

LIMITED IN-PERSON ATTENDANCE PERMITTED

Due to the Novel Coronavirus pandemic and the ongoing state of emergency, in-person attendance at this Council meeting by members of the general public will be limited. Attendance will be limited to twenty percent of the stated maximum occupancy, which equates to thirty-four (34) persons (including Council members, other elected officials, and staff). Attendees will be required to sit in designated seats, appropriately spaced. In-person attendance will be allowed on a “first-come” basis.

*Additionally, to ensure the meeting otherwise remains open to the public, we will continue to broadcast it live on the County’s YouTube channel, which can be found via the County’s website at Oconeesc.com. Further, the public may call in and listen by dialing **888-475-4499 OR 877-853-5257** and entering meeting ID # **862 8145 7728**. And, individuals parked in close proximity to Council Chambers may listen to the meeting on FM 92.3.*



UPDATED AGENDA

OCONEE COUNTY COUNCIL MEETING

September 15, 2020

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.]

If you are not able to attend in person and you have a comment, you may submit it by contacting our Clerk to Council, Katie Smith at ksmith@oconeesc.com or 864-718-1023, so that she may receive your comment and read it into the record.

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

- September 1, 2020 Regular Minutes
- September 8, 2020 Special Minutes

Administrator Comments

Attorney Comments

COUNCIL MEMBERS

Julian Davis, III, Chairman, District IV Paul Cain, Vice-Chair, District III
John Elliott, Chair Pro Tem, District I Wayne McCall, District II
Glenn Hart, District V

Proclamation 2020-08

- Proclamation 2020-08 Recognizing National Suicide Prevention Awareness Month in Oconee County

Public Hearings for the Following Ordinances

[None Scheduled]

Third Reading of the Following Ordinances

[None Scheduled]

Second Reading of the Following Ordinances

Ordinance 2020-15 “AN ORDINANCE AUTHORIZING AND CONSENTING TO OR RATIFYING THE CURRENT ASSIGNMENT AND ASSUMPTION OF AN INTEREST IN THAT CERTAIN AMENDED FEE AGREEMENT DATED AS OF DECEMBER 1, 2017, AS PREVIOUSLY ASSIGNED AND RATIFIED BY ORDINANCE 2019-15 DATED MAY 21, 2019, SUCH CURRENT ASSIGNMENT FROM PARKWAY REAL ESTATE HOLDINGS SOUTH CAROLINA, LLC, AND SUCH CURRENT ASSUMPTION BY DIVERSIFIED INDUSTRIAL PROPERTIES, LLC, AND CONFIRMED BY ITECH BUYER, LLC AS A CONTINUING CO-SPONSOR, AND AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGREEMENT MEMORIALIZING SUCH CURRENT ASSIGNMENT AND ASSUMPTION AND CURRENT CONSENT OR RATIFICATION; AND OTHER MATTERS RELATED THERETO.”

Ordinance 2020-16 “AN ORDINANCE AMENDING THE OCONEE COUNTY CONSERVATION BANK ORDINANCE, O.C. CODE SECTIONS 2-398 THROUGH 2-409.”

Ordinance 2020-17 “AN ORDINANCE AMENDING CHAPTER 32 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING THE ESTABLISHMENT OF RECREATIONAL VEHICLE PARK DEVELOPMENT STANDARDS; AND OTHER MATTERS RELATED THERETO.”

First Reading of the Following Ordinances

[None Scheduled]

First & Final Reading for the Following Resolutions

[None Scheduled]

Discussion Regarding Action Items

Hitachi ZW370-6 Wheel Loader / Rock Quarry / \$373,451.00

Budget: \$470,000.00 / **Project Cost:** \$373,451.00 / **Balance:** \$96,549.00

This Wheel Loader is a Hitachi ZW370-6. Its main use will be used in the yard to load customer’s trucks. This loader will enable the Rock Quarry staff to load customer dump trucks in timely fashion. This machine will have a scale on the bucket which will provide more accuracy in amount of product loaded. The County will be trading in a 1992 CAT 985F Wheel Loader. May Equipment has agreed to \$20,000.00 for the trade-in.

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Glenn Hart, District V

After researching the necessary horse power and operating weights of a two pass Wheel Yard Loader that can safely handle an 8 cubic yard bucket, it was determined that the Hitachi ZW370-6, will best meet the needs of the Oconee Quarry.

The County is utilizing the North Carolina Sheriffs’ Association contract through a cooperative purchasing agreement. The contract discount is 38% off the list price of the equipment and 10% off the list price of attachments. National Equipment Dealers (dba: May/RHI) are also offering an additional dealer discount of \$17,046.64 off of the contract price for the wheel loader and the attachments.

It is the staff’s recommendation that Council approve the purchase of the Hitachi ZW370-6 Wheel Loader from National Equipment Dealers (dba: May/RHI) of Columbia, SC in the amount of \$373,451.00.

Local ATAX Grants / Fall 2020 Cycle / \$73,000

Beginning Local ATAX balance: \$342,287
If all grants/projects approved/new balance will be: \$269,287

A portion of Local ATAX revenues received by Oconee County are made available for ATAX grants through Ordinance 2011-12. ATAX grants are to be tourism related grants that meet the ATAX guidelines specified by local and State mandates. Grants are recommended by the PRT Commission based on tourism impact of the project and approved by County Council. All external ATAX grant recipients are required to turn in intermediate reports every 60 days to the progress of the grant and a final report upon completion of the grant.

It is staff’s recommendation of approval of ATAX grant recommendations per the attached spreadsheet.

