

The Seneca City Council held a Public Hearing and Council Meeting on Tuesday, June 8, 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, Stuart Pohl, Joel Ward, Dana Moore, and WC Honeycutt. Absent were Denise Rozman and Scott Durham.

Also present were: Scott Moulder, City Administrator; Bo Bowman, City Attorney; Josh Riches, Finance Director; Bob Faires, Utilities Director; Jeremy Rothell, Police Major; Richie Caudill, Fire Chief; Ernie Beck, Public Works Director; Rick Lacey, Recreation Director; Michelle Landry, Human Resources Director; Ammia Martin, Human Resources Generalist; and Danielle Smith, Assistant Finance Officer. The press and public were notified of the meeting in advance as required by law.

Meeting to
Order

Mayor Alexander called the public hearing to order at 6:00pm.

Mr. Moulder gave an overview of the 2022 City of Seneca Budget and 2022 L&W Budget

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

Mayor Alexander closed the public hearing at 6:12pm.

Mayor Alexander called the council meeting to order at 6:12pm. Mr. Moore gave the invocation and Mr. Honeycutt led the pledge of allegiance.

Mayor Alexander thanked the City employees for the year that they had as a result of their hard work.

Mayor Alexander asked if there were any questions or comments from the press or public. There were public comments by Robert W. Faires III, 138 Loran Pointe Circle. Mr. Faires thanked Mayor Alexander, Mr. Moulder, and the Council. Mr. Faires gave a statement on behalf of the City employees.

Approval of
Previous
Meeting
Minutes

Motion by Mr. Pohl to approve the City of Seneca meeting minutes dated May 11, 2021, exhibit A.

Seconded by Mr. Moore

The motion passed by unanimous vote (7)

Motion by Mr. Honeycutt to approve the City of Seneca Special Called Council meeting minutes dated May 20, 2021, exhibit B.

Seconded by Mr. Pohl

The motion passed by unanimous vote (7)

Motion by Mr. Honeycutt to approve the Board of Architectural Review meeting minutes dated October 26, 2020, exhibit C.

Seconded by Mr. Moore

The motion passed by unanimous vote (7)

Seneca City Council Meeting

June 8, 2021

Page two of three

Motion by Mr. Moore to approve the Seneca Planning Commission meeting minutes dated March 15, 2021, exhibit D.

Seconded by Mr. Honeycutt

The motion passed by unanimous vote (7)

MOTION by Mr. Pohl to approve the Seneca Planning Commission meeting minutes dated May 17, 2021, exhibit E.

Seconded by Mr. Moore

The motion passed by unanimous vote (7)

Executive
Session
(6:22pm –
7:10pm)

Motion by Mr. Pohl to go into an executive session to discuss a personnel matter to include Mayor, Council, City Administrator, City Attorney, and Clerk to Council Candidate(s).

Seconded by Mr. Honeycutt

The motion passed by unanimous vote (7)

Council returned from executive session. No action taken.

Motion by Mr. Pohl to appoint Josh Riches interim City Clerk.

Seconded by Mr. Moore

The motion passed by unanimous vote (7)

Motion by Mr. Moore to pay city bills.

Seconded by Mr. O'Kelley

The motion passed by unanimous vote (7)

Ord 2021-08
City Budget

Motion by Mr. Pohl to approve on 2nd Reading Ordinance 2021-08, an ordinance to adopt a budget for the City of Seneca \$13,814,623 for its fiscal year ending June 30, 2022, and to provide for the levy and collection of taxes to generate revenues required for the budget. The millage will remain the same at 62.7 mills. The Seneca Light & Water transfer will increase to \$5,000,000, Exhibit F.

Seconded by Mr. Moore

The motion passed unanimous vote (7)

Ord 2021-09
SLWP Budget

Motion by Mr. Honeycutt to approve on 2nd Reading Ordinance 2021-09, an ordinance to adopt the 2022 Light & Water budget for \$34,875,500, Exhibit G.

Seconded by Mr. Moore

The motion passed unanimous vote (7)

Resolution To
Transfer
Funds

Motion by Mr. to approve the Resolution establishing a policy guideline for the justification of the transfer from light & water fund to the General fund, Transfer is \$5,000,000 of the Seneca light & water revenue, Exhibit H.

Seconded by Mr. Moore

The motion passed unanimous vote (7)

Seneca City Council Meeting

June 8, 2021

Page three of three

Ord 2021-10
HAT Budget

Motion by Mr. Pohl to approve on 2nd Reading Ordinance 2021-10, an ordinance to adopt the 2022 Hospitality & Accommodations Tax budget for \$743,500, Exhibit I.

Seconded by Mr. Honeycutt

The motion passed by unanimous vote (7)

Ord 2021-11
Transit Budget

Motion by Mr. Pohl to approve on 2nd Reading Ordinance 2021-11, an ordinance to adopt the 2022 Transit budget for \$1,451,008.

