



AMENDED A G E N D A

OCONEE COUNTY COUNCIL MEETING

February 6, 2018

6:00 PM

Council Chambers, Oconee County Administrative Offices
415 South Pine Street, Walhalla, SC

Call to Order

Public Comment Session *[Limited to a total of forty (40) minutes, four (4) minutes per person.]*

Council Member Comments

Moment of Silence

Invocation by County Council Chaplain

Pledge of Allegiance to the Flag of the United States of America

Approval of Minutes

- January 29, 2018 Special Meeting

Presentation to Council

- Oconee County Fiscal Year 2017 Independent Audit by David Irwin, CPA with Mauldin & Jenkins

Administrator Report & Agenda Summary

Public Hearings for the Following Ordinances

Ordinance 2017-32 “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A RESIDENTIAL LEASE AGREEMENT BETWEEN OCONEE COUNTY AS LESSOR AND KENT CROOKS AS LESSEE FOR CERTAIN REAL PROPERTY, INCLUDING ALL IMPROVEMENTS THEREON, LOCATED AT 207 CROOKS ROAD, SENECA, SOUTH CAROLINA; AND OTHER MATTERS RELATED THERETO.”

Ordinance 2017-33 “AN ORDINANCE AMENDING CHAPTER 38 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING THE LAKE OVERLAY DISTRICT WITH PARTICULAR REFERENCE BEING MADE TO THE NATURAL VEGETATIVE BUFFER; AND OTHER MATTERS RELATED THERETO.”

Third Reading of the Following Ordinances

Ordinance 2017-32

[see caption above]

Ordinance 2017-33

[see above caption]

Second Reading of the Following Ordinances

Ordinance 2018-04 “AN ORDINANCE AMENDING CHAPTER 38 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING SETBACK LANGUAGE FOR COMMERCIAL

Council's meetings shall be conducted pursuant to the South Carolina Freedom of Information Act, Council's Rules and the Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition. This agenda may not be inclusive of all issues which Council may bring up for discussion at this meeting. Items are listed on Council's agenda to give public notice of the subjects and issues to be discussed, acted upon, received as information and/or disposed of during the meeting. Items listed on Council's agenda may be taken up, tabled, postponed, reconsidered, removed or otherwise disposed of as provided for under Council's Rules, and Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition, if not specified under Council's rules.

STRUCTURES; AND OTHER MATTERS RELATED THERETO.”

[Commercial Structure Setback Language]

First Reading of the Following Ordinances

Ordinance 2018-07 “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A RESIDENTIAL LEASE AGREEMENT BETWEEN OCONEE COUNTY AS LESSOR AND JULIE IBRAHAM AS LESSEE FOR CERTAIN REAL PROPERTY, INCLUDING ALL IMPROVEMENTS THEREON, LOCATED IN HANGAR E, OCONEE COUNTY AIRPORT PROPERTY, SENECA, SOUTH CAROLINA; AND OTHER MATTERS RELATED THERETO.”

First & Final Reading for the Following Resolutions

RESOLUTION R2018-03 “A RESOLUTION EXPRESSING INTENT TO CEASE COUNTY MAINTENANCE ON, AND TO AUTHORIZE COUNTY CONSENT TO JUDICIAL ABANDONMENT OF, EMMANUEL CHURCH DRIVE, AN OCONEE COUNTY PUBLIC ROAD; AND OTHER MATTERS RELATED THERETO.”

Discussion Regarding Action Items

Board & Commission Appointments *(IF ANY)* *[Seats listed are all co-terminus seats]*
Building Codes Appeal Board..... 1 At Large Seat
Conservation Bank Board.....District II
Board of Zoning Appeals.....District V

Unfinished Business *[to include Vote and/or Action on matters brought up for discussion, if required]*
[None scheduled.]

New Business *[may include items which may be scheduled for final action at a future meeting, if required]*
[None scheduled.]

Council Committee Reports

Recreation Review Task Force / Mr. Davis.....*[01/16/2018]*

Executive Session

[upon reconvening Council may take a Vote and/or take Action on matters brought up for discussion in Executive Session, if required]
For the following purposes, as allowed for in § 30-4-70(a) of the South Carolina Code of Laws:

Adjourn

Assisted Listening Devices [ALD] are available to accommodate the special needs of citizens attending meetings held in Council Chambers.
ALD requests should be made to the Clerk to Council at least 30 minutes prior to the meeting start time.
County Council, Committee, Board & Commission meeting schedules, agendas are posted at the Oconee County Administration Building & are available on the County Council Website.

Council’s meetings shall be conducted pursuant to the South Carolina Freedom of Information Act, Council’s Rules and the Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition. This agenda may not be inclusive of all issues which Council may bring up for discussion at this meeting. Items are listed on Council’s agenda to give public notice of the subjects and issues to be discussed, acted upon, received as information and/or disposed of during the meeting. Items listed on Council’s agenda may be taken up, tabled, postponed, reconsidered, removed or otherwise disposed of as provided for under Council’s Rules, and Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition, if not specified under Council’s rules.

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE**

ORDINANCE 2017-32

AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A RESIDENTIAL LEASE AGREEMENT BETWEEN OCONEE COUNTY AS LESSOR AND KENT CROOKS AS LESSEE FOR CERTAIN REAL PROPERTY, INCLUDING ALL IMPROVEMENTS THEREON, LOCATED AT 207 CROOKS ROAD, SENECA, SOUTH CAROLINA; AND OTHER MATTERS RELATED THERETO.

WHEREAS, Oconee County, South Carolina (the "County") is a body politic and corporate and a political subdivision of the State of South Carolina and is authorized by the provisions of Title 4, Chapter 9 of the Code of Laws of South Carolina 1976, as amended, to lease real property and to make and execute contracts; and

WHEREAS, Mr. Kent Crooks entered into a residential lease agreement with Oconee County, South Carolina, for certain improved real property located at 207 Crooks Road, Seneca, South Carolina, TMS #268-00-03-039 (the "Premises"), beginning January 1, 2017 and ending on December 31, 2017; and

WHEREAS, it is the desire of the County to enter into a new and separate lease with Mr. Crooks, such lease being captioned Lease Agreement (the "Lease"), attached hereto as Exhibit "A," for a term of one (1) year beginning January 1, 2018 and ending on December 31, 2018; and

WHEREAS, the Oconee County Council (the "Council") has reviewed the form of the Lease, attached hereto as Exhibit "A," and determined that it is in the best interest of the County and its residents and citizens for the County to execute and enter into the Lease, and the Council wishes to approve the same and to authorize the County Administrator to execute and deliver the Lease and all related agreements and documents necessary or incidental thereto.

NOW THEREFORE, be it ordained by Council in meeting duly assembled that:

Section 1. Lease Approved. The Lease is hereby approved, and the County Administrator is hereby authorized to execute and deliver the Lease in substantially the same form as Exhibit "A."

Section 2. Related Documents and Instruments; Future Acts. The County Administrator is hereby authorized to negotiate such documents and instruments which

may be necessary or incidental to the Lease and to execute and deliver any such documents and instruments on behalf of the County.

Section 3. Severability. Should any term, provision, or content of this Ordinance be deemed unconstitutional or otherwise unenforceable by any court of competent jurisdiction, such determination shall have no effect on the remainder of this Ordinance.

Section 4. General Repeal. All ordinances, orders, resolutions, and actions of the Oconee County Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked, and superseded.

Section 5. Effective Date. This Ordinance shall become effective and be in full force and effect from and after public hearing and third reading in accordance with the Code of Ordinances of Oconee County, South Carolina.

ORDAINED in meeting, duly assembled, this ____ of _____, 2018.

ATTEST:

Katie Smith
Clerk to Oconee County Council

Edda Cammick
Chair, Oconee County Council

First Reading: December 19, 2017
Second Reading: January 16, 2018
Third Reading: February 6, 2018
Public Hearing: February 6, 2018

EXHIBIT A

STATE OF SOUTH CAROLINA

COUNTY OF OCONEE

LEASE AGREEMENT

THIS LEASE AGREEMENT (the "Lease"), made this ____ day of _____, 2018, ("Effective Date") by and between Oconee County, South Carolina, a body politic and corporate and a political subdivision of the State of South Carolina ("Lessor") and Kent Crooks ("Lessee").

WHEREAS, Lessor owns and holds fee simple title to that certain piece, parcel, or lot of land and all improvements thereon, located in the State of South Carolina, County of Oconee, containing 20.83 acres, more or less, and being generally located at 207 Crooks Road, Seneca, South Carolina, and having Oconee County TMS# 268-00-03-039 (the "Premises");

WHEREAS, Lessor wishes to lease unto Lessee, and Lessee wishes to lease from Lessor the Premises; and

WHEREAS, Lessor and Lessee have each represented and warranted, and hereby do represent and warrant, that they have the power and authority to execute and enter into this Lease, and upon such execution and delivery that this Lease shall be enforceable against each in accordance with its terms, all requisite approvals and authorization necessary or requisite for the execution and delivery of this Lease having been obtained prior to the Effective Date.

NOW, THEREFORE, in consideration of the above recitals (which are incorporated herein as covenants, representations, or warranties, as applicable, made in this Lease), the mutual covenants set forth herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. **LEASE OF PREMISES.** Lessor does hereby devise and lease to Lessee, and Lessee does hereby lease from Lessor, the Premises for a period of one (1) year commencing January 1, 2018 and ending December 31, 2018 (the "Lease Term"), unless sooner terminated as provided herein. Lessee shall use the Premises only for residential purposes. Subject to the conditions of this Lease, Lessor agrees that Lessee may peaceably have, hold, and enjoy the Premises without hindrance by Lessor.

2. **AMOUNT AND PAYMENT FOR LEASEHOLD INTEREST.** Lessee covenants to pay to "Oconee County" at 415 S. Pine Street, Walhalla, SC 29691, or such other place as Lessor shall designate in writing, as rent for said Premises, the amount of Six Thousand and 00/100 (\$6,000.00) Dollars for the one (1) year Lease Term. Such rent

payment shall be delivered to Lessee in twelve (12) equal monthly installments of Five Hundred and 00/100 (\$500.00) Dollars, and such rent payments are to be received on or before the first (1st) day of each month, with the first payment being due at the signing hereof. A security deposit is not required.

3. **BREACH OR DEFAULT.** If any term or provision of this Lease is violated by Lessee and such violation is not cured within thirty (30) days following the giving of written notice thereof by Lessor to Lessee, this Lease shall, at the option of Lessor, terminate and Lessor may thereupon lawfully enter into or upon the Premises, repossess the same, and expel Lessee therefrom without prejudice to any other claim or remedy Lessor may have for the collection of rent and/or for damages for breach of this Lease.

4. **LESSEE'S MAINTENANCE AND REPAIR OF THE PREMISES.** Except as hereinafter provided, Lessee shall maintain and keep the exterior and interior of the Premises in good repair, free of refuse and rubbish, and shall return the same at the expiration or termination of this lease in as good condition as received by Lessee, ordinary wear and tear excepted; provided, however, that if alterations, additions, and/or installations shall have been made by Lessee as provided for in this lease, Lessee shall be required to restore the Premises to the condition in which it was prior to such alterations, additions, and/or installations. Lessee shall be responsible for care, repair, and maintenance of all interior items, including mechanical, plumbing, electrical, carpeting, walls, and HVAC. Lessee shall maintain the areas around the front and rear doors, sidewalks, and delivery areas in a clean, neat, and orderly condition. Lessee will not commit any waste of or on the Premises and will pay for all damages to buildings or equipment caused by Lessee. Lessee shall not use or permit the use of the Premises in violation of any present or future local, state, or federal regulation or law. Lessee shall be responsible for all maintenance costs associated with the Premises.