Request for Council to approve a letter of support to be sent to the Oconee County Legislative Delegation regarding the creation of a State wide “Agricultural Disclosure” when real property is being transferred

The Oconee County Agricultural Advisory Board voted unanimously to request Council to support the creation of an “Agricultural Disclosure” when real property is being transferred. This will add a layer of protection for our farmers and farmlands, not just in Oconee County, but across the state. This would be similar in nature to the existing “lead-paint” and “asbestos” disclosure relators are required to provide.

It is staff’s recommendation that Council approve a letter of support to be sent to the Oconee County Legislative Delegation regarding the creation of a State wide “Agricultural Disclosure” when real property is being transferred.

Discussion regarding Communication Strategy for Information to Citizens

- Board & Commission Appointments** (IF ANY) [Seats listed are all co-terminus seats]
*Building Codes Appeal Board.....1 At Large Seat
*Board of Zoning Appeals.....District 5
*Conservation Bank Board.....District 5 & 1 At Large Seat
*Arts & Historical Commission.....District 4

***No questionnaires on file for the seats listed above**

COUNCIL MEMBERS

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John Elliott, Chair Pro Tem, District 1 Wayne McCall, District II
Glenn Hart, District V

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:

[1] Discussion regarding an Economic Development matter, Project Dolly.

[2] Discussion regarding an Economic Development matter, Project Ed.

[3] Discussion regarding an Economic Development matter, Project Lime.

[4] Discussion regarding an Economic Development matter, Project Aztec.

[5] Receive legal advice and discuss contractual matter, and related potential contractual matter, with respect to the disposition of certain County-owned property.

Adjourn

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John Elliott, Chair Pro Tem, District 1 Wayne McCall, District II
Glenn Hart, District V

OCONEE CODE OF ORDINANCES

Sec. 2-61. - Access to and conduct at county meetings, facilities and property.

(a) *Purpose.* The county council has determined that it is necessary to regulate access to county facilities, grounds and property in order to ensure the safety and security of the public who visit these areas or the county employees who serve them. The conduct of persons who visit county facilities and/or who have contact with county employees must also be regulated to preserve public order, peace and safety. The regulation of access and conduct must be balanced with the right of the public to have reasonable access to public facilities and to receive friendly, professional service from county employees. These regulations apply to all county facilities and meetings, as defined below, for and over which county council exercises control and regulation, and to the extent, only, not preempted by state or federal law.

(b) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Facility means any building, structure, or real property owned, leased, rented, operated or occupied by the county or one of its departments, offices or agencies.

Meeting means any assemblage of persons for the purpose of conducting county governmental business, operations or functions or any assemblage of persons within a county governmental facility. The term "meeting" includes, but is not limited to, county council meetings, county board and committee and staff meetings, trials, hearings and other proceedings conducted in the courts of general sessions and common pleas, family court, master-in-equity, probate court and magistrate's court; and other meetings by entities duly authorized by the county council.

(c) *Prohibited acts.* It shall be unlawful for any person to:

- (1) Utter loud, obscene, profane, threatening, disruptive or abusive language or to engage in any disorderly or disruptive conduct that impedes, disrupts or disturbs the orderly proceedings of any meeting, or operations of any department or function of the county government, including, without limitation, speaking when not explicitly recognized and authorized to do so by the presiding official in such meeting.
- (2) Bring, carry, or otherwise introduce any firearm, knife with blade longer than two inches or other dangerous weapon, concealed or not concealed, into any facility or meeting. This prohibition does not apply to law enforcement personnel or any other person whose official, governmental duties require them to carry such firearm, knife, or other weapon.
- (3) Engage in partisan political activity, including speech, in any meeting not authorized and called for the purpose of partisan political activity and explicitly authorized for such purpose in the facility in which such activity is to be conducted, or refusing to cease such activity when the presiding official of the meeting in question has ruled that the activity in question is partisan political activity and has directed that such activity stop.
- (4) Interfere with, impede, hinder or obstruct any county governmental official or employee in the performance of his duties, whether or not on county government property.
- (5) Enter any area of a county government facility, grounds or property when such entry is prohibited by signs, or obstructed or enclosed by gates, fencing or other physical barriers. Such areas include rooms if clearly marked with signs to prohibit unauthorized entry.
- (6) Enter by vehicle any area of a county governmental facility, grounds or property when such area is prohibited by signs or markings or are obstructed by physical barriers; or park a vehicle in such restricted areas; or park in a manner to block, partially block or impede the passage of traffic in driveways; or park within 15 feet of a fire hydrant or in a fire zone; or park in any area not designated as a parking space; or park in a handicapped parking space without proper placarding or license plate; or park in a reserved parking space without authorization.

- (7) Use any county governmental facility, grounds or other property for any purpose not authorized by law or expressly permitted by officials responsible for the premises.
 - (8) Enter without authorization or permission or refuse to leave any county governmental facility, grounds or other property after hours of operation.
 - (9) Obstruct or impede passage within a building, grounds or other property of any county governmental facility.
 - (10) Enter, without legal cause or good excuse, a county governmental facility, grounds or property after having been warned not to do so; or, having entered such property, fail and refuse without legal cause or good excuse to leave immediately upon being ordered or requested to do so by an official, employee, agent or representative responsible for premises.
 - (11) Damage, deface, injure or attempt to damage, deface or injure a county governmental property, whether real property or otherwise.
 - (12) Enter or attempt to enter any restricted or nonpublic ingress point or any restricted access area, or bypass or attempt to bypass the designated public entrance or security checkpoint of a facility without authorization or permission.
 - (13) Perform any act which circumvents, disables or interferes with or attempts to circumvent, disable or interfere with a facility's security system, alarm system, camera system, door lock or other intrusion prevention or detection device. This includes, without limitation, opening, blocking open, or otherwise disabling an alarmed or locked door or other opening that would allow the entry of an unauthorized person into a facility or restricted access area of the facility.
 - (14) Exit or attempt to exit a facility through an unauthorized egress point or alarmed door.
- (d) *Penalty for violation of section.* Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished in accordance with section 1-7. In addition, vehicles that are improperly parked on any county property, facility, or other premises may be towed at the owner's expense.