Seconded by Mr. Honeycutt

The motion passed by unanimous vote (7)

Mayor Alexander apprised council of the 2022 Accommodations Tax Revenue budget for \$100,000.

Mayor Alexander apprised council of the 2022 Seneca Facilities Corporation Budget for \$2,481,031.

Mayor Alexander apprised council of the 2022 Seneca Improvements Corporation budget for \$75,000.

Ord 2021-13
Rezone
Walnut St

Motion by Mr. Honeycutt to approve on 1st Reading Ordinance 2021-13, an ordinance to rezone Walnut Street from OC to R-6, exhibit K.

Seconded by Mr. Moore

The motion passed unanimous vote (7)

Motion by Mr. Honeycutt to approve the Intergovernmental Agreement between Clemson and Seneca for Transit Service through June 30, 2022 upon City Attorney's review and allow the Mayor and City Administrator to sign, exhibit L.

Seconded by Mr. Moore

The motion passed unanimous vote (7)

Mayor Alexander wished Mr. Gaines Happy Birthday which occurred on June 5th.

Mayor Alexander thanked Mr. Moulder for time and hard work put into the budget for this year. Mayor Alexander also thanked the council for their support.

Mayor Alexander called the meeting adjourned at 7:17 pm.

Daniel W Alexander, Mayor

Josh Riches, Interim City Clerk

Seneca City Special Called Council Meeting

June 29, 2021

Page one of one

The Seneca City Council held a Special Called Council Meeting on Tuesday, June 29, 2021, at 6:05 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; Josh Riches, Finance Director; Bob Faires, Utilities Director; Ed Halbig, Planning Director; Casey Bowling, Police Chief; Richie Caudill, Fire Chief; Ammia Martin, Human Resources Generalist; and Danielle Smith, Assistant Finance Officer. 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 at 6:05pm.

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

Executive
Session
(6:06pm-
6:09pm)

MOTION by Mr. Honeycutt to go into an executive session to discuss a personnel matter to include Mayor, Council, City Administrator, City Attorney.

Second by Mr. Moore

The motion was passed by unanimous vote (9 YEA)

Appoint City
Clerk

MOTION by Mr. O'Kelley to appoint Kathy Wilkes as City Clerk with the effective date of July 6, 2021, and for Josh Riches to remain as Interim City Clerk until such time as Kathy Wilkes' employment with the City of Seneca commences.

Second by Mr. Moore

The motion was passed by unanimous vote (9 YEA)

Ms. Wilkes thanked the Council for the opportunity to be the City Clerk.

Transfer funds
from PGS to
SIC

MOTION by Mr. O'Kelley to transfer \$200,000 from Peak Generation Savings to Seneca Improvements Corporation.

Second by Mr. Honeycutt

The motion was passed by unanimous vote (9 YEA)

Mayor Alexander called the meeting adjourned at 6:15 pm.

Daniel W Alexander, Mayor

Josh Riches, Interim City Clerk

SENECA PLANNING COMMISSION

June 21, 2021

PAGE 1 of 2

The Seneca Planning Commission met on Monday, June 21, 2021, at 6:00 p.m. in the City Hall Council Chambers. Members present included Chairman Mr. Barry Duvall, Vice Chair Mr. Keith Hart, Mr. Drew Merck, Mr. Matt Durham, and Mr. John Gillespie (6:02pm). Also, present were Mr. Ed Halbig, Director and Ms. Tracy Chapman, Zoning Administrator. The press and public were duly notified as required by law.

Mr. Duvall opened the meeting.

Opening

Mr. Duvall asked for approval of minutes from May 17, 2021.

MOTION -
Minutes

Motion made by Mr. Durham to approve minutes as submitted.

SECOND made by Mr. Hart

AYE Mr. Barry Duvall, Mr. Keith Hart, Mr. Drew Merck, Mr. Matt Durham,
and Mr. John Gillespie

ZA 2021-05

Ms. Chapman read application ZA 2021-05.

Mr. Halbig presented the staff report.

Mr. Duvall asked if there was anyone who wished to speak in favor of the application.

Mr. Dan Freeman and Mr. Joseph Martin introduced themselves to the board. They discussed their intent with property and the reason why SCDOT would not allow individual driveways off Fairfield Drive.

Mr. Duvall asked if SCDOT would allow one access off Fairfield.

Mr. Freeman stated yes.

Mr. Merck asked about the back-alley driveway.

Mr. Durham asked about remaining parcel.

Mr. Martin discussed both the alley and the parcel.

Mr. Duvall asked if there was anyone who wished to speak in opposition of the application.

Motion made by Mr. Durham to discuss.

SECOND made by Mr. Hart

Motion- Discussion

AYE Mr. Barry Duvall, Mr. Keith Hart, Mr. Drew Merck, Mr. Matt Durham,
and Mr. John Gillespie

SENECA PLANNING COMMISSION
FEBRUARY 18th, 2008
PAGE 2 of 2

Mr. Durham asked what other areas in the city have split zoning.