5. **LESSEE'S ALTERATIONS, ADDITIONS, INSTALLATIONS, AND REMOVAL THEREOF.** Lessee may not, either at the commencement of or during the Lease Term, make any alterations in and/or additions to the Premises including, without limitation of the generality of the foregoing, alterations to the mechanical, electric, and plumbing systems without the written consent of Lessor.

6. **UTILITIES, TAXES, AND INSURANCE.** Lessee shall pay all charges for water, gas, sewer, electricity, and any other utility or operational cost associated with the Premises. Lessee shall be responsible for the payment of any taxes imposed on personal property situated at the Premises. Lessee shall maintain a general policy of liability insurance issued by a carrier, and in an amount, satisfactory to Lessor, by the terms of which Lessor and Lessee are named as insureds and are indemnified against liability for damage or injury to property or persons (including death) entering upon or using the Premises. Lessor will not be responsible for any loss to personal property of Lessee, or Lessee's guests, invitees, licensees, or others entering the Premises. It is, therefore, Lessee's responsibility to obtain insurance to cover such property and/or loss.

7. **RELEASE, HOLD HARMLESS, ASSUMPTION OF RISK, AND INDEMNITY.** Lessee, its employees, agents, and representatives, knowingly and freely assume all risks associated with its possession, use, and occupation of the Premises, both known and unknown; Lessee assumes full responsibility for its activities in relation hereto, and shall indemnify and hold harmless Lessor, its Council members, employees, officers, and representatives, from any and all claims for any damage, injury, accident, illness, loss, or other such claim incurred at or about the Premises, as brought forth or alleged by any person, including Lessee, its employees, agents, and representatives as relates to the activities of Lessee.

8. **OBSERVANCE OF LAWS.** Lessee shall duly obey and comply with all public laws, ordinances, rules, or regulations related to the use of the Premises.

9. **DAMAGE BY FIRE, ETC.** In the event the Premises are damaged by fire, flood, storm, civil commotion, or other unavoidable cause, to an extent not repairable within one hundred twenty (120) days of the date of such damage, this Lease shall terminate as of the date of such damage.

10. **ASSIGNMENT.** Lessee may not assign this lease or sub-let the Premises or any part thereof for any use, without the written consent of Lessor.

11. **LESSOR'S RIGHT TO ENTER PREMISES.** Lessee shall permit Lessor and Lessor's agents to enter at all reasonable times to view the state and condition of the Premises or to make such alterations or repairs therein as may be necessary for the safety and preservation thereof, or for any other reasonable purpose. Apart from entrance made necessary by emergency or exigent circumstance, Lessor shall give Lessee twenty-four (24) hours' advance notice of its desire to exercise its right to enter the Premises.

12. **ENTIRE AGREEMENT.** This Lease constitutes all of the covenants, promises, agreements, conditions, and understandings between Lessor and Lessee concerning the Premises, and there are no covenants, promises, agreements, conditions, or understandings, either oral or written, between them other than as herein set forth.

13. **SECTION HEADING.** The section headings, as to the contents of particular sections herein, are inserted only for convenience and are in no way to be construed as part of such section or as a limitation on the scope of the particular section to which they refer.

14. **GOVERNING LAW.** This Lease shall be governed by, construed, and enforced in accordance with the laws of the State of South Carolina.

15. **NOTICES.** It is agreed that all notices regarding this Lease shall be sent via US Postal Mail to:

Lessor: Oconee County

Attn: T. Scott Moulder, Administrator
415 S. Pine St.
Walhalla, South Carolina 29691
Contact Number: 864-638-4244

Lessee: James Kent Crooks
93 Goose Knob
Riverton, Wyoming 82501
Contact Telephone Number: 307-709-0106

or to such other addresses as may be from time to time authorized by Lessor or Lessee respectively.

16. COUNTERPART. This Lease may be executed in one or more counterparts, each of which shall constitute an original, and all of which shall constitute one and the same document.

AND IT IS MUTUALLY UNDERSTOOD AND AGREED that the covenants and agreements herein contained shall insure to the benefit of and be equally binding upon the respective executors, administrators, heirs, successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have executed this Lease as of the Effective Date set forth above.

WITNESS:

LESSOR:

OCONEE COUNTY, SOUTH CAROLINA

By: _____
Its: County Administrator

LESSEE:

By: _____
James Kent Crooks

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
ORDINANCE 2017-33**

AN ORDINANCE AMENDING CHAPTER 38 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING THE LAKE OVERLAY DISTRICT WITH PARTICULAR REFERENCE BEING MADE TO THE NATURAL VEGETATIVE BUFFER; AND OTHER MATTERS RELATED THERETO.

WHEREAS, consistent with the powers granted county governments by S.C. Code § 4-9-25 and S.C. Code § 4-9-30 Oconee County (“County”) a body politic and corporate and a political subdivision of the State of South Carolina, acting by and through its governing body, the Oconee County Council (the “County Council”), has the authority to enact regulations, resolutions, and ordinances, not inconsistent with the Constitution and the general law of the State of South Carolina, including the exercise of such powers in relation to health and order within its boundaries and respecting any subject as appears to it necessary and proper for the security, general welfare, and convenience of the County or for preserving health, peace, order, and good government therein; and,

WHEREAS, the County has adopted multiple ordinances for the effective, efficient governance of the County, which, subsequent to adoption, are codified in the Oconee County Code of Ordinances (the “Code of Ordinances”), as amended; and,

WHEREAS, the County is authorized by Section 4-9-30(9) and Chapter 29 of Title 6 of the South Carolina Code of Laws, among other sources, to impose land use restrictions and development standards in the unincorporated areas of the County; and,

WHEREAS, County Council recognizes that there is a need to revise the law of the County to meet the changing needs of the County and that there is a need to amend, specifically, certain sections of Chapter 38 of the Code of Ordinances involving the Lake Overlay District with specific reference being made to changes intended to improve preservation of the Natural Vegetative Buffer; and,

WHEREAS, County Council has therefore determined to modify Chapter 38 of the Code of Ordinances and to affirm and preserve all other provisions of the Code of Ordinances not specifically, or by implication, amended hereby.

NOW, THEREFORE, it is hereby ordained by the Oconee County Council, in meeting duly assembled, that:

1. Section 38-11.1 of Chapter 38 of the Code of Ordinances, entitled *Lake overlay district*, is hereby revised, rewritten, and amended to read as set forth in Attachment A, which is attached hereto and incorporated herein by reference.

2. County Council hereby declares and establishes its legislative intent that Attachment A become the applicable zoning provisions of the County, or parts thereof, with regard to the sections amended by Attachment A, from and after its adoption, states its intent to so adopt Attachment A, and directs that a public hearing thereon be undertaken by County Council or the Oconee County Planning Commission, in accord with and as required by Section 6-29-760 and by Section 4-9-130, South Carolina Code, 1976, as amended.

3. Should any part or provision of this Ordinance be deemed unconstitutional or unenforceable by any court of competent jurisdiction, such determination shall not affect the rest and remainder of this Ordinance, all of which is hereby deemed separable.

4. All ordinances, orders, resolutions, and actions of County Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked, and rescinded. However, nothing contained herein, or in the attachment hereto, shall cancel, void, or revoke, or shall be interpreted as cancelling, voiding, or revoking, *ex post facto*, in any regard any prior performance standard, zoning or rezoning acts, actions, or decisions of the County or County Council based thereon, which were valid and legal at the time in effect and undertaken pursuant thereto, in any regard.

5. All other terms, provisions, and parts of the Code of Ordinances, and specifically, but without exception, the remainder of Section 38-11.1 of Chapter 38, not amended hereby, directly or by implication, shall remain in full force and effect.

6. This Ordinance shall take effect and be in full force and effect from and after third reading and enactment by County Council.

ORDAINED in meeting, duly assembled, this ____ day of _____, 2018.

ATTEST:

Katie D. Smith
Clerk to Oconee County Council

Edda Cammick
Chair, Oconee County Council

First Reading: December 19, 2017
Second Reading: January 16, 2018
Third Reading: February 6, 2018
Public Hearing: February 6, 2018

ATTACHMENT A

Sec. 38-11.1. - Lake overlay district.

- (a) *Title:* Lake overlay district.
- (b) *Definition:* The lake overlay is not intended to be a separate zoning district, but shall be assigned to the shoreline areas of Oconee County lakes that are considered by county council to be vital to the economic prosperity and general well-being of all county citizens.
- (c) *Intent:* This overlay is intended to protect water quality, maintain natural beauty, and limit secondary impacts of new development that may negatively affect the lifestyles of those living near the lakeshore and the general enjoyment of the lakes by all citizens.
- (d) *Boundary:* The boundaries of the lake overlay district are shown on the Official Oconee County Zoning Map, and are divided into the following sub-districts:
 - (1) Keowee/Jocassee Overlay (Lakes Keowee and Jocassee). The following standards shall apply within 750 feet of the full pond contour of Lake Keowee and Lake Jocassee, to be measured along a perpendicular line from the full-pond contour.
 - a. *Standards.*
 - 1. No single-family or multi-family development shall have a net density greater than two dwelling units per acre within the boundary of the overlay.
 - 2. No structure constructed in the overlay shall have a building height greater than 65 feet above finished grade. In no circumstance shall the grade elevation be altered beyond that necessary to provide for structural soundness. For the purposes of this section, unless otherwise stated, all dimensions, heights, elevations and other specifications related to structures shall be measured in accordance with adopted building codes.
 - 3. Marinas and commercial boat storage shall comply with Duke Energy's regulations and shall not be located within a mile radius of an existing platted and properly recorded subdivision.
 - 4. All non-residential projects that have a proposed developed area fully or partially located within the boundaries of the Lake Keowee/Jocassee Overlay shall be subject to a special exception hearing by the board of zoning appeals. The board of zoning appeals shall use Appendix A as a guide and for good cause shown they may waive the strict application of any standard therein.
 - 5. Natural Vegetative Buffer.
 - (i) The Natural Vegetative Buffer shall be established on all waterfront parcels whose property line is located within 25 feet from the full pond contour. Those parcels not meeting these criteria shall be exempt from this standard. A map indicating those parcels to which the standards of this section apply, as well as the status of the establishment of the

required buffer, shall be created and maintained as a layer in the county's Geographic Information System (GIS), and shall be available to the public.

- (ii) The Buffer shall extend to a depth of 25 feet measured along a perpendicular line from the full-pond contour (800 feet above MSL for Keowee and 1100 feet above MSL for Jocassee). Shoreline stabilization shall be permitted provided any soil disturbance or other stabilization activities are supervised and approved by the appropriate licensed design professional and submitted to the Zoning Administrator. Right-of-way maintenance activities by all utilities shall be exempt.
- (iii) Motorized equipment will be permitted inside the Natural Vegetative Buffer if:
 - a. required to remove dead or dying trees, as confirmed by a certified arborist, forester or Zoning Administrator
 - b. required for remediation purposes, as permitted by the Zoning Administrator.
 - c. required for construction of the 15% view lane path or permitted patio/deck.
 - d. required for work related to installing permitted electrical/water piping into the Lake.
 - e. Golf carts and similar vehicles are permitted to utilize the path of the permitted 15% View Lane(s).
- (iv) All structures and landscaping existing at the time of adoption of this chapter shall be considered as permitted and shall not be considered impediments to the buffer.
- (v) Silt Fences: In order to ensure that the Natural Vegetative Buffer is maintained during the development of property, properly installed, entrenched and maintained silt fences are required, before a Zoning inspection will take place. The silt fences must begin at or above the Vegetative Buffer line. Wire backed silt fences are highly recommended and J-hooks, hay bales, grass mats and seeding shall be installed, as needed, at least 25 feet from the full pond contour (800 feet above MSL for Keowee and 1100 feet above MSL for Jocassee), separating the Buffer from the developed area, until the completion of construction. The County may mandate additions of any or all of these options at any point during construction.

