

Seneca City Council Meeting
April 13, 2021
Page one of four

The Seneca City Council held a Council Meeting on Tuesday, April 13, 2021, at 6:02 pm in the Seneca City Hall Council Chambers. Members present: Mayor Daniel Alexander; Mayor Pro Tem Ronnie O'Kelley; Al Gaines, Denise Rozman, Joel Ward, Dana Moore, Scott Durham, and WC Honeycutt. Absent: Stuart Pohl.

Also present were: Scott Moulder, City Administrator; Bo Bowman, City Attorney; Josh Riches, Finance Director; Casey Bowling, Police Chief; Ernie Beck, Public Utilities Director; Carol Hall, Clerk; and other interested citizens. The press and public were notified of the meeting in advance as required by law.

Meeting to
Order

Mayor Alexander called the meeting to order. Mr. Gaines gave the invocation and Mr. O'Kelley led the pledge of allegiance.

Mayor Alexander asked if there were any questions or comments from the press or public. There were no public comments.

Mayor Alexander recognized Cub Scout Group #31. They stopped by city hall to talk about leadership, city council, and government with Mayor Alexander. He thanked them for their interest and attending the council meeting.

Mayor's &
Council's
Comments on
the
Anniversary
of the April
2020 Tornado

Mayor Alexander reflected on the Anniversary of the Tornado. *He thanked the city employees, all the different agencies and how this community came together after the tornado. It is hard to believe it has been a year. Mayor thanked Mr. Moulder and the whole staff, working together. Many lives were turned upside down. Some were put back together, and that was done because so many people wanted to help. Mr. Moulder mentioned earlier today that love a lot of love was shown in this community and just knowing that is what makes Seneca great, Seneca Strong. He said that he was very grateful for everyone on city council and the staff. We are truly blessed. Thinking back on some of the homes that were destroyed and people who are still trying to get back in their homes, but then you hear the generosity of people helping people get back in their homes that have totally lost it.*

Mayor Alexander said he was thinking about Borg Warner and the night the tornado came through and that they were on furlough. There were about 100 or so people in the building. By God's grace that building was not full. So, for him and for each one of us, God is good, and He has been with us through this whole process. He is with us today and He will be with us as we face the rest of this year and the years ahead. Seneca is a great community, great people. Once again, as he reflected on the aftermath of the tornado, and he thanked the staff and department heads. Words cannot say enough. Thank you very much.

Several of the council members expressed their appreciation and mentioned seeing people wearing "Seneca Strong" shirts. Also discussed was the anniversary event at Seneca Baptist Church and the upcoming event with Ann Hope Church.

Mayor Alexander talked about the financial generosity of people who gave to the Relief Fund. The Relief Fund received \$750,000 and was used for helping people with their power, their roof, tree removal, and insurance.

Approval of
Previous
Meeting
Minutes

Motion by Mr. Ward to approve the City of Seneca meeting minutes dated March 9, 2021, exhibit A.

Seconded by Mr. Durham

The motion passed by unanimous vote (8)

Motion by Mr. Durham to approve the City of Seneca Special Called Council meeting minutes dated March 30, 2021, exhibit B.

Seconded by Mr. Moore

The motion passed by unanimous vote (8)

The Seneca Planning Commission meeting minutes were not ready. They will be voted on at the next meeting.

Motion by Mr. Moore to approve the Zoning Board of Appeals meeting minutes dated March 18, 2021, exhibit C.

Seconded by Mr. Durham

The motion passed by unanimous vote (8)

Pay City's
Bills

Motion by Mr. O'Kelley to pay the city's bills

Seconded by Mr. Ward

The motion passed by unanimous vote (8)

Ord 2021-04
Amend
Section 11-5

Motion by Mr. Honeycutt to approve on 1st Reading Ordinance 2021-04, an ordinance to amend Section 11-5 Dealing with Discharge of Certain Fireworks, exhibit C.

Seconded by Mr. Durham

The motion passed by unanimous vote (8)

Ord 2021-05
Ord 2021-06
Annex & Zone
Property at
Fairfield Dr/
S Depot St &
Mormon
Church Rd

Motion by Mr. Rozman to approve on 1st Reading Ordinance 2021-05, an ordinance to annex property on Fairfield Dr and the corner of S Depot St and Mormon Church Road, exhibit D.

Seconded by Mr. Moore

The motion passed by unanimous vote (8)

Motion by Mr. Honeycutt to approve on 1st Reading Ordinance 2021-06, an ordinance to zone property on Fairfield Dr and the corner of S Depot St and Mormon Church Road, exhibit E.

Seconded by Mr. Durham

The motion passed by unanimous vote (8)

Resolution
Mower – Rec
Department

Mayor Alexander asked Mr. Moulder to discuss the Resolution for the Reel Mower for the Recreation Department. He reminded council that the city leased a reel mower a while back to start taking care of the grass at the ballfields. It has made a world of difference but is a little difficult chore to load it up to move it back and forth between our complexes. We inquired about leasing another reel mower in next year's budget, along with a drag. The company has one that was turned in and has been sitting there. If we were to lease the new reel mower with the drag, he will actually reduce the lease payment on the original mower by over \$400 and provide the new mower and the drag for the same price we were getting on the original mower. We can get two reel mowers and a drag for only \$900 more a month compared to the \$1,400 that we are currently paying. We are proposing that we go ahead and take advantage of that and get a resolution passed to lease the second mower so that we can keep one at each facility.

