And The Company”; **10.)** Administrative Report - County Administrator Ernie Segars; **11.)** 6:00 P.M. Public Comments; **12.)** Comments from Council Members; **13.)** Executive Session - One (1) Employment Matter – position of County Administrator.

MEETING NOTIFICATION – The requesting general public and Press were informed of the meeting in a timely manner. Postings of the Agenda were posted in County facilities on their bulletin boards and also posted on the County Web Site.

CALL TO ORDER – Chairman Wood called the meeting to order at 5:30 P.M. and invited all to stand for the invocation and the Pledge of Allegiance. Councilman Jones provided the invocation.

PUBLIC COMMENT SIGN UP – It was declared at 5:32 P.M. by the Chairman that one (1) person – Robert Kellner of Joanna - had signed in requesting time during the Public Comment session.

APPROVAL OF AGENDA – Chairman Wood called for approval of the February 23, 2016 Agenda with any additions or deletions. COUNCILMAN JONES made the MOTION to approve the agenda as presented with any additions and / or deletions; COUNCILMAN NASH SECONDING; VOTE 7-0.

APPROVAL OF MINUTES –VICE CHAIRMAN TOLLISON made the MOTION to approve the minutes from the February 9, 2016 regular session of Council with COUNCILMAN JONES SECONDING; VOTE 7-0.

PUBLIC HEARING, ORDINANCE #809, “AN ORDINANCE TO EXCHANGE AND TRANSFER REAL PROPERTY WITH THE CITY OF LAURENS AND ALL OTHER MATTERS RELATED THERETO”. - Chairman Wood opened the public hearing at 5:34 P.M.

Attorney Cruickshanks reported that this is a mutual agreement by the City of Laurens and Laurens County to allow for the exchange and transfer of presently owned municipal / county parking lots. The intent is that both the City of Laurens and the County of Laurens are to convey, by title / ownership, the noted properties from each agency as an exchange of ownership collectively.

With no one wishing to address Council, Chairman Wood closed the public hearing at 5:36 P.M.

- A.) **THIRD READING, ORDINANCE #809, “AN ORDINANCE TO EXCHANGE AND TRANSFER REAL PROPERTY WITH THE CITY OF LAURENS AND ALL OTHER MATTERS RELATED THERETO”** – COUNCILWOMAN ANDERSON made the MOTION to approve Ordinance #809 upon third reading as presented. COUNCILMAN MCDANIEL SECONDING; VOTE 7-0.

PUBLIC HEARING, ORDINANCE #810, “AN ORDINANCE AUTHORIZING THE CONVERSION OF A FEE IN LIEU OF AD VALOREM TAXES ARRANGEMENT UNDER TITLE 4, CHAPTER 29, CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED, BETWEEN LAURENS COUNTY (THE “COUNTY”) AND A COMPANY KNOWN TO THE COUNTY AT THIS TIME AS PROJECT DUO (THE “COMPANY”) TO A SIMPLIFIED FEE IN LIEU OF AD VALOREM TAXES ARRANGEMENT UNDER TITLE 12, CHAPTER 44 CODE OF LAURENS OF SOUTH CAROLINA, 1976, AS AMENDED; THE CANCELLATION AND TERMINATION OF CERTAIN LASE AND INDUSTRIAL REVENUE BOND DOCUMENTATION BETWEEN THE COUNTY AND THE COMPANY; THE CONVEYANCE BY THE COUNTY OF RELATED PROPERTY TO THE COMPANY; AND OTHER MATTERS RELATED THERETO.” - Chairman Wood opened the public hearing at 5:36 P.M.

Attorney Cruickshanks reported that this is an Ordinance for the conversion from a lease agreement to a simplified fee and for the assignment of the fee agreements related to the transaction for Project Duo, an industry in the Woodfield Park.

With no one wishing to address Council, Chairman Wood closed the public hearing at 5:38 P.M.