If the silt fences and other measures, listed above, fail to prevent an accumulation of silt and other debris in the Natural Vegetative Buffer, the County shall require the responsible parties to install additional control

measures. These measures shall be installed in a timely manner to prevent any further accumulation.

Silt that has entered the Natural Vegetative Buffer shall be removed if possible and then the area within the Natural Vegetative Buffer shall be stabilized with pine straw, mulch and/or other planted vegetation.

See section "f" for Penalties.

- (vi) **View Lanes:** View Lane means the portion of a natural buffer utilized and maintained by the property owner to enhance observation and access of the lake and surrounding landscapes. Typically, the vegetation in the View Lane is lower in height and/or smaller in diameter than that found in the rest of the buffer. The View Lane may be up to 15% of the Vegetative Buffer either as one contiguous lane or multiple smaller lanes.
- (vii) **Allowed Development within the Vegetative Buffer:** Paths of permeable or impermeable construction are permitted within the Natural Vegetative Buffer provided they are no wider than six (6) feet. Turnarounds are permitted within the 15% View Lane. Any path is considered a part of the allowed 15% View Lane. Patios or decks, without permanent vertical features other than those required for safety or building code standards, are permitted but may not be more than 100 square feet and must be part of a contiguous 15% View Lane. Electrical and water lines may be installed through the Natural Vegetative Buffer provided they run within the permitted 15% View Lane and meet all applicable building codes.
- (viii) **Vegetation Removal:** No trees larger than six-inch caliber at four feet from the ground shall be removed unless certified to be a hazard by a registered forester or arborist. Trees may be limbed up to 50 percent of their height. A removal plan shall be submitted for approval. Invasive species may be removed in such a manner that does minimal damage to surrounding native vegetation. Trees that are clearly dead or dying may be removed with the permission of the Zoning Administrator. Existing vegetation, outside of the allowed 15% View Lane, may be under-brushed. This under-brushing may not utilize herbicides, fertilizers or other chemicals and may not increase run-off throughout the Natural Vegetative Buffer. Vegetation within the allowed 15% View Lane may be maintained to the property owner's standards provided it does not create or contribute to runoff entering the Lake or adjacent properties and the maintenance does not utilize herbicides, fertilizers or other chemicals.
- (ix) **Vegetation Mitigation :** The following mixture of plants for every 2500 square feet of the Natural Vegetative Buffer shall be required if reestablishing the native vegetation or for mitigation purposes:

- a. Three large maturing shade trees, equally spaced, four-inch or greater caliper at four feet.
 - b. Three understory trees, equally spaced, two-inch or greater caliper at four feet.
 - c. Six small evergreen trees.
 - d. Twenty shrubs or a diverse mix of native plants and unmanaged (uncut below 12 inches and untreated) native grasses where available and suited to the site.
- (x) No new manicured lawns or other managed grasses shall be established within the buffer area. Additionally, no clear cutting or mowing, cultivation activities, fertilization, use of herbicides, fungicides, or pesticides shall occur within the buffer area.
- (xi) In the event that a property owner is unable to establish the said buffer they may request a variance, to be considered at a hearing before the board of zoning appeals, stating the reasons why a buffer cannot be established. The board of zoning appeals ~~of zoning appeals~~ may, in its sole discretion, grant or not grant such variance, for good cause shown.

(e) Compliance and Conflicts:

Compliance with the requirements of this Section does not nullify a party's duty to comply with other or more stringent regulations, requirements, or guidelines of a Duke Energy company or affiliate, or any local, state, or federal law or other applicable authority

(f) Penalties:

The intent of the Natural Vegetative Buffer is to protect the natural and built environment within and surrounding Lakes Keowee and Jocassee. All parties owning, renting, or inhabiting property or working on property within the Lake Overlay are required to work within the intent and the letter of this and all applicable ordinances and standards to protect and enhance the natural and built environments.

A violation of this Article is punishable by fine and/or imprisonment in an amount not to exceed the jurisdictional limits granted to a magistrate's court in Oconee County under South Carolina law. Additionally, building and zoning permits may be revoked, stop work orders issued, and civil fines levied as appropriate under the circumstances. Further, the provisions, including prescriptions, proscriptions, and penalties contained within the International Property Maintenance Code may apply.

ATTACHMENT A to Ordinance 2017-33

(SHOWING ADDED AND DELETED LANGUAGE)

Sec. 38-11.1. - Lake overlay district.

- (a) *Title:* Lake overlay district.
- (b) *Definition:* The lake overlay is not intended to be a separate zoning district, but shall be assigned to the shoreline areas of Oconee County lakes that are considered by county council to be vital to the economic prosperity and general well-being of all county citizens.
- (c) *Intent:* This overlay is intended to protect water quality, maintain natural beauty, and limit secondary impacts of new development that may negatively affect the lifestyles of those living near the lakeshore and the general enjoyment of the lakes by all citizens.
- (d) *Boundary:* The boundaries of the lake overlay district are shown on the Official Oconee County Zoning Map, and are divided into the following sub-districts:
 - (1) Keowee/Jocassee Overlay (Lakes Keowee and Jocassee). The following standards shall apply within 750 feet of the full pond contour of Lake Keowee and Lake Jocassee, to be measured along a perpendicular line from the full-pond contour.
 - a. *Standards.*
 - 1. No single-family or multi-family development shall have a net density greater than two dwelling units per acre within the boundary of the overlay.
 - 2. No structure constructed in the overlay shall have a building height greater than 65 feet above finished grade. In no circumstance shall the grade elevation be altered beyond that necessary to provide for structural soundness. For the purposes of this section, unless otherwise stated, all dimensions, heights, elevations and other specifications related to structures shall be measured in accordance with adopted building codes.
 - 3. Marinas and commercial boat storage shall comply with Duke Energy's regulations and shall not be located within a mile radius of an existing platted and properly recorded subdivision.
 - 4. All non-residential projects that have a proposed developed area fully or partially located within the boundaries of the Lake Keowee/Jocassee Overlay shall be subject to a special exception hearing by the board of zoning appeals. The board of zoning appeals shall use Appendix A as a guide and for good cause shown they may waive the strict application of any standard therein.
 - 5. Natural ~~v~~Vegetative ~~b~~Buffer.

- (i) A **The** Natural Vegetative Buffer shall be established on all waterfront parcels whose property line is located within 25 feet from the full pond contour. Those parcels not meeting this criteria shall be exempt from this standard. A map indicating those parcels to which the standards of this section apply, as well as the status of the establishment of the required Buffer, shall be created and maintained as a layer in the county's Geographic Information System (GIS), and shall be available to the public.
- (ii) The Buffer shall extend to a depth of 25 feet measured along a perpendicular line from the full-pond contour (800 feet above MSL for Keowee and 1100 feet above MSL for Jocassee).; ~~in the event permanent shoreline stabilization, such as rip-rap, retaining walls, is located at the full-pond contour, the buffer may begin at the back of the stabilization, provided the minimum required area is achieved.~~ Shoreline stabilization shall be permitted provided any soil disturbance or other stabilization activities are supervised and approved by the appropriate licensed design professional and submitted to the Zoning Administrator. Right-of-way maintenance activities by all utilities shall be exempt.
- (iii) Motorized equipment will be permitted inside the Natural Vegetative Buffer if:
- required to remove dead or dying trees, as confirmed by a certified arborist, forester or Zoning Administrator
 - required for remediation purposes, as permitted by the Zoning Administrator,
 - required for construction of the 15% view lane path or permitted patio/deck,
 - required for work related to installing permitted electrical/water piping into the Lake.
 - Golf carts and similar vehicles are permitted to utilize the path of the permitted 15% View Lane(s)
- ~~.All structures and landscaping existing at the time of adoption of this chapter shall be considered as permitted and shall not be considered impediments to the buffer. Any new structures or any other new objects that are impediments to the establishment of the required buffer shall be placed outside the natural buffer areas unless the total square footage occupied by the structure, not to exceed 20 percent of the required buffer area, is added to the buffer at another location on the same parcel, provided the resulting buffer area is equal to the required buffer area, and the effectiveness of the buffer is not compromised.~~
- (iv) All structures and landscaping existing at the time of adoption of this chapter shall be considered as permitted and shall not be

~~considered impediments to the Buffer. In order to ensure that the natural buffer is maintained during the development of property a properly installed and maintained silt fence shall be installed 25 feet from the full pond elevation, separating the buffer from the developed area, until the completion of construction. No construction or disturbance shall occur below the silt fence unless it is deemed necessary by a certified arborist to remove diseased trees. Dead trees may be removed with the approval of the zoning administrator. No trees larger than six inch caliber at four feet from the ground shall be removed unless certified to be a hazard by a registered forester or arborist. Trees may be limbed up to 50 percent of their height. A removal plan shall be submitted for approval.~~

- (v) **Silt Fences:** In order to ensure that the Natural Vegetative Buffer is maintained during the development of property, properly installed, entrenched and maintained silt fences are required, before a Zoning inspection will take place. The silt fences must begin at or above the Vegetative Buffer line. Wire backed silt fences are highly recommended and J-hooks, hay bales, grass mats and seeding shall be installed, as needed, at least 25 feet from the full pond contour (800 feet above MSL for Keowee and 1100 feet above MSL for Jocassee), separating the Buffer from the developed area, until the completion of construction. The County may mandate additions of any or all of these options at any point during construction.

If the silt fences and other measures, listed above, fail to prevent an accumulation of silt and other debris in the Natural Vegetative Buffer, the County shall require the responsible parties to install additional control measures. These measures shall be installed in a timely manner to prevent any further accumulation.

Silt that has entered the Natural Vegetative Buffer shall be removed if possible and then the area within the Natural Vegetative Buffer shall be stabilized with pine straw, mulch and/or other planted vegetation.

See section 'f' for Penalties.

~~No development activity or soil disturbance shall occur in the buffer area, unless permitted by the zoning administrator.~~

- (vi) **View Lanes:** View Lane means the portion of a natural buffer utilized and maintained by the property owner to enhance observation and access of the lake and surrounding landscapes. Typically, the vegetation in the View Lane is lower in height and/or smaller in diameter than that found in the rest of the buffer. The View Lane may be up to 15% of the Vegetative Buffer either as one contiguous lane or multiple smaller lanes.

~~Shoreline stabilization shall be permitted provided any soil disturbance or other stabilization activities are supervised and approved by the appropriate licensed design professional and submitted to the zoning administrator.~~

- (vii) **Allowed Development within the Vegetative Buffer:** Paths of permeable or impermeable construction are permitted within the Natural Vegetative Buffer provided they are no wider than six (6) feet. Turnarounds are permitted within the 15% View Lane. Any path is considered a part of the allowed 15% View Lane. Patios or decks, without permanent vertical features other than those required for safety or building code standards, are permitted but may not be more than 100 square feet and must be part of a contiguous 15% View Lane. Electrical and water lines may be installed through the Natural Vegetative Buffer provided they run within the permitted 15% View Lane and meet all applicable building codes.

~~A map indicating those parcels to which the standards of this section apply, as well as the status of the establishment of the required buffer, shall be created and maintained as a layer in the county's Geographic Information System (GIS), and shall be available to the public.~~

- (viii) **Vegetation Removal:** No trees larger than six-inch caliber at four feet from the ground shall be removed unless certified to be a hazard by a registered forester or arborist. Trees may be limbed up to 50 percent of their height. A removal plan shall be submitted for approval. Invasive species may be removed in such a manner that does minimal damage to surrounding native vegetation. Trees that are clearly dead or dying may be removed with the permission of the Zoning Administrator. Existing vegetation, outside of the allowed 15% View Lane, may be under-brushed. This under-brushing may not utilize herbicides, fertilizers or other chemicals and may not increase run-off throughout the Natural Vegetative Buffer. Vegetation within the allowed 15% View Lane may be maintained to the property owner's standards provided it does not create or contribute to runoff entering the Lake or adjacent properties and the maintenance does not utilize herbicides, fertilizers or other chemicals.