The reels were just turned in to be sharpened and maintained, which is the hardest part of a reel mower. Part of the lease is all the maintenance that is now included. We will have that cost savings as well. We will get rid of one of the rotary mowers that is an older model. used

Mrs. Rozman asked if we had looked at the difference in cost between buying one since it used regularly? Mr. Moulder said the cost of a new reel mower is just under \$100,000. If we do the leases every three or four years, we can rotate the mowers which will be like maintaining a new piece of equipment. The biggest benefit is the maintenance of not having to sharpen the blades on a regular basis.

Mr. Moore asked where the money would come from? Mr. Moulder said that the money would come from the current year Recreation Department Maintenance budget.

Motion by Mr. O'Kelley to approve the Resolution authorizing the negotiation, execution, and delivery of lease number 004-0769051-102 dated March 19, 2021, between the City of Seneca and VGM Financial Services and to allow the City Attorney to provide an "Opinion of Counsel" letter and to allow the Mayor and City Administrator to sign the Certificate of Incumbency, exhibit F. Funds to come from Recreation Department Maintenance Budget.

Seconded by Mr. Ward

The motion passed by unanimous vote (8)

Blue Ridge
Community
Center
Donation

Mayor Alexander asked Mr. Moulder to update the council on the Blue Ridge Community Center Donation Request. About six months ago, council received a request from the Blue Ridge Community Center for assistance with their utilities at the new facility. Council agreed to provide a \$10,000 grant at that time that would be applied to their utility bill. That initial grant has expired, and they are asking for an extension of the grant for another \$10,000. The current budget allows for \$50,000 for diversity expenses. We took the original grant from that budget.

Motion by Mr. Honeycutt to donate \$10,000 to the Blue Ridge Community Center. Funds to come from a Diversity Line Item in the General Fund. exhibit E.

Seconded by Mr. Moore

The motion passed by unanimous vote (8)

“Telecom-
munications
Week”

Mr. Moulder reminded council that this week is “Telecommunication Appreciation Week” for the 911 Dispatch Centers. He said that he wanted to recognize their hard work keeping us all safe, especially our police officers and firefighters. Dispatchers are the voice, their angel on their shoulder to keep them safe on the street.

April “Donate
Life Month”

Mayor Alexander told council of an upcoming proclamation for “Donate Life Month” in April. We will have a meeting on Monday, May 3rd at 10:00 am in the city hall council chambers. There will be representatives from Donate for Life present on May 3rd.

Adjourn

Mayor Alexander called the meeting adjourned at 6:22 pm.

Daniel W. Alexander, Mayor

Carol Hall, Clerk

The Seneca City Council held a Special Called Council Meeting on Tuesday, April 27, 2021, at 6:00 pm in the Seneca City Hall Council Chambers. Members present were: Mayor Daniel Alexander, Mayor Pro Tem Ronnie O'Kelley, Al Gaines, Denise Rozman, Stuart Pohl, Joel Ward, Dana Moore, Scott Durham, and WC Honeycutt.

Also present were: Scott Moulder, City Administrator; Bo Bowman, City Attorney; Bob Faires, Utilities Director; Ed Halbig, Planning Director; Casey Bowling, Police Chief; and Carol Hall, City Clerk. The press and public were notified of the meeting in advance as required by law.

Meeting to
Order

Mayor Alexander called the meeting to order. Mr. O'Kelley gave the invocation and Mr. Moore led the pledge of allegiance.

Executive
Session
(6:01pm –
6:32pm)

Motion by Mr. Honeycutt to go into an executive meeting to discuss a personnel matter and to include Mayor, Council, City Administrator, City Attorney, and Clerk to Council Candidate.

Seconded by Mr. Durham

The motion passed by unanimous vote (9)

Council returned from executive session. No action taken.

Mayor Alexander asked if there were any questions or comments from the press or public. There were no public comments.

Mr. Moulder
Update

Mayor Alexander asked Mr. Moulder to update council on downtown happenings. Mr. Moulder updated council on the following:

- Sidewalk Replacement on E N 1st Street and other areas around the city
- Harper's Building Demolition
- Kellett Building Demolition
- Cat Murals Downtown by the Blue Ridge Arts Center
- New Piano Downtown
- Publix Grand Opening on May 5th
- Dolly's Roofing (Old Office Supply Building)
- Ram Cat Alley Development
- Kings Dry Cleaner's Building

Mr. O'Kelley mentioned that Friday night there was no parking around Mary Tannery's new event business.

Adjourn

Mayor Alexander called the meeting adjourned at 6:45 pm.