- A.) **THIRD READING, ORDINANCE #810, “AN ORDINANCE AUTHORIZING THE CONVERSION OF A FEE IN LIEU OF AD VALOREM TAXES ARRANGEMENT UNDER TITLE 4, CHAPTER 29, CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED, BETWEEN LAURENS COUNTY (THE “COUNTY”) AND A COMPANY KNOWN TO THE COUNTY AT THIS TIME AS PROJECT DUO (THE “COMPANY”) TO A SIMPLIFIED FEE IN LIEU OF AD VALOREM TAXES ARRANGEMENT UNDER TITLE 12, CHAPTER 44 CODE OF LAURENS OF SOUTH CAROLINA, 1976, AS AMENDED; THE CANCELLATION AND TERMINATION OF CERTAIN LEASE AND INDUSTRIAL REVENUE BOND**

DOCUMENTATION BETWEEN THE COUNTY AND THE COMPANY; THE CONVEYANCE BY THE COUNTY OF RELATED PROPERTY TO THE COMPANY; AND OTHER MATTERS RELATED THERETO.” - COUNCILMAN JONES made the MOTION to approve Ordinance #810 upon third reading as presented. VICE CHAIRMAN TOLLISON SECONDDING; VOTE 7-0.

FIRST READING, ORDINANCE #811, “AN ORDINANCE TO TRANSFER REAL ESTATE AND GRANT A RIGHT OF WAY OF INGRESS AND EGRESS TO THE LAURENS COMMISSION OF PUBLIC WORKS AND ALL OTHER MATTERS RELATED THERETO”. – Public Works Director Rob Russian reviewed with Council of the request from the Laurens Commission of Public Works to allow transfer of ownership of property now owned by the County in the Hunter Park. Property that presently serves as a utility pump station. As well as an access agreement to allow entry to the property.

Chairman Wood questioned if the asphalt driveway was already in place prior to the land purchase several years ago. Mr. Russian explained that it was a driveway that Mr. Hunter used for his business. Administrator Segars stated that the property was bought with grant funds for the proposed industry that was coming. The actual request by the Commission of Public Works should have been done years ago.

Vice Chairman Tollison said, “I do have concerns that if a large manufacturer comes into this area. Would this prohibit them being able to move the pump station and lines and would the County be held responsible for the maintenance of this roadway? Mr. Russian replied that the property would be transferred to whomever the property is transferred to and would not be used as a main entrance and the County would not be liable for any upkeep of the property.

COUNCILMAN NASH made the MOTION to approve Ordinance #811 on first reading with COUNCILMAN JONES SECONDDING; VOTE 7-0.

RESOLUTION #2016-02, “AUTHORIZING THE ASSIGNMENT AND ASSUMPTION OF AN AMENDED AND RESTATED FEE IN LIEU OF TAX AGREEMENT BY AND BETWEEN LAURENS COUNTY, SOUTH CAROLINA (THE COUNTY) FAURECIA INTERIOR SYSTEMS, INCORPORATED (THE COMPANY), AND WACHOVIA FINANCIAL SERVICES, INCORPORATED AND THE ASSIGNMENT AND ASSUMPTION OF A FEE IN LIEU OF TAX (CONVERSION) AGREEMENT BY AND BETWEEN THE COUNTY AND THE COMPANY”. – Attorney Cruickshanks reported that this is a Resolution to be considered as part of the process concerning Ordinance #810 involving Project Duo. COUNCILMAN JONES made the MOTION to approve the Resolution as presented with VICE CHAIRMAN TOLLISON SECONDDING; VOTE 7-0.

ADMINISTRATIVE REPORT – Administrator Segars reminded Council of the deadline for the Ethics reports; spoke of the Administrative Office moves made last week and opened on Monday in full operation.

Chairman Wood added that an Open House would be planned in the upcoming month.

PUBLIC COMMENT – Chairman Wood opened the floor for public comment at 5:47 P.M.

- 1.) Mr. Robert Kellner of the Joanna Community spoke briefly of a variety economic development projects and problems within the County. And, Mr. Kellner then spoke of the old Joanna Mill still partially standing in the Joanna area and of the liabilities some of the areas hold.

Having no one else wishing to address Council, Chairman Wood closed the session at 5:55 P.M.

COUNTY COUNCIL COMMENTS: No one had anything to state.

EXECUTIVE SESSION – COUNCILMAN JONES made the MOTION to move into Executive Session at 6:10 P.M. for an Employment Matter – position of County Administrator. COUNCILMAN NASH SECONDING; VOTE 7-0.

BY CONSENSUS Council moved back in to open session at 6:53 P.M.

- 1.) One (1) Employment Matter - position of County Administrator – VICE CHAIRMAN TOLLISON made the MOTION for Council to direct the staff to continue with the research of applicants for the position of County Administrator. COUNCILMAN JONES SECONDING; VOTE 6-0 (Councilman Pitts had to leave).

ADJOURNMENT – With no further action required by Council, Chairman Wood adjourned the meeting at 6:58 P.M.

Respectfully Submitted,



Betty C. Walsh
Laurens County Clerk to Council