~~Natural, existing vegetation is encouraged; however, the following mix of plants shall be required for every 2,500 square feet of vegetative buffer area that is established by planting:~~

- ~~(1) The following mixture of plants for every 2,500 square feet of natural vegetative buffer shall be required when existing:~~
- ~~a. Three large maturing shade trees, equally spaced, four-inch or greater caliber at four feet.~~

- b. ~~Three understory trees, equally spaced, two-inch or greater caliper at four feet.~~
 - c. ~~Six small evergreen trees.~~
 - d. ~~Twenty shrubs; or~~
- (2) ~~A diverse mix of native plants and unmanaged (uncut below 12 inches and untreated) native grasses where available and suited to the site.~~
- (ix) **Vegetation Mitigation** : The following mixture of plants for every 2500 square feet of the Natural Vegetative Buffer shall be required if reestablishing the native vegetation or for mitigation purposes:
- a. Three large maturing shade trees, equally spaced, four-inch or greater caliper at four feet.
 - b. Three understory trees, equally spaced, two-inch or greater caliper at four feet.
 - c. Six small evergreen trees.
 - d. Twenty shrubs or a diverse mix of native plants and unmanaged (uncut below 12 inches and untreated) native grasses where available and suited to the site.
- ~~A view lane of no more than 15 percent of the buffer area shall be permitted in the natural buffer area. Impervious surface no greater than 20 percent of the allowed view lane area is permitted. All impervious surfaces shall be considered part of the view lane. Other structures must be temporary.~~
- (x) No new manicured lawns or other managed grasses shall be established within the buffer area. Additionally, no clear cutting or mowing, cultivation activities, fertilization, use of herbicides, fungicides, or pesticides shall occur within the buffer area.
- (xi) In the event that a property owner is unable to establish the said buffer they may request a variance, to be considered at a hearing before the board of zoning appeals, stating the reasons why a buffer cannot be established. The board of zoning appeals of zoning appeals may, in its sole discretion, grant or not grant such variance, for good cause shown.

(e) Compliance and Conflicts:

Compliance with the requirements of this Section does not nullify a party's duty to comply with other or more stringent regulations, requirements, or guidelines of a Duke Energy company or affiliate, or any local, state, or federal law or other applicable authority

(f) Penalties

The intent of the Natural Vegetative Buffer is to protect the natural and built environment within and surrounding Lakes Keowee and Jocassee. All parties owning, renting, or inhabiting property or working on property within the Lake Overlay are required to work within the intent and the letter of this and all applicable ordinances and standards to protect and enhance the natural and built environments.

A violation of this Article is punishable by fine and/or imprisonment in an amount not to exceed the jurisdictional limits granted to a magistrate's court in Oconee County under South Carolina law. Additionally, building and zoning permits may be revoked, stop work orders issued, and civil fines levied as appropriate under the circumstances. Further, the provisions, including prescriptions, proscriptions, and penalties contained within the International Property Maintenance Code may apply.

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
ORDINANCE 2018-04**

AN ORDINANCE AMENDING CHAPTER 38 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING SETBACK LANGUAGE FOR COMMERCIAL STRUCTURES; AND OTHER MATTERS RELATED THERETO.

WHEREAS, consistent with the powers granted county governments by S.C. Code § 4-9-25 and S.C. Code § 4-9-30 Oconee County (“County”) a body politic and corporate and a political subdivision of the State of South Carolina, acting by and through its governing body, the Oconee County Council (the “County Council”), has the authority to enact regulations, resolutions, and ordinances, not inconsistent with the Constitution and the general law of the State of South Carolina, including the exercise of such powers in relation to health and order within its boundaries and respecting any subject as appears to it necessary and proper for the security, general welfare, and convenience of the County or for preserving health, peace, order, and good government therein; and,

WHEREAS, the County has adopted multiple ordinances for the effective, efficient governance of the County, which, subsequent to adoption, are codified in the Oconee County Code of Ordinances (the “Code of Ordinances”), as amended; and,

WHEREAS, the County is authorized by Section 4-9-30(9) and Chapter 29 of Title 6 of the South Carolina Code of Laws, among other sources, to impose land use restrictions and development standards in the unincorporated areas of the County; and,

WHEREAS, County Council recognizes that there is a need to revise the law of the County to meet the changing needs of the County and that there is a need to amend, specifically, certain sections of Chapter 38 of the Code of Ordinances involving setback requirements as relate to commercial structures in the Control Free District; and,

WHEREAS, County Council has therefore determined to modify Chapter 38 of the Code of Ordinances and to affirm and preserve all other provisions of the Code of Ordinances not specifically, or by implication, amended hereby.

NOW, THEREFORE, it is hereby ordained by the Oconee County Council, in meeting duly assembled, that:

1. Section 38-10.2 of Chapter 38 of the Code of Ordinances, entitled *Control Free District (CFD)*, is hereby revised, rewritten, and amended to read as set forth in Attachment A, which is attached hereto and hereby incorporated by reference as fully as if set forth verbatim herein.

2. County Council hereby declares and establishes its legislative intent that Attachment A become the applicable zoning provisions of the County, or parts thereof, with regard to the sections amended by Attachment A, from and after its adoption, states its intent to so adopt Attachment A, and directs that a public hearing thereon be undertaken by County Council or the Oconee County Planning Commission, in accord with and as required by Section 6-29-760 and by Section 4-9-130, South Carolina Code, 1976, as amended.

3. Should any part or provision of this Ordinance be deemed unconstitutional or unenforceable by any court of competent jurisdiction, such determination shall not affect the rest and remainder of this Ordinance, all of which is hereby deemed separable.

4. All ordinances, orders, resolutions, and actions of County Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked, and rescinded. However, nothing contained herein, or in the attachment hereto, shall cancel, void, or revoke, or shall be interpreted as cancelling, voiding, or revoking, *ex post facto*, in any regard any prior performance standard, zoning or rezoning acts, actions, or decisions of the County or County Council based thereon, which were valid and legal at the time in effect and undertaken pursuant thereto, in any regard.

5. All other terms, provisions, and parts of the Code of Ordinances, and specifically, but without exception, the remainder of Section 38-10.2 of Chapter 38, not amended hereby, directly or by implication, shall remain in full force and effect.

6. This Ordinance shall take effect and be in full force and effect from and after third reading and enactment by County Council.

ORDAINED in meeting, duly assembled, this ____ day of _____, 2018.

ATTEST:

Katie D. Smith
Clerk to Oconee County Council

Edda Cammick
Chair, Oconee County Council

First Reading: January 16, 2018
Second Reading: February 6, 2018
Third Reading: _____
Public Hearing: _____

ATTACHMENT A
To Ordinance 2018-04

Sec. 38-10.2. - Control free district (CFD).

The control free district is intended to be the initial zoning district for all parcels within the jurisdiction at the time of initial adoption of zoning in Oconee County, only; any parcel subsequently rezoned to any other district shall not be a part of the control free district at any future date.

Dimensional requirements:

| Residential Uses | | Density and Lot Size | | | Minimum Yard Requirements | | | Max. Height |
|---------------------|---------------|---|------------------|------------------|---------------------------|--------------------|--------------------|------------------------|
| | Min. Lot Size | Lot Size | Max. Density | Min. Width (ft.) | Front Setback (ft.) | Side Setback (ft.) | Rear Setback (ft.) | Structure Height (ft.) |
| | N/A | Greater than or equal to ½ acre | N/A | N/A | 25 | 5 | 10 | 65 |
| | N/A | Less than ½ acre to greater than or equal to ¼ acre | N/A | N/A | 15 | 5 | 5 | 65 |
| | N/A | Less than ¼ acre | N/A | N/A | 10 | 5 | 5 | 65 |
| Nonresidential Uses | | Minimum Lot Size | | | Minimum Yard Requirements | | | Max. Height |
| | Min. Lot Size | Lot Size | Min. Width (ft.) | | Front Setback (ft.) | Side Setback (ft.) | Rear Setback (ft.) | Structure Height (ft.) |
| | N/A | Greater than or equal to ½ acre | N/A | | 25 | 5 | 10 | 65 |
| | N/A | Less than ½ acre to greater than or equal to ¼ acre | N/A | | 15 | 5 | 5 | 65 |
| | N/A | Less than ¼ acre | N/A | | 10 | 5 | 5 | 65 |

These setback requirements shall not apply to subdivision plats that were recorded in the Office of the Oconee County Register of Deeds prior to May 7, 2002.

Setback requirements do not apply to lot lines separating dwelling units which are part of a multi-family housing structure (e.g., townhouses).

As to multi-family housing structures located on one lot (e.g., duplexes or apartments), setback requirements apply only to the exterior perimeter wall of the entire structure.

Setback requirements do not apply to lot lines separating commercial units which are part of a multi-unit commercial structure (e.g., a strip mall).

As to multi-unit commercial developments located on one lot (e.g. traditional malls, town centers, or mixed-use developments) setback requirements apply only to the exterior perimeter wall of an entire structure.

**AGENDA ITEM SUMMARY
OCONEE COUNTY, SC**

**COUNCIL MEETING DATE: February 6, 2018
COUNCIL MEETING TIME: 6:00**

ITEM TITLE [Brief Statement]:

RESOLUTION R2018-03: "A RESOLUTION EXPRESSING INTENT TO CEASE COUNTY MAINTENANCE ON, AND TO AUTHORIZE COUNTY CONSENT TO JUDICIAL ABANDONMENT OF, EMMANUEL CHURCH DRIVE, AN OCONEE COUNTY PUBLIC ROAD; AND OTHER MATTERS RELATED THERETO."

BACKGROUND DESCRIPTION:

Resolution 2018-03 will establish the County's intent to abandon County maintenance of Emmanuel Church Drive and proclaim the County's consent to its judicial abandonment as a public road, as requested by the owners of adjacent property, and as recommended by staff and the Oconee County Transportation Committee.

SPECIAL CONSIDERATIONS OR CONCERNS [only if applicable]:

None

FINANCIAL IMPACT [Brief Statement]:

Check Here if Item Previously approved in the Budget. No additional information required.

Approved by : _____ **Finance**

COMPLETE THIS PORTION FOR ALL GRANT REQUESTS:

Are Matching Funds Available: Yes / No

If yes, who is matching and how much:

Approved by : _____ **Grants**

ATTACHMENTS

None

STAFF RECOMMENDATION [Brief Statement]:

It is staff's recommendation that Council take pass Resolution 2018-03

*Council has directed that they receive their agenda packages a week prior to each Council meeting, therefore, Agenda Items Summaries must be submitted to the Administrator for his review/approval no later than 12 days prior to each Council meeting. It is the Department Head / Elected Officials responsibility to ensure that all approvals are obtained prior to submission to the Administrator for inclusion on an agenda.
A calendar with due dates marked may be obtained from the Clerk to Council.*

**STATE OF SOUTH CAROLINA
OCONEE COUNTY
RESOLUTION R2018-03**

A RESOLUTION EXPRESSING INTENT TO CEASE COUNTY MAINTENANCE ON, AND TO AUTHORIZE COUNTY CONSENT TO JUDICIAL ABANDONMENT OF, EMMANUEL CHURCH DRIVE, AN OCONEE COUNTY PUBLIC ROAD; AND OTHER MATTERS RELATED THERETO.