Daniel W Alexander, Mayor

Carol Hall, City Clerk

SENECA FACILITIES CORPORATION

BOARD MEETING

CITY OF SENECA - CITY HALL

APRIL 13, 2021 – 5:00 PM

Exhibit C

ATTENDING

Scott Moulder, City Administrator/ President
Josh Riches, Finance Director/Secretary/Treasurer
Robert Faires, Utilities Director/Vice President
Ed Halbig, Member
Mayor Dan Alexander, Member

Others:

Debbie Williams, Exec. Admin. Assist.
Norman Cannada, Seneca Journal

The press and public were notified of the meeting in advance as required by law.

**CALL TO ORDER AND
WELCOME**

Mr. Moulder called the annual meeting of the Seneca Facilities Corporation to order at 5:06 pm and welcomed those in attendance.

INVOCATION

Scott Moulder

**PROPERTY INSURANCE
RENEWAL**

Mr. Riches told the board that the property and liability insurance policies for the Seneca Facilities Corporation are nearing renewal time. He said that the previous evaluation for the insurance policies was based on the old facilities and that many enhancements and improvements have been made since that time. Mr. Riches said that we are proposing new policies with increased limits to properly insure the facilities. He noted that this insurance does not cover any equipment inside the facility.

He added that there are two separate policies to consider: one for property insurance and one for liability insurance. He said that new appraisals do need to be done eventually for the facility.

He told the board that the increased costs of the two policies are as follows: **Property – Old policy cost \$37, 124 New policy cost \$52,071.**

Liability – Old policy cost \$18,722 New policy cost \$20,070

He said the new policies represent coverage of \$22m for property and \$2m for liability per occurrence.

MOTION

Motion by Mr. Halbig to renew the property insurance policy with Willis Towers Watson for Seneca Facilities Corporation in an amount not to exceed \$52,071.00.

Seconded by Mr. Faires. There was no further discussion

The motion passed unanimously.

MOTION

Motion by Mr. Faires to renew the liability insurance policy with Willis Towers Watson for Seneca Facilities Corporation in an amount not to exceed \$20,070.00.

Seconded by Mr. Riches. There was no further discussion.

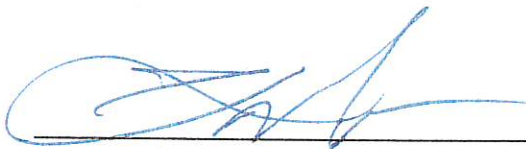
DISCUSSION

The motion passed unanimously.

ADJOURN

Motion by Mr. Faires to adjourn the Board meeting of the Seneca Facilities Corporation at 5:14 pm.

Respectfully submitted,



Scott Moulder, Chairman



Debbie Williams
Executive Administrative Assistant

SENECA IMPROVEMENTS CORPORATION

BOARD MEETING

CITY OF SENECA - CITY HALL

April 23, 2021 – 8:00 AM

Exhibit D

ATTENDING

Scott Moulder, City Administrator/ President
Josh Riches, Finance Director/Secretary/Treasurer
Robert Faires, Utilities Director/Vice President
Ed Halbig
Mayor Dan Alexander

Others:

Randall Molloseau, Director Bldg & Projects
Debbie Williams, Exec. Admin. Assist.
Norm Cannada, Seneca Journal

The press and public were notified of the meeting in advance as required by law.

CALL TO ORDER AND WELCOME

Mr. Moulder called the meeting of the Seneca Improvements Corporation to order at 8:03 am and welcomed those in attendance.

INVOCATION

Scott Moulder

HARPERS DEMOLITION WORK

Mr. Moulder told the board that conditions continue to deteriorate quickly both inside and outside the Harpers Building. This Board has previously discussed future demolition plans for parts of the building. He said that if we hope to save anything of the building, we must move forward quickly. Parts of the building continue to collapse and the conditions inside the building are very bad. He said that he had been in contact with Complete Demolition Services to discuss demolition work on the building. Complete Demolition Services (CDS) is the company that is presently doing the demolition work on the Kellett School.

Mr. Moulder gave a brief historical description of the different components of the Harpers structure: the old, historical section and the two additions that were added in the 1970's. He said he felt like it had been the intent of the City and this Board all along to try to save the historical section of the Harpers Building which dates back to the 1890's. He said, unfortunately, the inside of the historical structure has the most wood damage. What will be left after demolition would be the walls, the shell and the historical brick and sides. The timing

of this is critical and most of the structure needs to come down. No one is allowed in there anymore; it is dangerous.

Considering the current state of the building, Mr. Moulder said he contacted CDS and has obtained a quote of \$175,00 which includes: *demolition of the entire building, permitting, hauling off debris, tipping fees, bringing dirt in to fill in the basement area, and bringing in 9 inches of dirt across the entire project site, leveling it off to a better grade as well as grassing of the area.*

A discussion ensued, including a mention of the previous quote by another company of \$350,000 to complete the demolition work. Mr. Molloseau said the difference is most likely because CDS has already mobilized to the Seneca area, bringing in heavy machinery and employees, a very expensive undertaking.

Future uses of the grassy area and the historical section were discussed. Mr. Moulder said what is salvageable will be turned into three separate buildings that will be marketed to potential businesses. The grassy area will be a park, a plan that has been in the work for some time.

Mr. Halbig asked if funds were available to fund the demolition and Mr. Moulder said that funds from the sale of the Hometown Building will be used to complete the demolition.