(Ord. No. 2003-04, §§ 1—4, 4-15-2003; Ord. No. 2012-06, § 1, 4-3-2012)

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
PROCLAMATION 2020-08**

**A PROCLAMATION RECOGNIZING NATIONAL SUICIDE
PREVENTION AWARENESS MONTH IN OCONEE COUNTY**

WHEREAS, September is known around the United States as National Suicide Prevention Awareness Month, which is intended to help promote awareness surrounding suicide prevention resources available to us and our community; and

WHEREAS, suicidal thoughts can affect anyone regardless of age, gender, race, or background; and

WHEREAS, according to the CDC, each year more than 47,000 people die by suicide; and

WHEREAS, suicide is the 10th leading cause of death in the United States and the 2nd leading cause of death among people aged 10 to 34; and

WHEREAS, Oconee County supports local educators, mental health professionals, athletic coaches, police officers, and parents, as partners in our community, striving to be readily available to one another and to share information; and

WHEREAS, organizations like Mental Health America, the South Carolina Department of Mental Health, and the National Alliance on Mental Illness (NAMI) are on the front lines of a battle that many still refuse to discuss in public, as suicide and mental illness are often seen as taboo topics; and

WHEREAS, every member of our community should understand that throughout life's struggles we all need an occasional reminder that we are all silently fighting our own battles, and that there are resources available to help us; and

WHEREAS, we encourage all residents to take the time to inquire as to the wellbeing of their family, friends, and neighbors over the next few days, and to genuinely convey their appreciation for one another.

NOW, THEREFORE, by its Council in meeting duly assembled, Oconee County hereby proclaims the month of September as National Suicide Prevention Awareness Month in Oconee County, South Carolina.

APPROVED AND ADOPTED this 15th day of September, 2020.



OCONEE COUNTY, SOUTH CAROLINA


Julian Davis III, Chairman of County Council

ATTEST:


Katie D. Smith, Clerk to County Council

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
ORDINANCE 2020-15**

AN ORDINANCE AUTHORIZING AND CONSENTING TO OR RATIFYING THE CURRENT ASSIGNMENT AND ASSUMPTION OF AN INTEREST IN THAT CERTAIN AMENDED FEE AGREEMENT DATED AS OF DECEMBER 1, 2017, AS PREVIOUSLY ASSIGNED AND RATIFIED BY ORDINANCE 2019-15 DATED MAY 21, 2019, SUCH CURRENT ASSIGNMENT FROM PARKWAY REAL ESTATE HOLDINGS SOUTH CAROLINA, LLC, AND SUCH CURRENT ASSUMPTION BY DIVERSIFIED INDUSTRIAL PROPERTIES, LLC, AND CONFIRMED BY ITECH BUYER, LLC AS A CONTINUING CO-SPONSOR, AND AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGREEMENT MEMORIALIZING SUCH CURRENT ASSIGNMENT AND ASSUMPTION AND CURRENT CONSENT OR RATIFICATION; AND OTHER MATTERS RELATED THERETO.

WHEREAS, Oconee County, South Carolina (the “County”) acting by and through its County Council (the “County Council”) is authorized and empowered under and pursuant to the provisions of the Fee in Lieu of Tax (“FILOT”) Simplification Act, Title 12, Chapter 44, Code of Laws of South Carolina, 1976, as amended (the “FILOT Act”) to consent to, or ratify, a transfer of an interest in an existing FILOT, or fee, agreement; and

WHEREAS, ITECH SOUTH, LLC, a North Carolina limited liability company (the “Original Company Co-Sponsor”), EUGENE CARLTON MORRIS and JUNE COPELAND MORRIS, husband and wife (together, the “Original Real Estate Co-Sponsor”), and the County were parties to that certain Amended Fee Agreement dated as of December 1, 2017 (the “Original Fee Agreement”); and

WHEREAS, as of April 16, 2019 pursuant to an Assignment and Assumption of Interest in Fee Agreement (the “2019 Assignment”; the Original Fee Agreement as amended thereby being the “Fee Agreement”), the Original Real Estate Co-Sponsor and the Original Company Co-Sponsor assigned to PARKWAY REAL ESTATE HOLDINGS SOUTH CAROLINA, LLC, an Ohio limited liability company (the “Current Assignor”), and ITECH BUYER, LLC, a Delaware limited liability company (the “Company Co-Sponsor”), respectively, all of their interests in the Original Fee Agreement, and, in connection therewith, the Current Assignor and the Company Co-Sponsor assumed all obligations of the Original Real Estate Co-Sponsor and the Original Company Co-Sponsor, respectively, under the Original Fee Agreement, including without limitation the Original Real Estate Co-Sponsor’s and the Original Company Co-Sponsor’s obligations to indemnify the County and certain other Indemnified Parties (as such term is defined in the Original Fee Agreement) pursuant to Section 4.11 thereof; and