WHEREAS, Emmanuel Church Drive (the "Road") is currently a public road that is maintained by Oconee County. See the Staff Report of Findings, prepared by Kyle Reid, dated January 5, 2018 ("Staff Report"), attached hereto as Exhibit "A" and incorporated herein by reference; and

WHEREAS, on August 14, 2017, Oconee County Roads and Bridges Department received a letter from Mark Welch, the only resident with a dwelling on Emmanuel Church Drive, requesting the abandonment of the Road from county maintenance; and

WHEREAS, the Oconee County Roads and Bridges Department has contacted all owners of real property abutting the Road (hereinafter referred to as "Owners"), and all Owners have expressed their desire that the County abandon the Road ("the Road to be Abandoned"); and

WHEREAS, the Road to be Abandoned begins at the intersection of the Road and Broadway Street and terminates at 696 Emmanuel Church Drive, TMS# 210-00-01-037, as shown on Attachment 2 to Exhibit "A"; and

WHEREAS, with respect to the Road to be Abandoned, Oconee County has complied with § 26-9 of the Oconee County Code of Ordinances pertaining to cessation of maintenance and consent to judicial abandonment of Oconee County public roads; and

WHEREAS, none of the procedures undertaken by Oconee County have shown a need for the Road to be maintained by Oconee County or to remain a public road, and the Oconee County Transportation Committee and Oconee County staff have recommended that Oconee County consent to judicial abandonment; and

WHEREAS, in accordance with § 26-9 of the Oconee County Code of Ordinances, an Owner (or Owners) must fully comply with all applicable laws for judicial abandonment of a public road, including, without limitation, S.C. Code § 57-9-10, *et seq.*, (providing all required notices and service of process to interested parties in accordance with applicable law and filing a proper petition with a court of competent jurisdiction); and

WHEREAS, Oconee County, a body politic and corporate and a political subdivision of the State of South Carolina, acting by and through its County Council, desires to express its intent to cease maintenance of the Road to be Abandoned, contingent on the understanding and qualification that such abandonment and closure will be at no expense or prejudice to Oconee County and so long as the Owner(s) meet the requirements set forth in § 26-9 of the Oconee County Code of Ordinances and South Carolina state law; Oconee County further desires to express its intent to authorize consent to judicial abandonment of the Road.

NOW, THEREFORE, be it resolved by the Oconee County Council, in meeting duly assembled, that:

1. Oconee County, acting by and through its County Council, hereby declares and establishes its intent that Oconee County will no longer maintain the Road to be Abandoned, which begins at the intersection of the Road and Broadway Street and which terminates at 696 Emmanuel Church Drive, TMS# 210-00-01-037, as shown on Attachment 2 to Exhibit "A."
2. So long as the Owner(s) fully comply with all applicable laws, including § 26-9 of the Oconee County Code of Ordinances and S.C. Code § 57-9-10, *et seq.*, and contingent on the understanding and qualification that such abandonment and closure will be at no expense or prejudice to Oconee County,

Oconee County consents to the judicial abandonment and closure of Emmanuel Church Drive as specifically set forth above.

3. All orders and resolutions in conflict herewith are, to the extent of such conflict only, repealed and rescinded.
4. Should any part or portion of this resolution be deemed unconstitutional or otherwise unenforceable by any court of competent jurisdiction, such finding shall not affect the remainder hereof, all of which is hereby deemed separable.
5. This resolution shall take effect and be in force immediately upon enactment.

RESOLVED in meeting duly assembled, this ____ of _____, 2018.

ATTEST:

Clerk to Oconee County Council
Katie Smith

Edda Cammick
Chair, Oconee County Council

Exhibit A



Oconee County
Roads and Bridges
Department

W. Kyle Reid
Assistant Director of
Public Works

Public Works Complex
15022 Wells Highway
Schenes, SC 29678

Phone: 864-886-1072
Fax: 864-886-1071

E-mail
kreid@oconeesc.com



EXHIBIT A

January 5, 2018

Glen Hart, Chairman
Oconee County Transportation Committee

Re: Emmanuel Church Drive (SE-341) Road Abandonment

Mr. Hart:

On August 14, 2017 Oconee County Roads and Bridges received a letter from Mark Welch of 696 Emmanuel Church Drive - Newry, SC requesting the abandonment of the road from county maintenance (Attachment 1). Mr. Welch is the only resident on the road, and there are two properties that border the road.

At the direction of the Transportation Committee in the October 10, 2017 meeting staff was directed to conduct an investigation per Oconee County Code of Ordinances Section 26-9.

It is our findings of that investigation that find the road has been and currently is a county maintained road (Attachment 2). The road is used by the general public. The road is maintained by prescriptive easement. A sign was placed at the road for thirty days posting the proposed abandonment and soliciting comments (Attachment 3). No comments were received. The other property owner along the road was contacted by phone and expressed that he did not have an issue with the proposed abandonment of the road from county maintenance.

It is staff's recommendation that Transportation Committee honor the request to abandon the entire portion of Emmanuel Church Drive from county maintenance.

Should you have any further questions, please do not hesitate to contact our office at 864-886-1072.

Cordially,

A handwritten signature in blue ink, appearing to read "W. Kyle Reid".

W. Kyle Reid
Assistant Director of Public Works
Oconee County

Rec'd
8/18/17

Attachment 1

Mark Welch
696 Emmanuel Church Drive
Newry, SC 29665
8/14/17

Mr. Kyle Reid
Oconee Roads & Bridges

Mr. Reid,

I would appreciate it if you could start proceedings to abandon Emmanuel Church Drive in Newry as per our previous discussions. Please keep me informed of your progress & anything I might need to do to facilitate said abandonment.

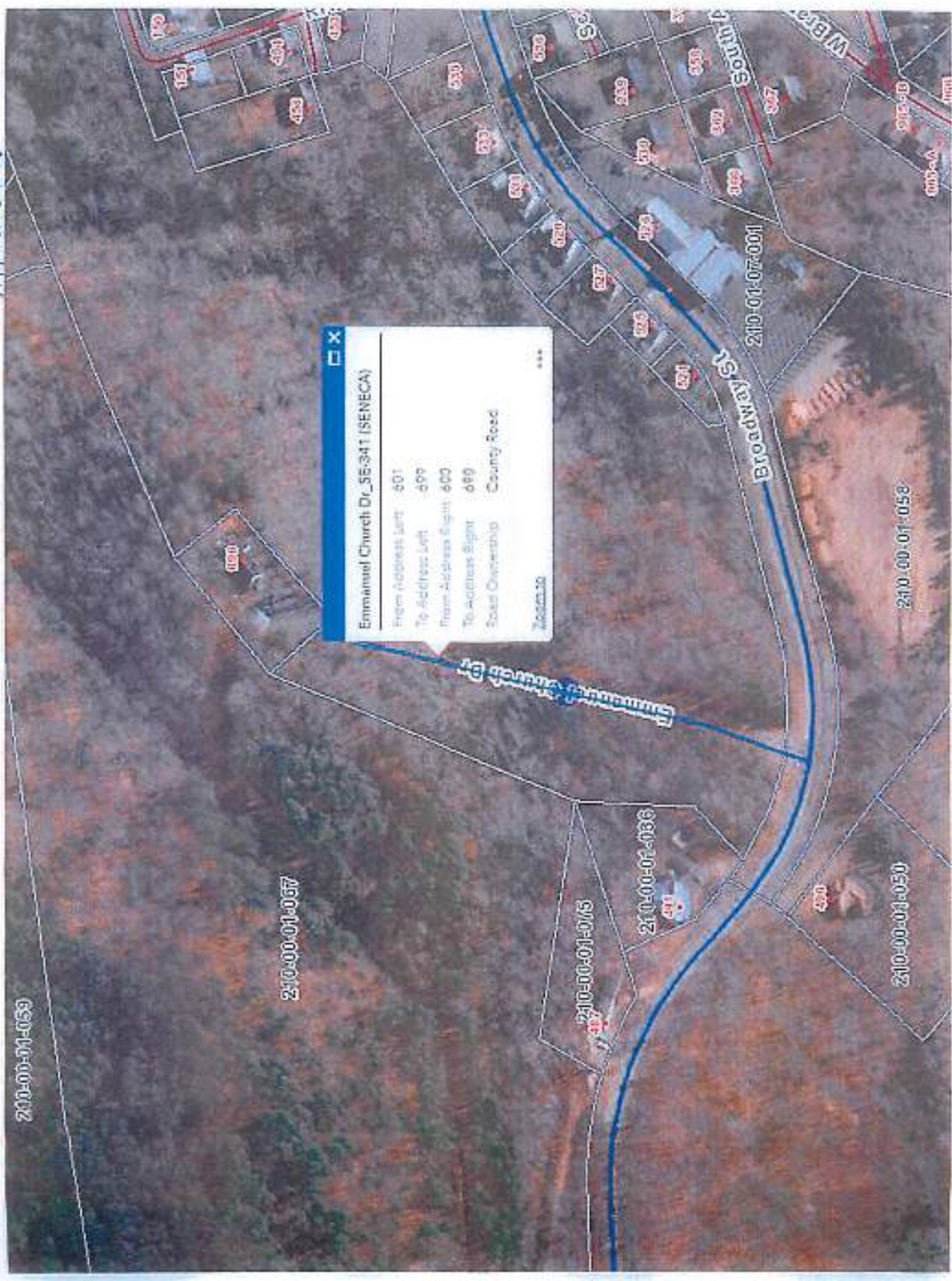
Thank-you for your help on this matter.

Mark Welch

Mark Welch
mdwelch27@att.net
(864) 982 - 2538

PS: The mailing address
is PO Box 178
Newry, SC 29665

Attachment 3



NOTICE

A PETITION TO CLOSE AND ABANDON THIS ROAD WILL
BE FILED IN COURT IN ACCORDANCE WITH
COUNTY ORDINANCE § 26-7

THE COUNTY IS SEEKING CITIZEN COMMENTS
FOR INFORMATION AND COMMENTS CONTACT
OCONEE COUNTY PUBLIC WORKS AT

(864) 886-1072

15022 WELLS HWY SENECGA SC
roads@ocgovtsc.com



Work Order 55705

| | |
|--------------------------|-----------------------------|
| Issue: Other Sign Issue | Status: Planned |
| Activity: Other Activity | Priority: _____ |
| Asset Type: Other Sign | Scheduled: _____ |
| Address: EMMANUEL CHURCH | Start Date: _____ |
| DR (SE-341) | |
| Seneca | Stop Date: _____ |
| Assigned To: _____ | In City: No |
| Department: Signs | Transaction Date 10/11/2017 |
| | 9:35:03 AM |
| Entered By: dmoore | Notes: install the ROAD |
| | ABANDONMENT notice |
| | sign near the entrance |
| | and leave it there for a |
| | minimum of 30 days. |

Details: KYLE REID

Directions: NORTH ON ROCHESTER HWY FROM SENECA, RIGHT ON OLD CLEMSON HWY LEFT ON NEWRY RD, CONTINUE ONTO BROADWAY ST, WILL BE ON LEFT PAST PACIFIC DR

Request Information

| Labor Information | | Equipment Information | |
|-------------------|--------------|-----------------------|------------------|
| ID | Standard Hrs | Overtime Hrs | Total Hours Used |
| | | | |
| | | | |
| | | | |
| | | | |

Notes/Action Taken: _____

Employee Signature: *[Signature]* Date: 11/11/17

Print Date: 10/11/2017

Work Order 55706

| | |
|--|--|
| Issue: Other Sign Issue Activity: Other Activity Asset Type: Other Sign Address: EMMANUEL CHURCH DR (SE-341) Seneca | Status: Planned Priority: _____ Scheduled: _____ Start Date: _____ Stop Date: _____ In City: No Transaction Date: 10/11/2017 9:42:32 AM Notes: retrieve the ROAD ABANDONMENT notice sign after it has been installed a minimum of 30 days. |
| Assigned To: _____ Department: Signs Entered By: dmoore | |