MOTION

Mr. Halbig made a motion for the corporation to approve demolition of the Harpers Building by Complete Demolition Services at a cost not to exceed \$175,000 for the EN First street back to the historical section.

Mr. Faires seconded the motion. Further discussion followed.

DISCUSSION

Mayor Alexander said this is a great step forward for the City as many people have felt this structure has been holding back downtown development. Mr. Moulder also commented that this is just the beginning and not the end of the work to make the remaining areas marketable. There will be more costs involved, including roofing,

firewalls, creating the green space, and more. This step is just the beginning.

At that point, there being no further discussion, the motion was approved by unanimous vote.

**CDIP AND EDIP
INCENTIVE
PROGRAMS**

With the new budget year approaching, Mr. Moulder said this Board must look at the incentive programs to consider all options for the coming year for the programs. M. Moulder said in looking at the original intent of the programs, he feels the incentives have worked. The question is, do we continue the incentive programs or do we use the money for something else?

Mr. Halbig said applications have dwindled for this year. We have received one application this year. Some businesses have expressed interest in the program but have not submitted applications. Mr. Halbig said the plans have a sunset date of the end of June 2021.

Mr. Faires said perhaps we should consider letting the incentive plans "sunset" as planned and we can continue this deliberation. Mr. Faires said hopefully the possible termination of the incentive plans would be publicized in the media outlets to alert those businesses that might be interested.

Mr. Riches gave an overview of businesses that have been assisted by the incentive programs. He said one of the worst things we can do as a City is not to move forward with restoration of our own City buildings that could be hampering development.

Mr. Halbig said we do have commitments yet to fulfill with the programs. Mr. Riches gave figures of those applications that have already been approved.

Other discussion ensued with the board agreeing to let plans move toward sunset of the programs at the end of June, while still seeking input from city council, and considering any interest expressed by incoming businesses.

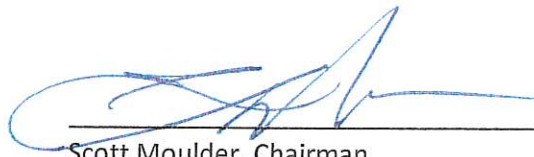
There was no further business to come before the board.

ADJOURNMENT

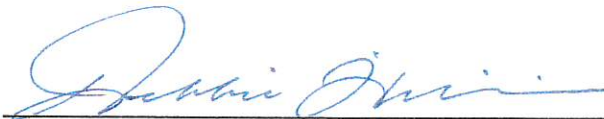
A motion was made by Bob Faires to adjourn the meeting. Mr. Richie seconded the motion and the meeting of the Seneca Improvements Corporation Board was thereby adjourned at 8:38 am.

The motion passed unanimously.

Respectfully submitted,



Scott Moulder, Chairman



Debbie Williams
Executive Administrative Assistant

CITY OF SENECA

ORDINANCE NO. 2021-04

AN ORDINANCE TO AMEND SECTION 11-5
DEALING WITH DISCHARGE OF CERTAIN FIREWORKS

Section 11.5 of the Code of Ordinances for the City of Seneca shall hereby be amended to read as follows:

A) Except as provided in Section 11-7, and except on and during the holidays of Independence Day (July 4), New Year's Eve, New Year's Day, Veteran's Day, and Memorial Day, it shall be unlawful for any person to shoot, discharge or explode or fire any fireworks within the City excepting "sparklers," toy cap pistols, and toy pistol paper caps which contain not more than one-fifth (1/5) of a grain of explosive mixture.

B) At no time except as provided in Section 11-7 shall fireworks be permitted to be discharged on any public street or property owned by the City of Seneca.

C) Fireworks as used in this Ordinance are defined as ICC Class C "Common Fireworks" and enumerated in Section 23-35-10 of the Code of Laws for South Carolina 1976.

THIS ORDINANCE SHALL BE EFFECTIVE IMMEDIATELY UPON FINAL READING HEREOF.

PROPOSED ORDINANCE APPROVED AS TO FORM this ____ day of _____, 2021.

R. BOATNER BOWMAN, City Attorney

APPROVED AND RATIFIED on First Reading this 13th day of April, 2021 by a vote of

_____ YES _____ NO _____ ABSTAIN

APPROVED, RATIFIED and ADOPTED on Second and Final Reading this ____ day of _____, 2021 by a vote of

_____ YES _____ NO _____ ABSTAIN

_____, Clerk

Attest:

_____, Mayor

CITY OF SENECA

ORDINANCE NO. 2021-05

AN ORDINANCE TO ANNEX PROPERTY INTO THE CORPORATE LIMITS
OF THE CITY OF SENECA

City Council of the City of Seneca has received a Petition in due form for the annexation into the City the property as hereinbelow described:

Pursuant to Section 5-3-150 of the Code of Laws of South Carolina, 1976, Council has determined that said Petition signees represent 75 percent of the property owners and have submitted Petition in proper form; and

The property sought to be annexed is contiguous to the present City Limits

NOW THEREFORE BE IT ORDAINED:

1. that the real property to be annexed is described as follows:

All that certain piece, parcel or lot of land situate, lying and being in the state of South Carolina, County of Oconee, having the following metes and bounds to-wit:

Tract B

Commencing at western intersection of the Rights-of Way of South Depot Street and Fairview Drive; thence S41d14'16"W a distance of 205 feet; thence S65d55'13"W a distance of 250 feet; thence S38d56'25"W a distance of 35.58 feet to the Point Of Beginning; thence S38d31'35"E a distance of 506.86 feet; thence S42d29'40"W a distance of 99.54 feet; thence S62d50'02"W a distance of 227.32 feet; thence N73d56'57"W a distance of 35.71 feet; thence N84d12'44"W a distance of 97.38 feet; thence S88d49'46"W a distance of 30.54 feet; thence N87d50'08"W a distance of 36.43 feet; thence N77d03'25"W a distance of 29.71 feet; thence N39d50'17"W a distance of 22.97 feet; thence N53d46'58"W a distance of 16.70 feet; thence N62d53'35"W a distance of 14.33 feet; thence S75d35'15"W a distance of 17.58 feet; thence N78d57'57"W a distance of 42.80 feet; thence N68d45'49"W a distance of 43.10 feet; thence N47d04'39"W a distance of 25.94 feet; thence N62d07'25"W a distance of 48.71 feet; thence N73d30'47"W a distance of 25.60 feet; thence N26d15'27"W a distance of 253.20 feet; thence N68d48'45"E a distance of 35.85 feet; thence N67d00'12"E a distance of 55.32 feet; thence N66d33'59"E a distance of 114.03 feet; thence N67d16'49"E a distance of 358.49 feet to the Point of Beginning.

Tract C

Commencing at the intersection of the centerlines of South Depot Street and Mormon Church Road, said intersection being the Point of Beginning; thence N55d21'15"W a distance of 240.42 feet; thence N56d10'23"W a distance of 177.31 feet; thence S85d25'42"E a distance of 82.20 feet; thence S82d01'38"E a distance of 351.13 feet; thence S25d09'15"W a distance of 199.00 to the Point of Beginning.

AND ALSO

This annexation to include all abutting and adjacent Rights-of-Way.

1. The above described property is hereby annexed and incorporated into the corporate limits of the City of Seneca pursuant to Section 5-3-150, Code of Laws of South

Carolina, 1976, as amended.

2. This Ordinance shall take effect upon second reading hereof.

PROPOSED ORDINANCE APPROVED AS TO FORM this ____ day of _____, 2021

R. Boatner Bowman, City Attorney

APPROVED AND RATIFIED on First Reading this 13th day of April 2021 by a vote of

____ YES _____ NO _____ ABSTAIN

APPROVED, RATIFIED and ADOPTED on Second and Final Reading this _____ day of
_____ 2021 by a vote of

____ YES _____ NO _____ ABSTAIN

_____, Clerk

Attest:

_____, Mayor

CITY OF SENECA

ORDINANCE NO. 2021-06

AN ORDINANCE TO AMMEND THE OFFICIAL ZONING ORDINANCE
OF THE CITY OF SENECA

WHEREAS, that certain properties located at Fairview Drive and South Depot Street, and denoted by Tax Map number 254-00-01-090, tracts "B" and "C", as shown on a plat of survey attached herein as Exhibit "A", and:

WHEREAS, pursuant to application, said property is requested to be zoned R-10.

BE IT ENACTED BY THE governing Body of the City Of Seneca and Council duly assembled, and by the authority of same that the Official Zoning Ordinance of the City Of Seneca is herein amended to zone property located at at Fairview Drive and South Depot Street, and denoted by Tax Map number 254-00-01-090 tracts "B" and "C", as shown on a plat of survey attached herein as Exhibit "A" to R-10.

DONE AND DULY ORDAINED BY THE municipal Council of the City of Seneca, in Council duly assembled on the date hereinafter set forth.

PROPOSED ORDINANCE APPROVED AS TO FORM this 13th day of April 2021.

R. Boatner Bowman, City Attorney

APPROVED AND RATIFIED on First Reading this 13th day of April 2021 by a vote of

_____ YES _____ NO _____ ABSTAIN

APPROVED, RATIFIED and ADOPTED on Second and Final Reading this _____ day of
_____ 2021 by a vote of

_____ YES _____ NO _____ ABSTAIN

_____, Clerk

Attest:

_____, Mayor

ORDINANCE NO. 2021-07

AN ORDINANCE TO AMMEND THE OFFICIAL ZONING ORDINANCE
OF THE CITY OF SENECA

WHEREAS, that certain property located at an unnamed street at the 1000 block of Highway 123 and denoted by Tax Map numbers 520-21-01-029, 520-29-01-030, 520-21-01-033 and 520-21-01-037, as shown on a plat of survey attached herein as Exhibit "A", and:

WHEREAS, pursuant to application, said property shown in exhibit "A" is requested to be rezoned from HC and GC to RM-8.

BE IT ENACTED BY THE governing Body of the City Of Seneca and Council duly assembled, and by the authority of same that the Official Zoning Ordinance of the City Of Seneca is herein amended to rezone property located at an unnamed street at the 1000 block of Highway 123 and denoted by Tax Map 520-21-01-029, 520-29-01-030, 520-21-01-033 and 520-21-01-037, as shown on a plat of survey attached herein as Exhibit "A" to RM-8.