WHEREAS, on or about August __, 2020 pursuant to an Assignment and Assumption of Interest in Fee Agreement dated on or about such date (the “Current Assignment”), (i) the Current

Assignor intends to assign to Diversified Industrial Properties, LLC, an Illinois limited liability company (the “Current Assignee”), all of its interests in the Fee Agreement, and, in connection therewith, the Current Assignee will agree to assume all obligations of the Current Assignor under the Fee Agreement, including without limitation Current Assignor’s obligations to indemnify the County and certain other Indemnified Parties (as such term is defined in the Fee Agreement) pursuant to Section 4.11 thereof; and (ii) the Company Co-Sponsor will remain, and confirm in the Current Assignment that it remains, a co-Sponsor under the Fee Agreement and its obligations continue to indemnify the County and certain other Indemnified Parties (as such term is defined in the Fee Agreement) pursuant to Section 4.11 thereof; and

WHEREAS, Current Assignor, Current Assignee and the Company Co-Sponsor seek the County’s prior approval or subsequent ratification of the Current Assignment pursuant to the Fee Agreement and the provisions of Section 12-44-120(D) of the FILOT Act, and the County’s co-execution and delivery of the Current Assignment.

NOW, THEREFORE, IT IS HEREBY ORDAINED, by the County, acting by and through its County Council, in meeting duly assembled, as follows:

Section 1. The County approves, ratifies and confirms its consent to the above-referenced Current Assignment from Current Assignor to Current Assignee, under and subject to all terms and conditions stated in the preamble hereto, all of which are hereby agreed to as the findings of fact for this transaction.

Section 2. The County hereby ratifies and approves of any action heretofore or hereafter taken by the County Administrator with respect to the approval of and consent to the Current Assignment from Current Assignor to Current Assignee.

Section 3. The Chairman of County Council is hereby authorized and directed to execute the assignment, a copy of which is attached hereto, on behalf of the County; the Clerk to County Council is hereby authorized and directed to attest the same; and, the County Administrator is hereby authorized and directed to deliver the same to the other parties thereto.

Section 4. 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.

Section 5. All ordinances, orders, resolutions, and actions of Oconee County Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked, and rescinded.

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

Done in meeting duly assembled this ____ day of _____, 2020.

OCONEE COUNTY, SOUTH CAROLINA

By: _____
Julian Davis, III, Council Chair
Oconee County, South Carolina

ATTEST:

By: _____
Katie D. Smith, Clerk to Council
Oconee County, South Carolina

First Reading: September 1, 2020
Second Reading: September 15, 2020
Public Hearing: _____, 2020
Third Reading: _____, 2020

ASSIGNMENT AND ASSUMPTION OF INTEREST IN FEE AGREEMENT

This Assignment and Assumption of Interest in Fee Agreement (this “Assignment”) is made effective as of this ____ day of August, 2020 (the “Effective Date”) by and between ITECH BUYER, LLC, a Delaware limited liability company (the “Company Co-Sponsor”), PARKWAY REAL ESTATE HOLDINGS SOUTH CAROLINA, LLC, an Ohio limited liability company (the “Assignor”), and DIVERSIFIED INDUSTRIAL PROPERTIES, LLC, an Illinois limited liability company (the “Assignee”), with Oconee County, South Carolina (the “County”), a body politic and corporate and a political subdivision of the State of South Carolina (the “State”) consenting to the Assignment, as a party to the FILOT Agreement (as defined herein).

RECITALS

The County and the Company Co-Sponsor and the Assignor are parties to that certain Amended Fee Agreement, dated as of December 1, 2017, as assigned to and assumed by the Company Co-Sponsor and the Assignor on April 16, 2019 and ratified by the County under Ordinance No. 2019-15 (as assigned and assumed, the “FILOT Agreement”), with respect to that tract or parcel of land and improvements thereon located at 7090 South Highway 11, Westminster, Oconee County, South Carolina and being more particularly described in the FILOT Agreement (the “Facility Site”). All capitalized terms used herein and not otherwise defined shall have the meanings set forth in the FILOT Agreement.

On even date herewith the Assignor has sold and conveyed to the Assignee the Facility Site and the Company Co-Sponsor continues to occupy and maintain its assets and operations thereon.

The Assignor wishes to transfer and assign to the Assignee all of its rights, title, interests and obligations in, to and under the FILOT Agreement, and the Assignee wishes to accept and assume all rights, title, interests and obligations of the Assignor arising after the date hereof under the FILOT Agreement, and the Company Co-Sponsor wishes to confirm its continuing title, interests and obligations under the FILOT Agreement and its acceptance of Assignee as its co-sponsor under the FILOT Agreement, and the County wishes to signify its consent to or ratification of such assignment and assumption and continuation.

NOW, THEREFORE, for and in consideration of the foregoing recitals, which are incorporated herein, the mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by each party hereto, Assignor and Assignee hereby agree, the Company Co-Sponsor confirms, and the County consents to or ratifies as follows:

1. Recitals. The recitals are incorporated herein as if fully stated within the body of this Assignment.
2. Transfer and Assignment and Continuation. For good and valuable consideration, the Assignor hereby assigns, transfers, sets over and conveys to the Assignee from and after the date hereof, and the Assignee hereby accepts from and after the date hereof the right, title, interests and obligations of the Assignor in and to, the FILOT Agreement, and the Assignee hereby assumes all of the rights, title, interests and obligations of the Assignor under the FILOT Agreement arising

from and after the Effective Date. The Company Co-Sponsor hereby confirms its continuing right, title, interests and obligations as a co-sponsor under the FILOT Agreement and its acceptance of Assignee as its co-sponsor under the FILOT Agreement upon consummation of the foregoing assignment and assumption.