Mr. Duvall discussed split zoning within city and the possibility to use PDR zoning for this parcel instead of the R-6 zoning and when making the motion for it to state no driveways on Fairfield Drive.

Mr. Halbig stated he hesitates to put a caveat on rezoning and discussed additional requirements to meet PDR zoning.

Discussion followed.

Motion made by Mr. Durham to accept application ZA 2021-05 as presented from R-10 to R-6.

**MOTION-
ZA 2021-05**

SECOND made by Mr. Hart

AYE Mr. Barry Duvall, Mr. Keith Hart, Mr. Drew Merck, Mr. Matt Durham,
and Mr. John Gillespie

NEW BUSINESS

Mr. Duvall asked if there was any new business to discuss.

Mr. Halbig welcomed Ms. Chapman back to Planning Department.

OLD BUSINESS

Mr. Duvall asked if there was any old business to discuss.

Mr. Halbig discussed the departments need to ensure board was properly served.

Ms. Chapman asked board for their recommendations on improving the staff report.

Board gave ideas to staff.

Mr. Duvall asked for Ms. Chapman to check on renewal of officers.

ADJOURN

Meeting adjourned at 6:27 p.m.

APPROVED AS TO CONTENT,

RESPECTFULLY SUBMITTED,


Ed Halbig, Director
Planning & Development


Tracy J. Chapman, Zoning Administrator
Planning & Development

SENECA IMPROVEMENTS CORPORATION

Exhibit D

BOARD MEETING

CITY OF SENECA - CITY HALL

June 28, 2021 – 12:00 PM

ATTENDING

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

Others:

Debbie Williams, Exec. 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 12:17 PM am and welcomed those in attendance.

INVOCATION

Josh Riches

**APPROVAL
SIC BUDGET
FISCAL YEAR 2022**

Mr. Moulder opened the discussion about the 2022 budget for the Seneca Improvement Corporation. He said that the only actual income for the Corporation is the lease payment for the Vangeli's building. He went over expense items with the board. He said there had not been a lot of activity during the year but said next year may be more active for the Corporation if the pending grants come to fruition.

He asked Mr. Riches to add any other information deemed pertinent for the Board. Mr. Riches said one item of note was the fact that we are not putting any more funds into the downtown incentive programs. The programs are due to sunset on June 30th and said that he feels in the incentive programs have accomplished exactly what the City hoped they would.

Mr. Halbig commented that applications would still be accepted until June 30th.

MOTION

Mr. Halbig made a motion that the Board approve the 2022 fiscal year budget as presented for the Seneca Improvement Corporation in the amount of \$75,000.00.

The motion was seconded by Mr. Faires. There was no further discussion.

The motion passed unanimously.

**DISCUSSION
KIMBRELL'S
DEMOLITION**

Mr. Moulder said the discussion today was concerning whether or not the SIC board is interested in having Complete Demolition Services move to demolition of the Kimbrell's Building upon completion of the demolition of the Harpers Building. He said it will obviously save money if they do not have to include a charge for mobilization since they are already on site.

Mayor Dan Alexander said he would like to see the quote from Complete Demolition Services before proceeding.

Mr. Riches commented that costs for the company to mobilize again would be significant.

Mr. Moulder indicated he would obtain a quote for the Kimbrell's demolition.

OTHER BUSINESS

Mr. Moulder said that he needed clarification on the CBIP submittal for reimbursement from Bob Moore (G's Pizza). He said the apartment costs had been included by Mr. Moore in the original submittal and we (SIC) had concluded they were not eligible costs. However, Mr. Moore had pointed out that his application for a CBIP grant had included the residential space and that such space is

included in the scope of the program. Mr. Halbig asked if owner-occupied residential space qualifies for the program. Mr. Moulder said that the occupant of the residential space is Garrett Myers and is not the owner, only the manager of the restaurant, and that he has a formal lease agreement with Mr. Moore.

Mr. Faires said the occupant of the residential space should not matter considering the original scope of the program.

Mr. Halbig indicated he would re-work the figures to include the costs of the residential space.

There was no action taken by the board after this discussion.

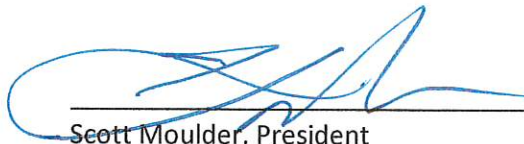
MOTION

A motion to adjourn the meeting was made by Mr. Faires.

ADJOURNMENT

Mayor Alexander seconded the motion, and by unanimous vote, the meeting was adjourned at 12:43 pm.