Details: kyle rreid

Directions: NORTH ON ROCHESTER HWY FROM SENECA, RIGHT ON OLD CLEMSON HWY LEFT ON NEWRY RD, CONTINUE ONTO BROADWAY ST, WILL BE ON LEFT PAST PACIFIC DR

Request Information

| Labor Information | | | Equipment Information | |
|-------------------|--------------|--------------|-----------------------|------------------|
| ID | Standard Hrs | Overtime Hrs | ID / Description | Total Hours Used |
| | | | | |
| | | | | |
| | | | | |

Notes/Action Taken: _____

Employee Signature: Barry Smith Date: 11-13-17
 Print Date: 10/11/2017

| Boards & Commissions | State / OC Code Reference | Reps [DX-At Large] | Co-Terminus | Term Limits | 4 Year Term | Meeting Date to Appoint | Edda Cammick | Wayne McCall | Paul Cain | Julian Davis | Glenn Hart | | | | |
|--|---------------------------|---------------------------------|-------------|-------------|-------------|-------------------------|--|----------------------|-----------------------|--|------------------------|--------------------|----------------------|---|--|
| | | | | | | | 2015-2018 | 2017-2020 | 2015-2018 | 2017-2020 | 2017-2020 | 2015-2018 | 2017-2020 | | |
| | | | | | | | District I | District II | District III | District IV | District V | At Large | At Large | | |
| Aeronautics Commission | 2-262 | 5 - 2 | YES | 2X | YES | Jan - March | Randy Renz [2] | David Bryant [1] | Edward Perry [2] | Marion Lyles [1] | Ronald Chiles [2] | A. Brightwell [1] | Michael Gray [<1] | | |
| Ag. Advisory Board | 2016-17 | 5 - 2 | YES | n/a | YES | Jan - March | Debbie Sewell [<1] | Doug Hollifield [<1] | Sandra Gray [1] | Ed Land [<1] | Vickie Willoughby [<1] | Kim Alexander [<1] | Rex Blanton [<1] | | |
| Arts & Historical Commission | 2-321 | 5 - 2 | YES | 2X | YES | Jan - March | Bette Boreman [1] | Libby Imbody [1] | Mariam Noorai [1] | Tony Adams [1] | Stacy Smith | Shawn Johnson [1] | Janet Gorman [1] | | |
| Board of Zoning Appeals | 38-6-1 | 5 - 2 | YES | 2X | YES | Jan - March | Allen Medford [2] | Gwen Fowler [1] | Bill Gilster [1] | Marty McKee [<2] | OPEN | Josh Lusk [1] | Charles Morgan [<1] | | |
| Building Codes Appeal Board | | 5 - 0 | YES | 2X | YES | Jan - March | George Smith [1] | Matt Rochester [1] | Bob DuBose [2] | Kevin Knight | Kenneth Owen | | | | |
| Conservation Bank Board | 2-381 | Appointed by Category Preferred | | 2X | YES | Jan - March | Shea Airey [2] | OPEN | Jennifer Moss [1] | Marvin Prater [2] | Frank Ables [1] | Richard Cain [2] | Frances Rundlett [1] | | |
| Destination Oconee Action Committee | n/a | 5 - 2 | n/a | n/a | n/a | n/a | David Washburn | Luther Lyle [2] | Al Shadwick | Matthew Smith [1] | Bob Hill [2] | Robert Moore | Hal Welch [2] | | |
| PRT Commission (members up for reappointment due to initial stagger) | 6-4-25 2-381 | Appointed by Industry | | 2X | YES | Jan - March | Shane Smith[1]; Andrew Conkey [1]; Kevin Evans [1] | | | Becky Wise [2], Rick Lacey [2], Mike Wallace [2] | | | Darlene Greene | | |
| Scenic Highway Committee | 26-151 | 0 - 2 | YES | 2X | YES | Jan - March | | | | | | Scott Lusk [1] | Staley Powell [1] | | |
| Library Board | 4-9-35 / 18 1 | 0 - 9 | YES | 2X | YES | Jan - March | M. McMahan [P, 1.15]; M. Jacobson [P, 1.15]; W. Caster [2, 1.15] | | | B. Brackett [1.17]; A. Griffin [1.17]; K. Holleman [P[1.17]]; L. Martin [P[1.17]]; A. Suddeth [2]; C. Morrison[1.17] | | | | | |
| Planning Commission | 6-29-310 32-4 | 5 - 2 | YES | N/A | YES | Jan - March | Brad Kisker | Andrew Gramling [1] | Alex Vassey | Frankie Pearson [1] | Stacy Lyles [1] | Gwen McPhail | Mike Johnson | | |
| Anderson-Oconee Behavioral Health Services Commission | 2-291 | 0 - 7 | YES | 2X | 3 yr | N/A | Steve Jenkins [1], Harold Alley [1], Louie Holleman [1], Wanda Long [1], Priscilla Taylor [1], Joan Black [1], Jere DuBois [1] | | | | | | | BHS contacts Council w/ recommendations when seats open | |
| Capital Project Advisory Committee (end 1.17) | | | | | | | | | | | | | | | |
| Oconee Business Education Partnership | N/A | N/A | NO | N/A | NO | January | Mr. Julian Davis, District IV | | | | | | | | |
| Oconee Economic Alliance | N/A | N/A | NO | N/A | NO | January | Mr. Paul Cain, Council; Mr. Scott Moulder, Administrator; Mr. Sammy Dickson | | | | | | | | |
| Ten At The Top [TATT] | | | | NO | NO | January | Mr. Dave Eldridge | | | | | | | | |
| ACOG BOD | | | | N/A | NO | January | Council Rep: Ms. Cammick [yearly]; 2 yr terms Citizen Rep: Bob Winchester, Minority Rep: Bennie Cunningham | | | | | | | | |
| Worklink Board | | | | | | N/A | Worklink contacts Council w/ recommendations when seats open [Current: B. Dobbins] | | | | | | | | |

[N] - denotes term. [<2] denotes a member who has served one term and less than one half of an additional term making them eligible for one additional appointment.

[SHADING = reappointment requested - questionnaire on file]

Denotes individual who DOES NOT WISH TO BE REAPPOINTED

bold italics TEXT denotes member ineligible for reappointment - having served or will complete serving max # of terms at the end of their current term.



NOTES
RECREATION REVIEW TASK FORCE
January 16, 2018

Development of Priorities for Inclusion of Strategic Plan

The idea for the development of priorities for this year's process for establishing the strategic planning goals was for the committees to discuss the goals for the upcoming year based on their respective topics.

City Budget Review

Ms. Terry Swain / Fair Oak Youth Center

- Helping decide what we need to do in planning for recreation programs
- In need of lights and Recreation Director

Mr. Brian Ramey & Mr. Herb Poole / Westminster

- Budget
- Provide services for citizens

Ms. Janet Hartman / Destination Oconee

- Projects
- Assess the needs

Mr. Phil Shirley / Parks, Recreation, & Tourism [PRT] Director

- Money issue
- Determining goal of County Council and how they want to assist

Mr. Rick Lacey / Seneca

- Budget
- Give back to the County participants and they are getting everything that city participants get

Lt. Mark Lyles, Sheriff Mike Crenshaw, & Corporal Charles Mulwee / Oconee County Sheriff's Office

- Children & family of Oconee County
- Friendship & learning good discipline in sports

Mr. Travis Oliver / Salem

- Do not have a facility that Salem maintains
- DAR allows them to use gym and ball field

Mr. John Galbreath / Walhalla

- Improve the recreation department
- Budget

Mr. Brent Taylor / Walhalla

- Opportunity to partner with the cities or independent organizations
- Develop a plan

Derek Burdette / Fair Play / Oakway

- Most participants in recreation do not live in the cities
- Take burden off of city taxpayers

Recommendations to Council

- Funding for out of county residents
- All Star teams
- Funding level

Next Meeting:

The next meeting will be at 3:30 p.m. on Tuesday, February 20, 2018 at the Oconee County Council Chambers, 415 South Pine Street, Walhalla, SC 29691.

Katie Smith

From: Katie Smith
Sent: Tuesday, January 16, 2018 2:47 PM
To: 'classadmgr@upstatetoday.com'
Subject: RE: Classified Ad# 23897 Confirmation

Looks good; thanks!

Katie D. Smith
Clerk to Council
Oconee County
415 S. Pine St. Walhalla
864.718.1023
Fx. 864.718.1024
ksmith@oconeesc.com

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From: classadmgr@upstatetoday.com [<mailto:classadmgr@upstatetoday.com>]
Sent: Tuesday, January 16, 2018 12:02 PM
To: Katie Smith
Subject: Classified Ad# 23897 Confirmation

Please let me know if you approve this ad to run tomorrow 1/17/18. Thanks! Kelsie Beebe

THE JOURNAL

Classified Advertisi

OCONEE COUNTY COUNCIL
415 S PINE ST
WALHALLA, SC 29691

Acct#:63488
Ad#:23897
Phone#:864-718-1023
Date:01/16/2018

Salesperson: KBEEBE Classification: Legals Ad Size: 1.0 x 2.40

Advertisement Information:

| Description | Start | Stop | Ins. | Cost/Day | Total |
|-------------|------------|------------|------|----------|-------|
| The Journal | 01/17/2018 | 01/17/2018 | 1 | 35.84 | 35.84 |

Payment Information:

Date: Order# Type
01/16/2018 23897 BILLED ACCOUNT

Total Amount: 35.84

Amount Due: 35.84

Comments: OCONEE COUNTY COUNCIL - NOTICE OF PUBLIC HEARING - ORDINANCE 2017-32

Attention: Please return the top portion of this invoice with your payment including account and ad number.

Ad Copy

NOTICE OF PUBLIC HEARING
There will be a public hearing on
Tuesday, February 6, 2018 at 6pm in
Oconee County Council Chambers
located at 415 South Pine Street,
Walhalla, SC 29691 for the following
ordinance:

STATE OF
SOUTH CAROLINA
OCONEE COUNTY
Ordinance 2017-32
AN ORDINANCE AUTHORIZING
THE EXECUTION AND DELIVERY
OF A RESIDENTIAL LEASE
AGREEMENT BETWEEN OCONEE
COUNTY AS LESSOR AND KENT
CROCKS AS LESSEE FOR CER-
TAIN REAL PROPERTY, INCLUD-
ING ALL IMPROVEMENTS THERE-
ON, LOCATED AT 207 CROCKS
ROAD, SENECA, SOUTH CAROLI-
NA; AND OTHER MATTERS RELA-
TED THERETO.

the carpet and door panels.
Asking ... \$4,999/OBO
Call 864-356-4695



01 Mercury Grand Marquis
87K miles, \$4,500.
Pete's Auto
402 S. Oak St. • Seneca
Call 882-1467



03 CADILLAC DEVILLE
88k miles \$4,900.
Pete's Auto
402 S. Oak St.
Seneca • 864-882-1467



04 LEXUS LS430
147k miles \$12,500.
Pete's Auto
402 S. Oak St.
Seneca • 864-882-1467



06 Chevrolet Monte Carlo
35K miles, \$12,000
Pete's Auto
402 South Oak Street
Seneca • 864-882-1467



2010 Cadillac SRX
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Pete's Auto
402 S. Oak St. • Seneca
Call 882-1467



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115K miles
Reduced... \$5,500
Pete's Auto
402 Oak Street • Seneca
Call 882-1467

LEGAL NOTICES

LEGALS

NOTICE OF PUBLIC HEARING
There will be a public hearing on Tuesday, February 6, 2018 at 8pm in Oconee County Council Chambers located at 415 South Pine Street, Walhalla, SC 29891 for the following ordinance:

STATE OF SOUTH CAROLINA
OCONEE COUNTY
Ordinance 2017-32

AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A RESIDENTIAL LEASE AGREEMENT BETWEEN OCONEE COUNTY AS LESSOR AND KENT CROOKS AS LESSEE FOR CERTAIN REAL PROPERTY, INCLUDING ALL IMPROVEMENTS THEREON, LOCATED AT 207 CROOKS ROAD, SENECA, SOUTH CAROLINA, AND OTHER MATTERS RELATED THERETO.