DONE AND DULY ORDAINED BY THE municipal Council of the City of Seneca, in Council duly assembled on the date hereinafter set forth.

PROPOSED ORDINANCE APPROVED AS TO FORM this _____ 2021.

R. Boatner Bowman, City Attorney

APPROVED AND RATIFIED on First Reading this 11th day of May 2021 by a vote of

_____ YES _____ NO _____ ABSTAIN

APPROVED, RATIFIED and ADOPTED on Second and Final Reading this _____ day of
_____ 2021 by a vote of

_____ YES _____ NO _____ ABSTAIN

_____, Clerk

Attest:

_____, Mayor

EXHIBIT A

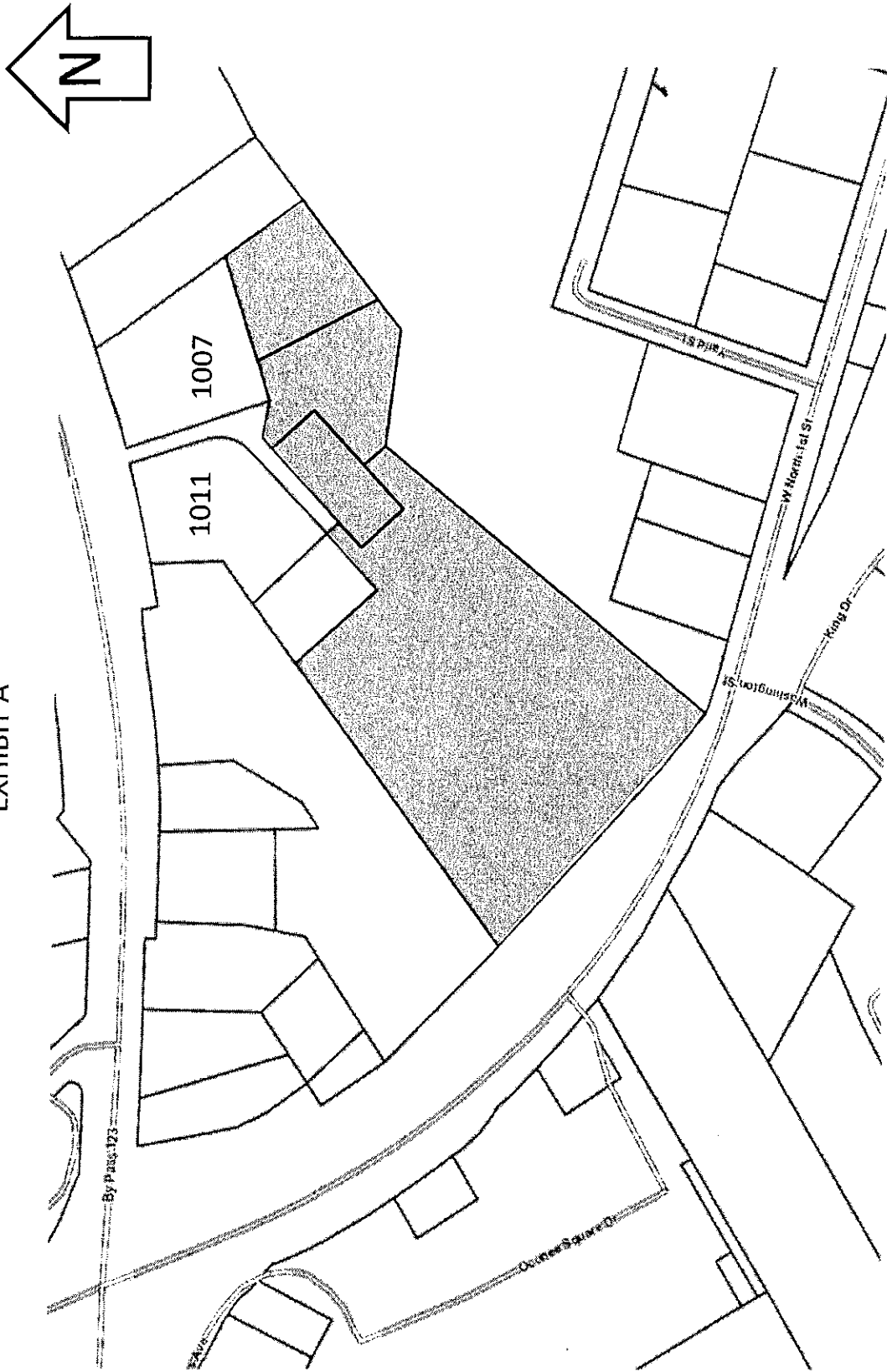




Exhibit I

April 30, 2021

Dear Mr. Moulder,

Thank you for the time we spent discussing the current situation at the Blue Ridge Arts Center, BRAC, this week. As we discussed, BRAC has approximately 125 members, provides art classes to the community, and puts on 6 major gallery shows a year that attract hundreds of viewers to downtown Seneca, and assists the city in downtown revitalization projects. We are proud of what BRAC has accomplished and what it means to the local area.