Respectfully submitted,



Scott Moulder, President



Debbie Williams
Executive Assistant

**CITY OF SENECA
SENECA IMPROVEMENTS CORP (82)
FISCAL YEAR 2022**

	2018 ACTUAL	2019 ACTUAL	2020 ACTUAL	2021 BUDGET	2022 PROPOSED
REVENUE					
82-361-000-000-00 Interest Income		11,652	3,763	-	-
82-390-000-000-00 Transfer from L&W Gen Savings		1,286,949	450,323	-	-
82-390-001-000-00 Transfer from City		-	115,204	-	-
82-390-004-000-00 Miscellaneous Income		-	4,489	-	-
82-390-005-000-00 Downtown Incentive Program		-	-	200,000	-
82-390-006-000-00 Downtown Business Partners-LOC		-	800,000	75,000	75,000
82-390-xxx-xxx-xx Prior year DBP - LOC drawdown		-	-	-	-
82-390-xxx-xxx-xx Prior year DTI		-	-	286,000	-
Total Revenue	-	1,298,601	1,373,779	561,000	75,000
EXPENDITURES					
82-416-000-300-13 Professional Services		680	2,956	2,500	2,500
82-416-000-300-15 Bank Charges		-	36	-	-
82-416-000-410-00 Utilities		-	-	5,000	-
82-416-000-520-00 Insurance		-	4,667	15,000	5,000
82-416-000-525-00 Property Taxes		-	-	5,000	-
82-416-000-600-00 Hometown		-	-	50,000	-
82-416-000-600-01 World War I Monument		-	41,498	4,000	-
82-416-000-600-02 Kimbrell's Building		-	27,757	45,000	-
82-416-000-600-03 Harper's Building		-	122,192	45,000	-
82-416-000-610-00 Tools & Supplies		-	102,532	45,000	37,400
82-416-000-720-00 Buildings		-	41	-	100
82-416-000-xxx-xx PRIOR YEAR EXPENSE DTI		-	115,790	-	-
82-416-000-802-00 Interest		-	-	164,500	-
82-416-000-804-00 Downtown Incentive Program		11,478	18,332	25,000	30,000
82-416-000-805-00 Downtown Business Partners - LOC		-	106,137	200,000	-
82-416-999-600-00 FEMA 2020 - HOMETOWN		-	894,559	-	-
Total Expense	-	12,158	1,436,496	561,000	75,000
SENECA IMPROVEMENT CORP TOTAL	-	1,286,443	(62,717)	-	-
TOTAL FUND BALANCE	-	1,286,443	1,223,726	1,223,726	1,223,726

SENECA FACILITIES CORPORATION

Exhibit E

BOARD MEETING

CITY OF SENECA - CITY HALL

June 28, 2021 12:00 pm

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. Assistant
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 meeting of the Seneca Facilities Corporation to order at 12:00 pm and welcomed those in attendance.

INVOCATION

Josh Riches

**PROPOSED SFC BUDGET
FOR FISCAL YEAR
2022**

Mr. Moulder went over the proposed budget for fiscal year 2022 with the board, line by line. He commented that the maintenance costs have dropped because most of the work has been completed. Mr. Faires asked if the floors were finished, and Mr. Moulder responded that they are finishing up with the floors now.

The proposed budget for the fiscal year 2022 is \$2,481,031.

MOTION

Motion by Mr. Halbig to approve the budget as presented for the Seneca Facilities Corporation Fiscal year 2022.

The motion was seconded by Mr. Faires. There was no further discussion.

The motion passed unanimously.

MOTION

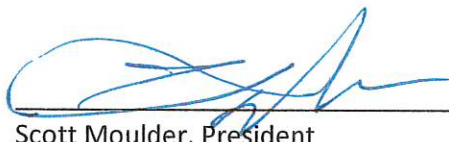
Motion by Mr. Faires to adjourn the Board meeting of the Seneca Facilities Corporation.

The motion was seconded by Mr. Halbig.

ADJOURN

The board meeting of the Seneca Facilities Corporation was adjourned at 12:15 pm.