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There will be a public hearing on Tuesday, February 6, 2018 at 8pm in Oconee County Council Chambers located at 415 South Pine Street, Walhalla, SC 29891 for the following ordinance:

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OCONEE COUNTY
Ordinance 2017-33

AN ORDINANCE AMENDING CHAPTER 38 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING THE LAKE OVERLAY DISTRICT WITH PARTICULAR REFERENCE BEING MADE TO THE NATURAL VEGETATIVE BUFFER; AND OTHER MATTERS RELATED THERETO.

NOTICE OF SALE
CA #2010-CP-37-00416
STATE OF SOUTH CAROLINA

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Gas Logs & Fireplace Services



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STATE OF SOUTH CAROLINA
COUNTY OF OCONEE

OCONEE COUNTY COUNCIL

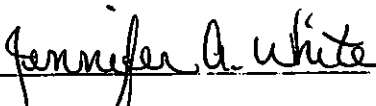
IN RE: OCONEE COUNTY COUNCIL - NOTICE OF PUBLIC HEARING - ORDINANCE 2017-32

BEFORE ME the undersigned, a Notary Public for the State and County above named, This day personally came before me, Hal Welch, who being first duly sworn according to law, says that he is the General Manager of **THE JOURNAL**, a newspaper published Tuesday through Saturday in Seneca, SC and distributed in **Oconee County, Pickens County** and the Pendleton area of **Anderson County** and the notice (of which the annexed is a true copy) was inserted in said papers on 01/17/2018 and the rate charged therefore is not in excess of the regular rates charged private individuals for similar insertions.



Hal Welch
General Manager

Subscribed and sworn to before me this
01/17/2018



Jennifer A. White
Notary Public
State of South Carolina
My Commission Expires July 1, 2024

**JENNIFER A WHITE
NOTARY PUBLIC
State of South Carolina
My Commission Expires July 1, 2024**

Katie Smith

From: Katie Smith
Sent: Tuesday, January 16, 2018 2:46 PM
To: 'classadmgr@upstatetoday.com'
Subject: RE: Classified Ad# 23898 Confirmation

Looks good; thanks!

Katie D. Smith
Clerk to Council
Oconee County
415 S. Pine St. Walhalla
864.718.1023
Fx. 864.718.1024
ksmith@oconeesc.com

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From: classadmgr@upstatetoday.com [<mailto:classadmgr@upstatetoday.com>]
Sent: Tuesday, January 16, 2018 12:07 PM
To: Katie Smith
Subject: Classified Ad# 23898 Confirmation

Please let me know if you approve this ad to run tomorrow 1/17/18. Thanks! Kelsie Beebe

THE JOURNAL

Classified Advertisi

**OCONEE COUNTY COUNCIL
415 S PINE ST
WALHALLA, SC 29691**

**Acct#:63488
Ad#:23898
Phone#:864-718-1023
Date:01/16/2018**

Salesperson: KBEEBE Classification: Legals Ad Size: 1.0 x 2.30

Advertisement Information:

| Description | Start | Stop | Ins. | Cost/Day | Total |
|--------------------|--------------|-------------|-------------|-----------------|--------------|
| The Journal | 01/17/2018 | 01/17/2018 | 1 | 34.56 | 34.56 |

Payment Information:

**Date: Order# Type
01/16/2018 23898 BILLED ACCOUNT**

Total Amount: 34.56

Amount Due: 34.56

Comments: OCONEE COUNTY COUNCIL - NOTICE OF PUBLIC HEARING - ORDINANCE 2017-33

Attention: Please return the top portion of this invoice with your payment including account and ad number.

Ad Copy

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Tuesday, February 6, 2018 at 6pm in
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Walhalla, SC 29691 for the following
ordinance:**

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SOUTH CAROLINA
OCONEE COUNTY
Ordinance 2017-33
AN ORDINANCE AMENDING
CHAPTER 38 OF THE OCONEE
COUNTY CODE OF ORDINANCES,
IN CERTAIN LIMITED REGARDS
AND PARTICULARS ONLY,
REGARDING THE LAKE OVERLAY
DISTRICT WITH PARTICULAR
REFERENCE BEING MADE TO
THE NATURAL VEGETATIVE
BUFFER; AND OTHER MATTERS
RELATED THERETO.**



04 LEXUS LS430
147k Miles \$12,500
Pete's Auto
402 S. Oak St.
Seneca • 864-882-1467



06 Chevrolet Monte Carlo
35k miles. \$12,000
Pete's Auto
402 South Oak Street
Seneca • 864-882-1467



09 Lincoln MKS
45k miles. \$14,500.
Pete's Auto
402 S. Oak St. - Seneca
Call 862-1467



13 Honda CRV EX
42k miles.
Reduced...\$15,500
Pete's Auto
402 S. Oak Street
Seneca • 864-882-1467



2001 Honda Accord EX
Auto, Reduced to \$2,995. Cash!
Blue Ridge Automotive
3604 Blue Ridge Blvd.
Walhalla, 864-638-2129



2003 Ford Taurus SE
Auto, Air, 156k Miles. \$2,885.
Blue Ridge Automotive
3604 Blue Ridge Blvd.
Walhalla, 864-638-2129

COUNTY AS LESSEE AND KENT CROOKS AS LESSEE FOR CERTAIN REAL PROPERTY, INCLUDING ALL IMPROVEMENTS THEREON, LOCATED AT 207 CROOKS ROAD, SENECA, SOUTH CAROLINA, AND OTHER MATTERS RELATED THERETO.

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STATE OF SOUTH CAROLINA
OCONEE COUNTY
Ordinance 2017-33

AN ORDINANCE AMENDING CHAPTER 36 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING THE LAKE OVERLAY DISTRICT WITH PARTICULAR REFERENCE BEING MADE TO THE NATURAL VEGETATIVE BUFFER; AND OTHER MATTERS RELATED THERETO.

NOTICE OF SALE
CA#2018-CP-37-00418
STATE OF SOUTH CAROLINA
IN THE COURT OF COMMON PLEAS COUNTY OF OCONEE
Plantation Federal Bank as successor in interest to First Savers Bank, Plaintiff, v. Peggy B. Gray, J. Charles Gray and Waterford Ridge Owners Association, Inc.; Defendants
TO THE DEFENDANTS: Pursuant to the terms of the Master's Supplemental Order of Foreclosure and Sale granted in the above entitled case, I will sell on the next sales day, the same being Monday, February 5, 2018, during the usual hours of public sale, before me, in the Oconee County Courthouse, 205 West Main Street, Walhalla, South Carolina 29691, to the highest bidder, for cash, in two separate sales, the two below-described properties:

PROPERTY #1:
Lot 27 Waterford Ridge, Seneca, SC 29672: All that certain, piece, parcel or lot of land, situate lying and being in the State of South Carolina, County of Oconee being shown and designated as Lot Number Twenty-Seven (27), on plat of record in the Office of the Register of Deeds for Oconee County, South Carolina in Plat Book B129 at Pages 1-6. The metes, bounds, courses and distances as upon said plat are incorporated herein by reference thereto. Reference being invited to said plat for a fuller more accurate description of the above described property. Property Address: Lot 27 Waterford Ridge, Seneca, SC 29672 Tax Map Number: 165-08-01-027. This being a portion of the same property conveyed to Charles Gray by deed of Crescent Communities S.C., L.L.C., dated May 12, 2006 and recorded June 6, 2006 in Book 1500 at Page 36 in the Office of the Register of Deeds for Oconee County, South Carolina. **TERMS OF SALE:** For Cash. The Clerk of Court will require a deposit of 5% of the bid amount in cash or certified funds, which is to be applied on the purchase price upon compliance with the bid. Interest on the balance of the bid at 6.0% shall be paid to the day of compliance. In case of noncompliance within 20 days, after sale is final, the deposit of 5% is to be forfeited and applied to the Plaintiff's judgment debt and the property re-advertised for sale upon the same terms at the risk of the former highest bidder. The sale shall

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**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE**

OCONEE COUNTY COUNCIL

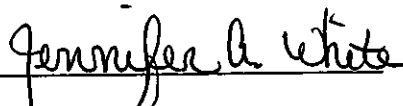
IN RE: OCONEE COUNTY COUNCIL - NOTICE OF PUBLIC HEARING - ORDINANCE 2017-33

BEFORE ME the undersigned, a Notary Public for the State and County above named, This day personally came before me. Hal Welch, who being first duly sworn according to law, says that he is the General Manager of **THE JOURNAL**, a newspaper published Tuesday through Saturday in Seneca, SC and distributed in **Oconee County, Pickens County** and the Pendleton area of **Anderson County** and the notice (of which the annexed is a true copy) was inserted in said papers on 01/17/2018 and the rate charged therefore is not in excess of the regular rates charged private individuals for similar insertions.



Hal Welch
General Manager

Subscribed and sworn to before me this
01/17/2018



Jennifer A. White
Notary Public
State of South Carolina
My Commission Expires July 1, 2024

**JENNIFER A WHITE
NOTARY PUBLIC
State of South Carolina
My Commission Expires July 1, 2024**

Katie Smith

From: Katie Smith
Sent: Tuesday, January 30, 2018 2:40 PM
To: ncannada@upstatetoday.com; dickmangrum@gacaradio.com; newstips@wyff4.com
Cc: Katie Smith
Subject: Legal Ad Request

Please run in the next edition of your publication. Please respond to the email to confirm receipt.

“Notice of Public Hearing

There will be a public hearing on Tuesday, February 6, 2018 at 6pm in Oconee County Council Chambers located at 415 South Pine Street, Walhalla, SC 29691 for the following ordinance:

**STATE OF SOUTH
CAROLINA OCONEE
COUNTY**

Ordinance 2017-32

AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A RESIDENTIAL LEASE AGREEMENT BETWEEN OCONEE COUNTY AS LESSOR AND KENT CROOKS AS LESSEE FOR CERTAIN REAL PROPERTY, INCLUDING ALL IMPROVEMENTS THEREON, LOCATED AT 207 CROOKS ROAD, SENECA, SOUTH CAROLINA; AND OTHER MATTERS RELATED THERETO.”

Please confirm receipt of this email by way of reply.

Best Regards,
Katie

Katie D. Smith
Clerk to Council

Oconee County
415 S. Pine St. Walhalla
864.718.1023
Fx. 864.718.1024
ksmith@oconeesc.com

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Katie Smith

From: Katie Smith
Sent: Tuesday, January 30, 2018 2:41 PM
To: ncannada@upstatetoday.com; newstips@wyff4.com; dickmangrum@gacaradio.com
Cc: Katie Smith
Subject: Legal Ad Request

Please run in the next edition of your publication. Please respond to the email to confirm receipt.

“Notice of Public Hearing

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CAROLINA OCONEE
COUNTY**

Ordinance 2017-33

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Please confirm receipt of this email by way of reply.

Best Regards,
Katie

Katie D. Smith
Clerk to Council
Oconee County
415 S. Pine St. Walhalla
864.718.1023

Fx. 864.718.1024

ksmith@oconeesc.com

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**Oconee County
Council**

Oconee County
Administrative Offices
415 South Pine Street
Walhalla, SC 29691

Phone: 864-718-1023
Fax: 864 718-1024

E-mail:
ksmith@oconeesc.com

Edda Cammick
District I

Wayne McCall
District II

Paul Cain
District III

Julian Davis
District IV

J. Glenn Hart
District V



.....LEGAL AD.....