3. County's Consent to the Assignment. By execution and delivery hereof, the County consents to, or ratifies, as the case may be, the assignment and assumption and confirmation described herein.

4. Cooperation. Assignor and Assignee shall notify the South Carolina Department of Revenue of this Assignment to the extent required under the FILOT Agreement or applicable laws, including, without limitation, the preparation and delivery to the South Carolina Department of Revenue an amended S.C. DOR Form PT-443 (FILOT Reporting Form). If requested by Assignee, Assignor shall provide Assignee with copies of all prior filings made by Assignor to the South Carolina Department of Revenue with respect to the FILOT Agreement and shall execute any document reasonably requested by the South Carolina Department of Revenue allowing such department to release to Assignee copies of any prior filings made by Assignor to such department under the FILOT Agreement. Assignor and Assignee shall cooperate with each other in connection with any 2020 filing(s) due under the FILOT Agreement by any Sponsors.

5. Governing Law. This instrument shall be governed by and construed in accordance with the internal laws of the State of South Carolina, without reference to the conflicts of laws or choice of law provisions thereof.

6. Binding Effect. This instrument shall be binding upon and shall inure to the benefit of the parties hereto and their respective heirs, executors, administrators, legal representatives, successors and assigns.

7. Counterparts. This Assignment may be executed in any number of counterparts, each of which shall be deemed to be an original, but all of which, when taken together, shall constitute but one and the same instrument.

8. Further Assurances. Assignor, Assignee and the Company Co-Sponsor shall take such further actions and enter into such further conveyances and documents as may reasonably be required in order to effect the provisions and intent of this Assignment.

[The remainder of this page was intentionally left blank.]

Each of Assignor, Assignee and the Company Co-Sponsor has caused this Assignment and Assumption of Interest in Fee Agreement to be executed as of the date first written above by him/herself, if he/she is an individual, or its duly authorized officer, if it is an entity.

ASSIGNOR:

PARKWAY REAL ESTATE HOLDINGS SOUTH
CAROLINA, LLC, an Ohio limited liability
company

By: _____
Print Name: R. Alan Ridilla
Title: Chief Executive Officer & President

ASSIGNEE:

DIVERSIFIED INDUSTRIAL PROPERTIES,
LLC, an Illinois limited liability company

By: _____
Print Name: _____
Title: _____

COMPANY CO-SPONSOR:

ITECH BUYER, LLC,
a Delaware limited liability company

By: _____
Print Name: R. Alan Ridilla
Title: Chief Executive Officer & President

Oconee County, South Carolina, hereby consents to, or ratifies this Assignment and Assumption Agreement in accordance with the terms and provisions of the Act (as defined in the FILOT Agreement) and the FILOT Agreement.

Julian Davis, III
Chairman, Oconee County Council

ATTEST:

Katie D. Smith
Oconee County Clerk to Council

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
ORDINANCE 2020-16**

**AN ORDINANCE AMENDING THE OCONEE COUNTY
CONSERVATION BANK ORDINANCE, O.C. CODE
SECTIONS 2-398 THROUGH 2-409.**

WHEREAS, Oconee County, South Carolina (the “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 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”);

WHEREAS, the County, acting by and through the County Council, is authorized by Section 4-9-30 of the South Carolina Code of Laws, among other sources, to create boards and commissions for the betterment of the County;

WHEREAS, Sections 2-398 through 2-409 of the Code of Ordinances contains terms, provisions, and procedures applicable to the County Conservation Bank (the “Conservation Bank Ordinance”);

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, the Conservation Bank Ordinance, 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. The County Conservation Bank Ordinance is hereby revised, rewritten, and amended to read as set forth in Exhibit A, which is attached hereto and incorporated herein by reference.
2. 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.
3. All ordinances, orders, resolutions, and actions of County Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked, and rescinded.
4. All other terms, provisions, and parts of the Code of Ordinances not amended hereby, directly or by implication, shall remain in full force.
5. This Ordinance shall take effect and be in full force from and after third reading and enactment by County Council

ORDAINED in meeting, duly assembled, this ____ day of _____, 2020.

OCONEE COUNTY, SOUTH CAROLINA

By: _____
Julian Davis, III
Chairman of County Council

ATTEST:

By: _____
Katie Smith
Clerk to County Council

First Reading: September 1, 2020
Second Reading: September 15, 2020
Third Reading: _____
Public Hearing: _____

DIVISION 9. - COUNTY CONSERVATION BANK

Sec. 2-398. - Establishment of bank.

There is hereby established the Oconee County Conservation Bank in order to protect lands with significant natural, cultural and/or historic resources in Oconee County that meet the criteria set forth in section 2-403, by providing a financial incentive to willing landowners to convey either a conservation easement or fee simple title to eligible recipients (as defined herein).
(Ord. No. 2011-16, § I, 9-6-2011)

Sec. 2-399. - Definitions.

“Application” means application to participate in the program addressed by this ordinance, including its grants.

“Bank or OCCB” for purposes of this division means the Oconee County Conservation Bank.

“Board” means the governing board of the bank.

“Conservation easement” means an interest in real property as defined by Chapter 8 of Title 27 South Carolina Code of Laws, the South Carolina Conservation Easement Act of 1991.

“Council or county council” means Oconee County Council.

“County” means Oconee County, South Carolina.