Respectfully submitted,



Scott Moulder, President



Debbie Williams
Executive Assistant

CITY OF SENECA
SENECA FACILITIES CORP (81)
FISCAL YEAR 2022

	2018 ACTUAL	2019 ACTUAL	2020 ACTUAL	2021 BUDGET	2022 PROPOSED
REVENUE					
81-361-000-000-00 Interest Income					
81-390-000-000-00 2019 IPRB	4,284	2,724	3,148	-	-
81-390-004-000-00 Miscellaneous Income			1,382,881	1,500,000	1,486,420
81-390-005-000-00 Other Financing Sources	-	15,686	30,612	-	-
81-390-006-000-00 Unreimbursed Lease Revenue	-	-	1,265,916	-	-
81-390-010-000-00 Lease Income	-	-	(240,000)	-	-
81-390-014-000-00 FEMA/Insurance	924,784	924,737	869,635	1,035,488	915,490
81-390-030-000-01 Principal savings for loan payment	-	-	-	50,000	-
81-391-001-000-00 Transfer to General Fund	-	-	535,965	(111,667)	(111,667)
81-391-001-000-00 Transfer from General Fund-PWB	-	-	-	127,323	150,003
81-391-002-000-00 Transfer to/from Light & Water	-	-	-	-	-
81-391-002-000-00 Use of Fund Balance	-	-	-	-	40,785
Total Revenue	929,068	943,147	3,848,157	2,601,144	2,481,031
EXPENDITURES					
81-415-000-300-13 Professional Services	7,205	1,473	3,325	5,000	1,500
81-415-000-300-15 Bank Charges	24	54	12,102	500	100
81-415-000-330-00 Contract Labor (Ken Burgess)	13,650	23,457	15,960	15,000	15,000
81-415-000-331-00 Other Professional Services	-	-	4,792	1,000	-
81-415-000-331-01 2019 IPRB Fees	-	-	221,000	-	-
81-415-000-335-00 Management Fees	50,000	50,000	50,000	50,000	50,000
81-415-000-410-00 Utilities	10,754	8,973	9,642	11,000	60,000
81-415-000-430-xx Repairs & Maintenance *Multiple upfit lines	234,017	508,068	239,530	400,000	100,000
81-415-000-520-00 Insurance	52,142	54,473	54,787	60,000	60,000
81-415-000-525-00 Property Taxes	23,888	46,823	47,808	50,000	50,000
81-415-000-530-00 Communications & Telephone	4,280	4,866	6,342	6,000	8,000
81-415-000-610-00 Tools & Supplies	592	20	-	-	-
81-415-000-700-00 Depreciation	129,498	133,152	133,552	130,000	150,000
81-415-000-720-02 2019 IPRB Property Upgrades	-	-	474,079	1,200,000	-
81-415-000-720-03 2019 IPRB Public Works Building	-	-	1,500	-	1,486,420
81-415-000-730-00 Improvements Other than buildings	-	4,709	67,762	-	-
81-415-000-730-01 Propex Conversion	-	7,509	9,208	-	-
81-415-000-741-00 Machinery & Equipment	-	-	6,675	-	-
81-415-000-802-00 Interest Expense	188,370	188,370	64,330	-	-
81-415-000-802-01 NMTC Principal	-	-	39,000	-	-
81-415-000-803-00 Closing Costs	-	-	12,000	-	-
81-415-000-807-00 2019 IPRB Interest	-	-	27,903	424,410	500,011
81-415-000-807-01 2019 IPRB Principal	-	-	-	-	-
81-415-004-000-00 Misc. Expense	-	-	157	-	-
81-415-999-430-00 FEMA 2020 - Maint. & Repairs	-	-	21,404	50,000	-
Total Expense	714,421	1,031,948	1,522,857	2,402,910	2,481,031
SENECA FACILITIES CORP TOTAL	214,647	(88,801)	2,325,300	198,234	0
TOTAL FUND BALANCE	956,209	867,408	3,192,708	3,192,708	3,192,708

CITY OF SENECAORDINANCE NO. 2021-13AN ORDINANCE TO AMMEND THE OFFICIAL ZONING ORDINANCE
OF THE CITY OF SENECA

WHEREAS, that certain properties located at North Walnut Street, and denoted by Tax Map number 520-29-04-008, 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-6.

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 North Walnut Street, and denoted by Tax Map number 520-29-04-008, as shown on a plat of survey attached herein as Exhibit "A" to R-6.

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 8th day of June 2021.

R. Boatner Bowman, City Attorney

APPROVED AND RATIFIED on First Reading this 8th day of June 2021 by a vote of

7 YES 0 NO 0 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. 2021-14

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

WHEREAS, that certain properties located at Fairfield Drive, and denoted by Tax Map number 254-00-01-090, 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-6.

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 Fairfield Drive, and denoted by Tax Map number 254-00-01-090, as shown on a plat of survey attached herein as Exhibit "A" to R-6.

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 July 2021.

R. Boatner Bowman, City Attorney

APPROVED AND RATIFIED on First Reading this 13th day of July 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



Freddie B. Pough
Executive Director

P.O. Box 21069
Columbia, SC 29221-1069

djj.sc.gov

Henry McMaster
Governor



June 28, 2021

City of Seneca
Administrator

P. O. Box 4773
Seneca, South Carolina 29679-4773

Dear Administrator:

Enclosed please find a Memorandum of Agreement (MOA) for the provision of secure detention services with the South Carolina Department of Juvenile Justice's (SCDJJ) Detention Center for fiscal year 2021-2022. The per diem rate is **\$50.00 per day** for any juvenile housed at the SCDJJ detention facility pursuant to Section 63-19-1610 of the South Carolina Code of Laws. Failure to pay amounts owed for juvenile detention services will result in SCDJJ pursuing any and all available methods of collection.