**PLEASE ADVERTISE IN THE NEXT ISSUE
OF YOUR NEWSPAPER**

The Oconee County Council will meet in 2018 on the first and the third Tuesday of each month [excluding July & August which will meet only on the third Tuesday of the month; April will meet on the second and fourth Tuesday; AND an additional meeting will be held in September] at 6:00 p.m. in Council Chambers, Oconee County Administrative Offices, 415 South Pine Street, Walhalla, South Carolina unless otherwise advertised.

Oconee County Council will also hold a Planning Retreat in February 2018 [TBD] in Council Chambers to establish short and long term goals.

Additionally, Council will meet on January 8, 2019 at 6:00 p.m. in Council Chambers at which point they will establish their 2019 council and committee meeting schedules.

Additional Council meetings, workshops and/or committee meetings may be added throughout the year as needed.

Oconee County Council Committees will meet in 2018 on the following dates/times in Council Chambers, 415 South Pine Street, Walhalla, South Carolina unless otherwise advertised.

The Law Enforcement, Public Safety, Health & Welfare [LEPSHW] Committee AND the Transportation Committee at 5:30 p.m. on the following dates: January 9, April 17, July 10 and October 9, 2018. Additionally, the LEPSHW will meet on January 23, 2018 at 5:00 p.m.

The Real Estate, Facilities & Land Management Committee AND the Budget, Finance & Administration Committee at 5:30 p.m. on the following dates: February 13, May 8, August 14 and November 13, 2018.

The Planning & Economic Development Committee at 5:00 p.m. prior to the Council meeting on the following dates: March 6, June 5, September 4 and December 4, 2018.



Public Comment
SIGN IN SHEET
6:00 PM

February 6, 2018

The Public Comment Sessions at this meeting is limited to a total of 40 minutes, 4 minutes per person. Please be advised that citizens not utilizing their full four [4] minutes may not "donate" their remaining time to another speaker.

PLEASE PRINT

| | FULL NAME | PURPOSE OF COMMENT |
|----|----------------------|---------------------------|
| 1 | <i>Jean Jennings</i> | |
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Everyone speaking before Council will be required to do so in a civil manner. Council will not tolerate personal attacks on individual council members, county staff or any person or group. Racial slurs will not be permitted. Council's number one priority is to conduct business for the citizens of this county. All citizens who wish to address Council and all Boards and Commission appointed by Council should do so in an appropriate manner.



**PUBLIC HEARING
SIGN IN SHEET
OCONEE COUNTY COUNCIL MEETING
DATE: February 6, 2018 6:00 p.m.**

Ordinance 2017-32 "AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A RESIDENTIAL LEASE AGREEMENT BETWEEN OCONEE COUNTY AS LESSOR AND KENT CROOKS AS LESSEE FOR CERTAIN REAL PROPERTY, INCLUDING ALL IMPROVEMENTS THEREON, LOCATED AT 207 CROOKS ROAD, SENECA, SOUTH CAROLINA; AND OTHER MATTERS RELATED THERETO."

Written comments may be submitted at any time prior to the hearing for inclusion in the official record of the meeting.

Everyone speaking before Council will be required to do so in a civil manner.

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Public comment during a public hearing is not limited to four minutes per person.

Sign up sheets will be available thirty minutes prior to the hearing for those interested in addressing Council.

Written comments may be submitted at any time prior to the hearing for inclusion in the official record of the meeting.

Please submit written comments to the Clerk to Council, 415 South Pine Street, Walhalla, South Carolina, 29691.

Please PRINT your name

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NONE



**PUBLIC HEARING
SIGN IN SHEET
OCONEE COUNTY COUNCIL MEETING
DATE: February 6, 2018 6:00 p.m.**

Ordinance 2017-33 "AN ORDINANCE AMENDING CHAPTER 38 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING THE LAKE OVERLAY DISTRICT WITH PARTICULAR REFERENCE BEING MADE TO THE NATURAL VEGETATIVE BUFFER; AND OTHER MATTERS RELATED THERETO."

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Public comment during a public hearing is not limited to four minutes per person.

Sign up sheets will be available thirty minutes prior to the hearing for those interested in addressing Council.

Written comments may be submitted at any time prior to the hearing for inclusion in the official record of the meeting.

Please submit written comments to the Clerk to Council, 415 South Pine Street, Walhalla, South Carolina, 29691.

Please PRINT your name

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None

**APPALACHIAN COG TRANSPORTATION IMPROVEMENT PROGRAM - FY 2017-2022 FINANCIAL STATEMENT
GUIDESHARE PROJECTS**

| PROJECT | COUNTY | BANK | PROGRAM CATEGORY | PROGRAM | FEDERAL PROGRAM | FY 2017 PLANNED | FY 2018 PLANNED | FY 2019 PLANNED | FY 2020 PLANNED | FY 2021 PLANNED | FY 2022 PLANNED | STP COST (2017-2022) | REMAIN COST [2] |
|---|-------------|---------|------------------------|-------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|----------------------|-----------------|
| 5-64 (1016 POST RD) INTERSECTION IMPROVEMENTS (JC TOB TO SC 41) | CHESTER | 2015-4 | SYSTEM UPGRADE - RURAL | APPALACHIAN | STGDP | | | \$ 600 RW | \$ 2,000 COM | | | \$ 2,600 | |
| SC 133 INTERSECTION AND RAILROAD BRIDGE (INTERSECTION IMPROVEMENT/PARKWAY ACCESS/BRIDGE REPLACEMENT) | PICKENS | | SYSTEM UPGRADE - RURAL | APPALACHIAN | STGDP | \$ 4,000 COM | | | | | | \$ 4,000 | |
| US 123 (CLEMSON RD) @ S-430 (DAVIS CREEK RD) | COOKE | 2016-1 | SYSTEM UPGRADE - RURAL | APPALACHIAN | STGDP | \$ 300 PE | \$ 200 RW | \$ 1,000 COM | | | | \$ 1,500 | |
| US 29 @ S-166 (WALNUT RD) @ S-133 (OLD WILMINGTON RD) | ANDERSON | 2016-2 | SYSTEM UPGRADE - RURAL | APPALACHIAN | STGDP | \$ 300 PE | | \$ 350 RW | \$ 1,000 COM | | | \$ 1,350 | |
| US 176 (MAIN ST) @ SC 157 (DOROT STARBUCK SPRINGS RD) | SPARTANBURG | 2016-3 | SYSTEM UPGRADE - RURAL | APPALACHIAN | STGDP | \$ 150 PE | | \$ 400 COM | | | | \$ 550 | |
| SC 14 @ I-16 (EAST RAMP) | SPARTANBURG | 2016-4 | SYSTEM UPGRADE - RURAL | APPALACHIAN | STGDP | \$ 600 PE | | \$ 200 RW | \$ 500 COM | | | \$ 1,100 | |
| US 78 (CLEMSON HWY) @ S-60 (WELPINE RD) | ANDERSON | 2016-5 | SYSTEM UPGRADE - RURAL | APPALACHIAN | STGDP | \$ 600 PE | | \$ 450 RW | \$ 1,800 COM | | | \$ 2,850 | |
| SC 24 (WEST OAK HWY) @ SC 182 (DRAWAY RD) @ 116 (DARK CREEK RD) | COOKE | 2016-6 | SYSTEM UPGRADE - RURAL | APPALACHIAN | STGDP | | \$ 500 PE | | \$ 350 RW | \$ 1,000 COM | | \$ 1,850 | |
| US 318 (MOOREFIELD MTN HWY) @ SC 135 (ANDERSON HWY) | PICKENS | 2016-7 | SYSTEM UPGRADE - RURAL | APPALACHIAN | STGDP | | \$ 2,000 PE | | \$ 7,000 RW | \$ 2,500 COM | | \$ 9,500 | |
| SC 59 @ SC 102/7C 243 | COOKE | 2016-8 | SYSTEM UPGRADE - RURAL | APPALACHIAN | STGDP | | \$ 1,000 PE | | \$ 1,000 RW | \$ 2,100 COM | | \$ 4,100 | |
| S-37 (UP STEVENS RD) @ S-37 (W CHERRY RD) | COOKE | 2016-9 | SYSTEM UPGRADE - RURAL | APPALACHIAN | STGDP | | \$ 500 PE | | \$ 250 RW | | | \$ 750 | |
| S-65 (UP STEVENS RD) @ S-65 (DARTON CREEK RD) | COOKE | 2016-10 | SYSTEM UPGRADE - RURAL | APPALACHIAN | STGDP | | \$ 500 PE | | \$ 250 RW | | | \$ 750 | |
| SC 120 (S LINDSTONE ST) @ S-311 (W O'HEAL ST) | CHESTER | 2016-11 | SYSTEM UPGRADE - RURAL | APPALACHIAN | STGDP | | \$ 400 PE | | | | | \$ 400 | |
| SC 120 (PACOLET HWY) @ S-311 (O'HEAL ST) | ANDERSON | 2016-12 | SYSTEM UPGRADE - RURAL | APPALACHIAN | STGDP | | \$ 500 PE | | | \$ 500 FE | | \$ 500 | |
| SC 18 (ABBEVALE HWY) @ SC 185 (DUE WEST HWY) | ANDERSON | 2016-13 | SYSTEM UPGRADE - RURAL | APPALACHIAN | STGDP | | | | | | | | |
| S-97 (DARMAPLE RD) @ L-588 (SCOTT'S BRIDGE RD) | ANDERSON | 2016-14 | SYSTEM UPGRADE - RURAL | APPALACHIAN | STGDP | \$ 300 PE | \$ 6,000 COM | | | | | \$ 6,300 | |
| US 178 | ANDERSON | 2016-2 | SYSTEM UPGRADE - RURAL | APPALACHIAN | STGDP | | | | | | | | |
| PICKENS COUNTY LINE TO S-29 (HARRIS BRIDGE RD) SAFETY SECTION/MAIN TENANCE RESURFACING | PICKENS | 2016-2 | SYSTEM UPGRADE - RURAL | APPALACHIAN | STGDP | \$ 100 PE | \$ 12,840 \$ | \$ 14,140 \$ | \$ 16,700 \$ | \$ 17,000 \$ | \$ 17,000 \$ | \$ 15,000 \$ | \$ 130,100 \$ |
| US 178 | PICKENS | 2016-2 | SYSTEM UPGRADE - RURAL | APPALACHIAN | STGDP | \$ 100 PE | \$ 12,840 \$ | \$ 14,140 \$ | \$ 16,700 \$ | \$ 17,000 \$ | \$ 17,000 \$ | \$ 15,000 \$ | \$ 130,100 \$ |
| <p align="right">GUIDESHARE ALLOCATION TO PROJECTS:</p> <p align="right">BALANCE \$ 30,898 \$ 7,975 \$ 8,699 \$ 5,818 \$ 4,532 \$ 6,611 \$ 6,611 \$</p> | | | | | | | | | | | | | |

*GUIDESHARE ALLOCATION UPDATED FOR LMAVA'S LAW IN FY 2015
**UPDATED GUIDESHARE AMOUNTS AS OF 8/10/2016

SCOTT CHANGES ARE HIGHLIGHTED IN YELLOW

RD: PE: EARTHSHAKE DESIGN AND/OR NONMENTAL HAZARDS, RW: RIGHT OF WAY ACQUISITION, COM: CONSTRUCTION, AD: ADMINISTRATION, CC: CAPITAL FC: FINANCIAL FACILITY CONSTRUCTION, WA: TRANSIT VEHICLE ACQUISITION, PS: TRANSIT VEHICLE OF SERVICE, OP: OPERATING, O: OTHER, PL: PLANNING/OPERABILITY