“Eligible OCCB recipient or recipient” means any of the following:

- (1) Oconee County;
- (2) A municipality in Oconee County;
- (3) An independent agency or commission in Oconee County whose mission directly relates to the conservation of lands and natural, cultural and historic resources;
- (4) A not-for-profit charitable corporation or trust authorized to do business in this state and organized and operated for natural resource conservation, land conservation, or historical preservation purposes, and having tax-exempt status as a public charity under the Internal Revenue Code of 1986, as amended, and having the power to acquire, hold, and maintain interests in land for these purposes;
- (5) Federal, state, and local agencies organized and operated for natural resource protection, land conservation, or historical preservation purposes.

“Interests in lands” means fee simple titles to lands or conservation easements on land.

“Land” means real property, including highlands and wetlands of any description.

(Ord. No. 2011-16, § II, 9-6-2011)

Sec. 2-400. - Board.

(a) The bank will be governed by a seven-member board (“board”) appointed by Oconee County Council in accordance with the following requirements and recommendations:

- (1) Each board member’s primary residence shall be located in Oconee County; and
- (2) At least one of the appointed board members shall be from each of the county council districts; and
- (3) The council shall endeavor to appoint but not require candidates to be appointed as follows:
 - A board member or executive officer of a charitable corporation or trust authorized to do business in this state that is one of the following: (i) actively engaged in the acquisition of interests in land from voluntary sellers for the purposes of natural resource or land conservation in Oconee County; or (ii) is organized for historic or cultural preservation

purposes; or (iii) is an organization that represents hunting, fishing or outdoor recreation interests; and

- A board member who is an owner of rural real property who is actively engaged in the management and operation of forestlands, farmlands, or wildlife habitat; and
- A board member who is actively engaged in one of the following: (i) the real estate business; or (ii) the business of appraising forestland, farmland, or conservation easements; or (iii) the business of banking, finance or accounting; or (iv) a licensed attorney admitted to practice before the South Carolina Supreme Court with an emphasis in real estate or land use law.
- To the extent possible, all appointed board members should have a demonstrated background, experience, and interest in the conservation of lands with significant natural, cultural and/or historical resources.

(b) The initial terms of the at-large board members shall be for two years, the terms of the board members from county council district numbers 1, 3 and 5 shall be for three years, and the terms for the board members from county council district numbers 2 and 4 shall be for four years. Thereafter, all terms shall be for four years. All members may be reappointed. Vacancies shall be filled for the unexpired portion of the term.

(c) Members shall serve without compensation, but may receive such mileage and per diem as may be authorized and appropriated by Oconee County Council. The Board shall elect a chair and other officers as the Board deems necessary. The Board shall adopt rules and procedures to conduct its meetings, consistent with those used by county council.

(d) The board is a public body and its members are hereby expressly subject to, among other applicable laws and regulations, the South Carolina Ethics Act, and the South Carolina Freedom of Information Act, as amended, and shall perform their duties in accordance with their provisions.

(e) The board shall meet at least three times per year in regularly scheduled meetings and in special meetings as the chair may call, all open to the public (except for executive sessions when duly held in accordance with law). All meetings shall be conducted in accordance with the South Carolina Freedom of Information Act.

(f) The board shall report to council any member who, without adequate excuse such as documented illness, misses three consecutive meetings or a majority of meetings for any year.

(Ord. No. 2011-16, § III, 9-6-2011; Ord. No. 2015-017, § 1, 6-16-2015)

Sec. 2-401. - Board duties and responsibilities.

(a) The board is authorized to:

- (1) Award grants from the OCCB fund (defined herein) to "Eligible OCCB Recipients" for the purchase of land or interests in land that meet the criteria contained in section 2-403; and
- (2) Apply for and receive funding for the OCCB fund, for the bank, from federal, state, private and other sources, to be used as provided in this division; and
- (3) Receive charitable contributions and donations to the OCCB fund, for the bank, to be used as provided in this division; and
- (4) Receive contributions to the OCCB fund, for the bank, in satisfaction of any public or private obligation for environmental mitigation or habitat conservation, whether such obligation arises out of law, equity, contract, regulation, administrative proceeding, or judicial proceeding. Such contributions shall be used as provided for in this division.

(b) To carry out its functions, the bank shall:

- (1) Operate a program which includes:

- a. Developing a ranking system for applications for program participation, including grants, pursuant to the criteria contained in section 2-403;
- b. Receiving grant and participation applications from eligible OCCB recipients pursuant to section 2-404;
- c. Evaluating applications from eligible OCCB recipients for eligibility for grants and to participate in the program pursuant to section 2-404;
- d. Reviewing and ranking applications from eligible OCCB recipients for grants and to participate in the program pursuant to the ranking system;
- e. Recommending the approval of certain applications to county council pursuant to section 2-404;

(2) Establish additional guidelines and procedures, consistent with this division, as necessary to implement this division; and

(3) Submit an annual report to Oconee County Council concerning all matters addressed by this division.

(c) The county administrator is directed to provide administrative resources and support needed to operate and manage the OCCB, other than financial resources and support, to the extent possible, and within existing resources of the county. When and if deemed appropriate by the board, the board may seek county council's approval to hire permanent staff, who will be county staff, reporting to the administrator.

(d) Operating expenses of the bank may be paid out of the OCCB fund in accordance with Oconee County Policies and Procedures, and, as authorized and appropriated by county council, provided such expenses shall not exceed ten percent of the total annual OCCB funding amount. Notwithstanding any other provision of this division, Oconee County tax dollars shall not be used for the operation or purposes of the bank.