This agreement will not obligate you in any way unless your agency/department chooses to, or is ordered by a court to, detain a juvenile awaiting trial or sentencing. Should you anticipate the need to use our facility anytime during the 2021-2022 fiscal year, please sign the enclosed contract within 30 days of receipt and return to: Department of Juvenile Justice, Attention: Jovan Haynes, Facility Administrator, Juvenile Detention Center, 1725 Shivers Road, Columbia, South Carolina 29210. **This agreement will not be accepted by SCDJJ if altered or amended in any way.**

In lieu of detaining juveniles in SCDJJ's secure detention center, the Department has developed a Short-Term Alternative Placement (STAP) Program by contracting with providers throughout the state to offer residential alternatives to secure detention for non-violent youth. This STAP service is made available to you at no cost, and the number of available STAP providers/locations was increased in fall 2020 (see attached). An additional benefit to utilizing STAP is that while local law enforcement provides initial transport to the STAP location, SCDJJ arranges all follow-up transports to/from Court. **We would encourage you to make all public safety or local law enforcement in your jurisdiction aware of this alternative to secure detention so that they can utilize this no cost option, whenever they determine such to be appropriate.** Additional information about these options can be obtained by contacting your local SCDJJ County Manager or by calling DJJ's Office of Community Alternatives at (803) 896-9117.

Please also note that, per the terms of the attached MOA, SCDJJ's acceptance and retention of detainees in its Juvenile Detention Center will be on a space available basis and will be in accordance with admission and detention criteria established by SCDJJ. With the implementation of Raise the Age legislation on July 1, 2019, SCDJJ's Juvenile Detention Center

has experienced a higher volume of juvenile detainees. Please be aware that SCDJJ will be monitoring capacity of the Juvenile Detention Center on a daily basis and may be unable to accept or retain juvenile detainees when doing so would cause the facility to exceed its rated capacity. As stated above, SCDJJ has developed STAP beds for use as an alternative to detention for non-violent youth and encourages the use of STAP beds with appropriate youth. In addition, in order to ensure that your jurisdiction has a long-term solution in place for the detention of juveniles, you may want to consider collaborating with your local government partners in neighboring jurisdictions to explore the establishment of regional juvenile detention centers in your area.

Should you have any questions, please contact Velvet McGowan, Deputy Director of Institutional Services at (803) 896-9797. Your timely response is appreciated.

Sincerely,



Freddie B. Pough
Director

Enclosures

cc: Jovan Haynes, Facility Administrator, SCDJJ Detention Center
Velvet McGowan, Deputy Director, Institutional Services Division

**MEMORANDUM OF AGREEMENT
FOR THE DETENTION OF JUVENILES**

THIS AGREEMENT is made this 1st day of July, 2021, by and between the South Carolina Department of Juvenile Justice (SCDJJ) by and through its duly authorized employee and the governing body of City of Seneca, hereinafter referred to as City of Seneca, by and through its duly authorized official and/or employee;

WHEREAS, the South Carolina Constitution and state and federal law, mandate that juveniles who are held in detention be confined in separate and distinct facilities from adults similarly confined; and

WHEREAS, City of Seneca does not operate or manage its own detention facility for juveniles, or otherwise have such a facility available to it for the detention of juveniles; and

WHEREAS, SCDJJ operates a facility for the detention of juveniles, along with an array of other residential placements for juveniles, who are awaiting their return to another jurisdiction or state, or awaiting their adjudication and/or dispositional hearings in the Family Courts of this State, which have passed all necessary state inspections or approvals, and are suitable for the detention of juveniles; and

WHEREAS, the General Assembly has mandated that "the governing body of the law enforcement agency having original jurisdiction (over) where the offense occurred" be responsible for paying a portion of the costs of the detention services for juveniles provided by SCDJJ, who are charged with committing crimes within the governing body's jurisdictional limits;

NOW THEREFORE, in consideration of the mutual promises contained herein, it is agreed as follows:

SCDJJ will admit into its Juvenile Detention Center in Columbia, and detain such juveniles in this Center, subject to its design/operational capacity and any limitations set forth in Section 63-19-830(A), those juveniles who are charged with committing offenses within the jurisdictional limits of the above listed entity and who have been/are:

1. qualified to be placed in secure detention (as determined by Section 63-19-820(B), which the local law enforcement entity wishes to have detained prior to a detention hearing before the Family Court; or
2. ordered to be taken into custody and detained by the Family Court or other lawful authority; or

3. 16 years old or younger who have been waived to the Court of General Sessions to be tried as adults; or
4. 16 years old and charged as an adult with committing a Category A-D felony or any felony offense which provides for a maximum term of imprisonment of fifteen years or more (applicable only to crimes alleged to have occurred prior to 7/1/2019).

Acceptance and retention of detainees in its Juvenile Detention Center will be on a space available basis and will be in accordance with admission and detention criteria established by SCDJJ. In addition, City of Seneca agrees to remove any detainees accepted and detained under criteria 3 and 4 above, on or within one week after that detainee's 17th birthday.

City of Seneca agrees to assign an open Purchase Order Number _____, to be effective from July 1, 2021 to June 30, 2022.