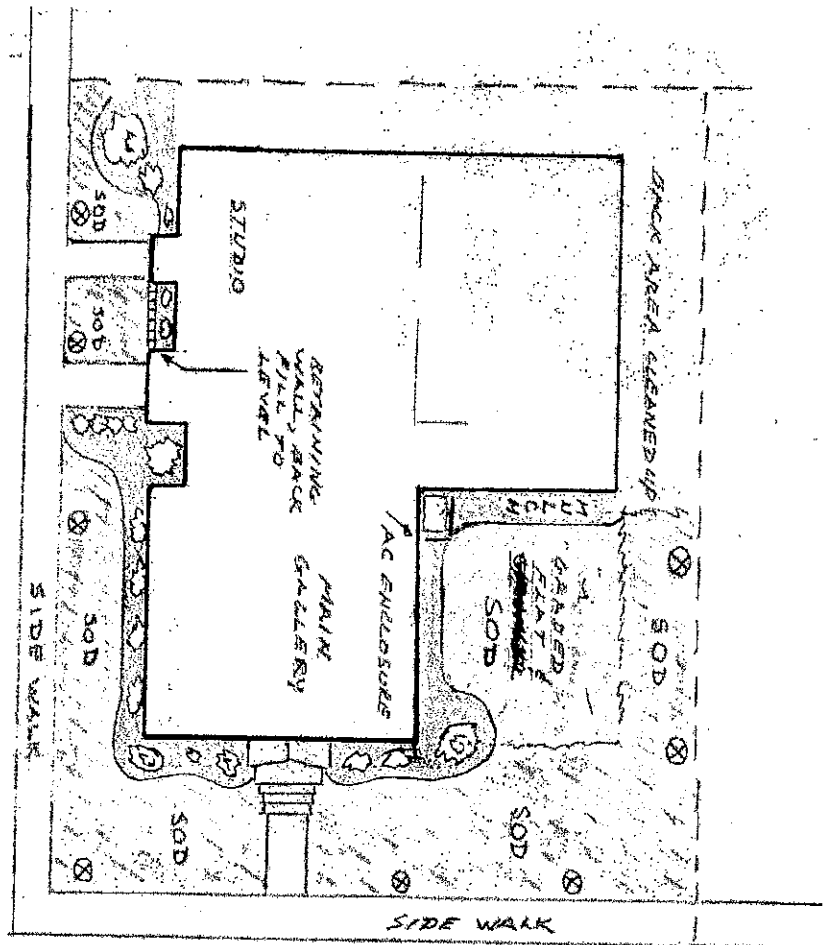
Unfortunately, in the past 18 months the building, which was built in 1881, was hit by a strong wind in August, 2019, and then again by the F3 tornado in 2020. Each separate incident caused a large oak tree to fall upon the roof causing significant damage. While insurance was able to largely cover the structural damage, it did not address the damage to the landscape. These trees were very large and when uprooted rendered the outside area unusable for events. We have secured a competitive quote to remove the remaining debris, regrade the area, plant sod and install an irrigation system for approximately \$20,000. While we are attempting to raise funds through continuing art classes and donations, this expenditure is challenging to the organization. Is it possible to receive some assistance from the Seneca Light & Water fund? While we would be grateful for any contribution, a grant of \$4,000 would be of great benefit to the project.

For your convenience you'll find a plan of the proposed work. We're excited about how this project will beautify the neighborhood as well as provide increased utility of the property. Again thank you for your time and consideration of this request.

Sincerely,

Suzette Cross

President- Board of Directors



2ND STREET

LEGEND: X DELEGATION AREAS

AGREEMENT

This agreement, the effective date of which is July 1, 2021, is between the City of Seneca (herein "Municipality") and the Tenth Judicial Circuit Public Defender (herein "Public Defender").

WHEREAS, the law requires that counsel be appointed in cases where a defendant is not able to afford an attorney and charged with a criminal offense and can be incarcerated for said offense;

WHEREAS, the 2020-2021 Appropriation Act adopted by the South Carolina Legislature includes the following provision:

61.12. (INDEF: Optional Courts and Indigent Representation) If a municipality has or elects to have an optional municipal court system, it must provide adequate funds for representation of indigents. No public defender shall be appointed in any such court unless the municipality and the office of the circuit public defender have reached an agreement for indigent representation and no funds allocated to the commission shall be used to provide compensation for appointed counsel in municipal courts;

WHEREAS, Municipality desires to enter into an agreement with Public Defender in order to comply with the budgetary proviso and in order to provide for the usual and customary legal services for indigent defendants within its court.

NOW THEREFORE, the parties hereto agree:

1. **TERM:** The term of this Agreement shall be for twelve (12) months, beginning July 1, 2021 and ending on June 30, 2022, unless terminated sooner as set forth herein.

2. **COMPENSATION:** The City of Seneca shall pay the total of Six Thousand Nine Hundred Twenty-Nine and 00/100 (\$6,929.00) dollars payable to the Tenth Circuit Public Defender for the term of this agreement.