(Ord. No. 2011-16, § IV, 9-6-2011)

Sec. 2-402. - OCCB fund.

The Oconee County Treasurer shall establish an account separate and distinct from all other funds appropriated by county council, called the Oconee County Conservation Bank Fund (the "OCCB fund"). The OCCB fund shall receive revenues as noted herein, and from the county according to one or more funding measures approved by Oconee County Council. The council acknowledges and agrees that county funding measures should be undertaken as soon as feasible, consistent with overall budget priorities of the county, in order to avoid escalating land costs and lost acquisition opportunities. The OCCB fund shall be used only for the purposes set forth herein. Funds donated to the OCCB by third parties shall not be re-directed by council.

(Ord. No. 2011-16, § V, 9-6-2011)

Sec. 2-403. - Criteria.

The board shall use the following conservation criteria in developing a ranking system for applications pursuant to section 2-401(b)(1).

(1) Environmental sensitivity.

- a. Presence of wetlands.
- b. Frontage on USGS Blue Line Stream.
- c. Water quality classification of such stream by the South Carolina Department of Health and Environmental Control.
- d. Presence of threatened/endangered species.
- e. Habitat suitable for threatened/endangered species.
- f. Habitat suitable for native wildlife species.

- g. Extent of biological diversity.
- h. Presence of unique geological/natural features.
- (2) Percentage of property sharing a boundary with protected land.
- (3) Historic/cultural features.
 - a. Contains feature designated on the National Historic Register.
 - b. Contains feature eligible for the National Historic Register.
 - c. Contains historic/prehistoric structures.
 - d. Contains historic/prehistoric site or location of a historic event.
- (4) Percentage of property containing prime/statewide important soil types.
- (5) Extent of active farming on property and extent proposed to be kept as wooded land or farmland.
- (6) Extent of public visibility of property.
 - a. Visibility from public roads.
 - b. Visibility from public land.
- (7) Scenic view from property or preservation of general scenic nature of that part of county.
- (8) Extent of public access.
- (9) Location of property.
- (10) Threat of development.
- (11) Size of property.
- (12) Potential impact on water quality in wetlands or water bodies not on the property.

The board shall use the following financial criteria in developing the ranking system for applications for participation in the program and grants pursuant to subsection 2-402(b)(1).

- (1) Funding percentage of appraised fee simple or conservation easement value requested;
- (2) Amount of applicable partnerships, matching contributions, management agreements, management leases, and similar collaborations among state agencies, federal agencies, eligible OCCB recipients, and local governments, boards, and commissions;
- (3) No matching funds or other contributions are required to receive grants from the OCCB fund. However, the commitment of such other funds shall be a factor considered by the board in its evaluation and recommendation of the applications.

(Ord. No. 2011-16, § VI, 9-6-2011)

Sec. 2-404. - Program and procedures.

(a) Application.

- (1) An eligible OCCB recipient independently or in conjunction with the landowner may apply for a grant from the OCCB by submitting an application in accordance with the rules and procedures established by the board under and consistent with this division;
- (2) Within five business days of the submittal of an application to the OCCB, the eligible OCCB recipient must notify in writing all landowners adjacent to the subject property of the application. Within thirty (30) days of receipt of said notice, contiguous landowners and other interested parties may submit in writing to the board their views in support of or in opposition to the application.
- (3) Prior to the submission of its application, the eligible OCCB recipient must notify in writing the owner of the land that is the subject of the application of the following:
 - a. That interests in land purchased with OCCB funds result in a permanent conveyance of such interests in land from the landowner to the eligible OCCB recipient and its assigns;
 - and

- b. That it may be in the landowner's interest to retain independent legal counsel, perform appraisals, create surveys, and seek other professional advice; and

The application must contain an affirmation that the notice requirement of this subsection has been met, and the commitment of the landowner to convey title to or an easement on the property if grant funds are approved for the property, all signed by the landowner and duly notarized by a notary public of the State of South Carolina.

(4) In each application, the eligible OCCB recipient must provide information regarding how the proposal meets the criteria contained in section 2-403.

(5) For each grant application the applicant shall specify:

- a. The purpose of the application;
- b. How the application satisfies the criteria contained in section 2-403;
- c. The uses to which the land will be put;
- d. The party responsible for managing and maintaining the land; and
- e. The parties responsible for enforcing any conservation easement or other restrictions upon the land.

(6) Where an eligible OCCB recipient seeks an OCCB grant to acquire fee title to land, the eligible OCCB recipient must demonstrate both the expertise and financial resources to manage the land for the purposes set forth in its application. The board shall require an eligible OCCB recipient acquiring fee title to land to place a conservation easement on such property or include language in the deed to ensure that the property is permanently protected.

(7) Where an eligible OCCB recipient seeks an OCCB grant to acquire a conservation easement, the eligible OCCB recipient must demonstrate both the expertise and financial resources to monitor and enforce the restrictions placed upon the land for the purposes set forth in its application. The board shall evaluate each proposal to determine the qualifications of the proposed managing party and to determine whether the proposed management is consistent with the purposes set forth in the application.

(8) The board shall establish reasonable procedures and requirements to ensure that the personal information of eligible OCCB recipients and property owners is protected as permitted by the South Carolina Freedom of Information Act.

(b) Application review.

(1) The board shall accept three rounds of applications per calendar year in accordance with the following deadlines: April 1st, August 1st, and November 1st.