City of Seneca agrees to comply with Section 63-19-1610 of the South Carolina Code of Laws which provides, "local governments utilizing the juvenile detention services provided by the Department of Juvenile Justice must pay the department a per diem of fifty dollars a day per child." Accordingly, City of Seneca will pay SCDJJ \$50.00 per 24-hour day per child. (Detention periods of between from 1 to 23 hours shall be charged as a ½ day charge of \$25.00). Payments to SCDJJ will be made on a monthly basis as the costs accrue.

SCDJJ agrees to bill City of Seneca on a monthly basis; said bills to be sent on or before the 15th day of the month after the month where the costs are incurred, with payment to be made on or before the first (1st) day of the following month. If City of Seneca fails to make payment within 30 days of receipt of an invoice for detention services, SCDJJ may take any and all available measures to collect on the outstanding debt.

SCDJJ agrees to periodically provide City of Seneca with a report on City of Seneca's use of the SCDJJ Detention Facility. This report will reflect the status of juveniles being detained for periods greater than 30 days.

Pursuant to South Carolina Code Section 63-19-360, the "local law enforcement agency having jurisdiction where the offense was committed" shall be responsible for transporting all juveniles to and from DJJ's Juvenile Detention Center. However, a local law enforcement entity may enter into agreements with other local law enforcement agencies or other entities for transporting of a juvenile to and from SCDJJ's Juvenile Detention Center, and the fact that a particular local law enforcement agency or entity transports a juvenile to or from SCDJJ shall not be determinative as to which law enforcement agency has jurisdiction over the offense committed or necessarily obligate the governing board of the transporting entity to pay for the cost of that juvenile's detention.

In accordance with state law relating to Juvenile Detention and consistent with the criteria outlined in SCDJJ Policy 408 (Community Detention Screening and Detention Hearing Process), no juvenile shall be placed in and/or transported to a SCDJJ detention facility until law enforcement has notified SCDJJ and SCDJJ has conducted a detention screening, or until a Family Court Judge has determined that placement in secure detention is appropriate.

City of Seneca shall provide the SCDJJ Juvenile Detention Center with all relevant information pertaining to the juvenile, including medical history/limitations/pre-existing conditions, known psychological and psychiatric problems, charges pending before the court, and completed screening or detention forms if such records or information are in the possession of, or otherwise known to, the transporting law enforcement agency.

SCDJJ's Juvenile Detention Center shall have the right to refuse admission when a juvenile is presented for placement without an appropriate detention order signed by the Court or detention referral papers, completed and signed by a SCDJJ employee or screening agent. SCDJJ's Juvenile Detention Center shall also have the right to refuse admission when a juvenile is deemed inappropriate by the Center for placement due to psychological/psychiatric problems, age, history, not meeting referral/admissions criteria, indications of alcohol or other drug intoxication, medical condition which requires emergency or immediate medical care or treatment or for any other reason which puts the Center at risk, should such a juvenile be accepted.

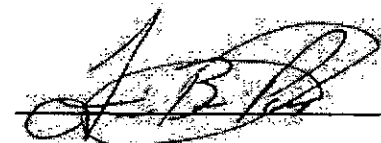
SCDJJ shall not be financially responsible for the cost of medical care provided to a juvenile detained in its juvenile detention center for any injury, illness, condition, or medical need that pre-existed the juvenile's admission to its Detention Center.

Detention services provided by SCDJJ shall commence upon execution of this contract and terminate, unless this contract is reauthorized and renewed, on July 1, 2022. Either party may cancel this agreement upon thirty (30) days' written notice.

Sums paid or payable under this contract shall not exceed \$_____ for fiscal year 2021-2022 as determined by both parties. However, if juveniles continue to be presented for secure detention by City of Seneca once the above budgeted amount has been reached, City of Seneca agrees to pay for the cost of any additional detainees as provided for in the paragraph addressing detention rates.

APPROVED:

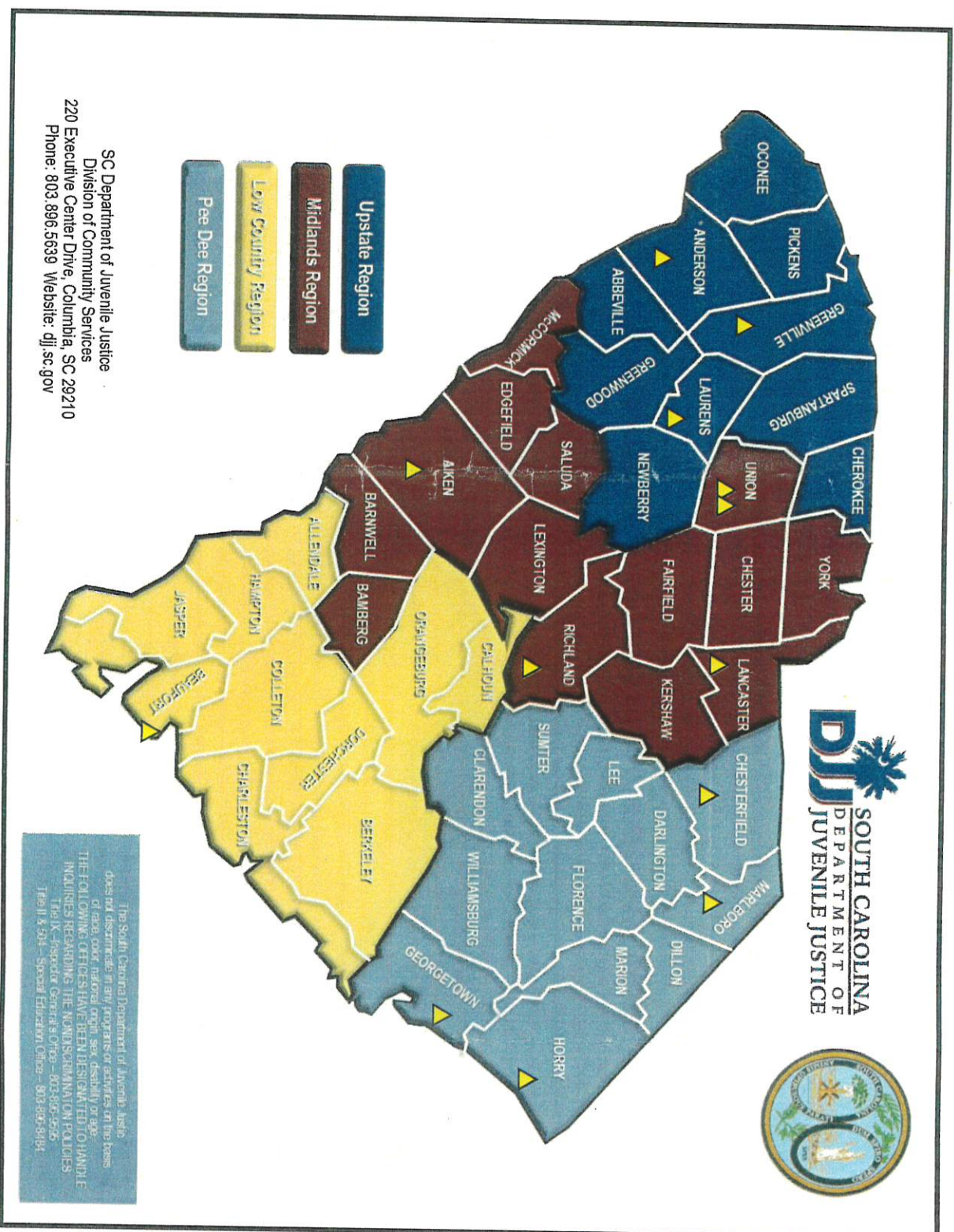
Administrator/Manager
(or other Authorized Official)



Freddie B. Pough, Director
South Carolina Department of Juvenile Justice

Date

July 1, 2021
Date



Midlands Region

- ▶ **Camp Aspen (M)**
5300 Broad River Road
Columbia, SC 29212
Richland County

- ▶ **Camp Long (F)**
84 Camp Long Road
Aiken, SC 29805
Aiken County

- ▶ **Lancaster Children's Home (M/F)**
1240 Children's Avenue
Lancaster, SC 29720
Lancaster County

- ▶ **Camp White Pines 1 (M)**
742 T. Bishop Road
Jonesville, SC 29353
Union County

- ▶ **Camp White Pines 2 (M)**
742 T. Bishop Road
Jonesville, SC 29353
Union County

- ▶ **Camp Sand Hills (M)**
2381 Campbell Lake Rd.
Patrick, SC 29584
Chesterfield County

- ▶ **Georgetown Marine (M)**
Hwy 17, East CCC Rd.
Georgetown, SC 29440
Georgetown County

- ▶ **Sea Haven Crisis Center**
280 hwy. 57 South
Little River, SC 29566
Horry County

- ▶ **Generations (Bridges) (M)**
820 Dunklin Bridge Rd.
Simpsonville, SC 29680
Greenville County

- ▶ **Piedmont Wilderness (F)**
20238 Highway 72
Clinton, SC 29325
Laurens County

- ▶ **Beaufort Marine Institute (M)**
60 Honey Bee Island Rd.
Seabrook, SC 29940

- ▶ **Camp Bennettsville (M)**
620 Marlboro Road
Bennettsville, SC 29512
Marlboro County

- ▶ **New Foundations (M/F)**
2300 Standridge Rd.
Anderson, SC 29625
Anderson County

- ▶ **Therapeutic Foster Care Providers**
Homes Located throughout the State of South Carolina

- ▶ **Therapeutic Foster Care Providers**
Homes Located throughout the State of South Carolina

- ▶ **Therapeutic Foster Care Providers**
Homes Located throughout the State of South Carolina

NOTE: Symbol placement is for reference only and may not reflect the actual physical location or address.