3. **SCOPE OF SERVICE:** Public Defender shall provide legal representation for accused indigents in the Municipality's criminal court when appointed as required by law, after a determination by the Clerk of Court that the person meets the requirements of indigency. If the person is incarcerated, he/she is considered indigent during the period of incarceration. If the person is released from incarceration, he/she must complete the Affidavit of Indigency and Application for Public Defender through the Oconee County Clerk of Court's office as required by law. Public Defender shall handle all charges that subject a person to the risk of incarceration, with the exception of traffic offenses, ordinance violations or offenses that traditionally results in only a fine without the risk of incarceration.

4. **STANDARD OF PERFORMANCE:**

A. Public Defender representation shall be of sufficient quality to meet all constitutional, statutory and case law requirements and consistent with the Standards of Representation established by the SC Commission on Indigent Defense.

B. Public Defender shall render all professional legal services reasonably required from the time of appointment to and including final adjudication or disposition and, as necessary, filing notice of appeal.

C. Public Defender shall be responsible for the cost of any expert witnesses or testing he/she deems necessary.

5. CONFLICT: In the event of a conflict of interest between the Public Defender and any defendant, the Circuit Public Defender shall assign the case to a conflict attorney pursuant to Rule 608 contracts.

6. INDEPENDENT CONTRACTOR: The Public Defender, its employees or contractors, are not an employee of the Municipality, and are independent contractors, who shall complete the required representation in accordance with the attorney's professional legal judgment, which shall be in the exclusive charge and control of the Public Defender. The Defendants are clients of the Public Defender and not Municipality.

7. RENEWAL: This agreement may be renewed by the parties. The parties should determine no later than November 30, 2018, if they wish to renew this agreement for funding and services to allow sufficient time for the closure of cases in the event the agreement is not renewed.

8. TERMINATION: This agreement shall terminate naturally as of the last date of the term. However, it is mutually agreed that this agreement may be terminated by either party by providing ninety (90) days written notice of termination. The agreement will automatically terminate on June 30, 2022, if the requirement is not included in the 2022-2023 Appropriations Act.

9. ENTIRE AGREEMENT: This document represents the entire agreement of the parties, and no representations have been made or relied upon except as set forth herein. This Agreement may be amended or modified only by written, fully executed agreement of the parties.

IN WITNESS WHEREOF, the parties have executed this Agreement effective on the date of the last signature.

Witnesses: _____

Jennifer L. Johnson, Circuit Public Defender

Date: _____, 2021.

Witnesses: _____

Date: _____, 2021.

_____, City of Seneca

10TH CIRCUIT PUBLIC DEFENDER OFFICE

Anderson County Office
500 S. McDuffie Street
Anderson, SC 29624
Tel. 864.260.4048
Fax 864.260.4134



Oconee County Office
415 S. Pine Street
Walhalla, SC 29691
Tel. 864.638.3133
Fax 864.638.0228

JENNIFER L. JOHNSON
CIRCUIT PUBLIC DEFENDER

April 19, 2021

Mr. R. Boatner Bowman
Attorney at Law
PO Box 8615
Greenville, SC 29604
Via email only to: boatnerbowmanlaw@gmail.com

Re: Proposed Public Defender Contract for the City of Seneca

Dear Bo:

Please permit this letter to serve as my proposal for contract for public defender services with the City of Seneca. In this proposal, I have taken into consideration the following information: according to the Clerk, there were 551 cases filed in the City of Seneca between July 1, 2019 and June 30, 2020. It is further my understanding that this number reflects City cases only, meaning that there is no related General Sessions charge. Finally, from review of our records, it appears that our office has been appointed on between 3 and 16 cases annually from the City.

It is my understanding that the City wishes to continue its contract with the Public Defender Office to provide representation for citizens who request appointed counsel. As you are aware, the appointment counsel, absent a knowing and voluntary waiver of counsel, is required for any offense for which a sentence of incarceration may be imposed. After reviewing other municipal contracts in Oconee County, Anderson County and various contract within the State, I propose an annual contract with a flat rate of \$6929, subject to annual review.

I have arrived at the proposed amount based on the following considerations:

1. I estimate that our office expends approximately \$13,000 annually in attorney and staff time, along with travel and office supplies to provide representation in municipal courts. Presently, we have one attorney who handles municipal court and those appointments represent approximately 11% of his workload.

2. Based on information from the Municipal Association of South Carolina, there are five incorporated municipalities in Oconee County: Salem, Seneca, Walhalla, West Union and Westminster.
3. Based on information from the Municipal Association of South Carolina, the total population of these municipalities is 15,209. The Population of Seneca is 8102, or 53.3% of the total municipal population.
4. Based on the population of the City of Seneca relative to the entire municipal population, the Public Defender Office proposes an annual contract in the amount of \$6929 (\$13,000 x 53.3%) for fiscal year 2021-2022.
5. Any contract between the City and the Public Defender Office is subject to annual review.

Please let me know if you have any questions, concerns or comments regarding the proposed contract. If needed, I am happy to make a more formal presentation to the City.

Thank you for your time and consideration.

Sincerely,



Jennifer L. Johnson
Circuit Public Defender