(2) The board shall evaluate each application according to the criteria contained in section 2-403 of this division and recommend approval of application and associated grants to county council based on how well the proposals meet these criteria. The more criteria a proposal satisfies, the higher priority it shall be given.

(3) The board shall evaluate each application and submit recommendations to county council within 90 days of each application deadline referred to in subsection (b)(1). The recommendation of an application may be for full approval, partial approval or disapproval.

(4) In recommending the awarding of a grant from the OCCB fund, the board shall set forth findings that indicate the items below. The board may delegate to one of its members this duty to write a report summarizing the board's findings. and delivering it to council.:

- a. How the application meets the criteria set forth in section 2-403;
- b. The purpose of the award and the use to which the land will be put;
- c. The party responsible for managing and maintaining the land;
- d. The party responsible for monitoring and enforcing any conservation easements or other restrictions upon the land;

e. How the parties designated in items c. and d. possess the expertise and financial resources to fulfill their obligations;

f. The availability of funds in the OCCB fund for the award;

g. Any other findings or information relevant to the award.

(5) County council shall take action on the board's recommendations within 30 days of the board's submission thereof. The council shall consider and vote on each recommendation individually. The council shall accept the recommendation of the board for the award of a grant unless (i) it is determined that there are not sufficient funds in the OCCB fund for the award or (ii) at least a majority of the council members present and voting vote to reject the recommendation. If the board's recommendation for the award of a grant is approved by council, the award shall be made and the transaction closed in accordance with subsection (c).

(6) The board may only authorize grants to purchase interests in lands at or below fair market value pursuant to a current (within twelve months of grant approval by county council), independent certified appraisal. The board may accept a market analysis update covering the time period from the date of the original appraisal to the present in the form of a letter prepared and signed by the original appraiser. Said market analysis update letter must be submitted to the board no later than thirty (30) days prior to the next scheduled board meeting. The board shall establish reasonable procedures and requirements to ensure the confidentiality of appraisals.

(c) Grant award.

(1) The board shall notify the eligible OCCB recipient of its recommendation and the action taken by county council on the application.

(2) If the board recommends the application in whole or in part and the recommendation is approved by county council in accordance with subsection (b)(5), the eligible OCCB recipient and the owner of the interest in the land identified in the application shall have a period of four months from the date of the county council's approval to decide whether to accept the award. Within fourteen (14) days of acceptance of the grant award the eligible OCCB recipient shall execute and record a grant agreement or memorandum thereof, which shall be in a form approved by the board. Said grant agreement shall include provisions for the indemnification and reimbursement of the OCCB for improperly used OCCB funds, or title issues or defects, perpetual monitoring and enforcement, and other actions pursuant to Section 2-405.

(3) The eligible OCCB recipient shall submit the following documents to the board prior to closing the transaction and the board and the county attorney or an attorney designated by the County Administrator on recommendation of the board shall review and approve the documents before OCCB funds can be disbursed:

a. A certified appraisal satisfying the requirements of subsection (b)(6):

b. A final draft of the conservation easement and/or deed, a final draft of the settlement statement, a final draft of the title insurance commitment and exceptions, and the grant agreement required pursuant to subsection 2-404(c)(2).

c. In order to identify potential liability pursuant to applicable state or federal environmental laws or regulations, a certified environmental hazard assessment shall be conducted on lands before the disbursement of OCCB funds for the acquisition of all interest in such lands except as provided below in subsection (c)(3)d.

d. An application for such interest in land shall qualify as a small grant application if the amount requested is less than \$30,000.00 or ten percent of the appraised fair market value of either the conservation easement or fee simple acquisition, whichever value is smaller.

The environmental assessment required in subsection (c)(3)c. shall be waived for

applications for interest in land qualified as a small grant, as defined herein, unless specifically required on a case by case basis by the board.

(4) The bank and eligible OCCB recipients receiving monies from the OCCB fund shall retain all records of acquisition of interests in land with OCCB funds including, but not limited to deeds, title documents, contracts, surveys, inventories, appraisals, title insurance policies, environmental assessments, and closing documents.

(5) The board shall disburse OCCB funds to eligible OCCB recipients and the closing shall occur after all applicable requirements of this section are fully satisfied, provided the closing shall take place no later than one year after the eligible OCCB recipient and owner of the interest in land decide to accept the award unless the board, for good cause shown, extends the deadline for a period not to exceed six months.

(6) No later than sixty (60) days after the day of closing, the OCCB grant recipient shall submit a report to the board describing how the OCCB grant funds were distributed or used and the status of the project. The report shall include supporting documentation, such as the closing settlement statement, disbursement statement, and the recorded conservation easement or deed.

(Ord. No. 2011-16, § VII, 9-6-2011)

Sec. 2-405. - Use of funds.

(a) Only eligible OCCB recipients may acquire interests in lands with OCCB funds.

(b) The bank may purchase an interest in land on behalf of Oconee County subject to the criteria contained in section 2-403.

(c) OCCB funds shall be used only by eligible OCCB recipients for the acquisition of interests in land, including closing costs. "Closing costs" shall include recording fees, deed transfer or documentary stamp fees, the costs of performing the work and providing the documentation required under subsection 2-404(c)(3), attorney's fees, and the cost of obtaining surveys or an updated market analysis pursuant to subsection 2-404(b)(6). The board shall have the discretion to allow the OCCB funds to be used solely for closing costs after considering the amount of the award, the value of the project, the amount of the closing costs, or other factors. In the event that OCCB determines that OCCB funds were spent for purposes other than those listed in this subsection or the grant agreement, the eligible OCCB recipient or property owner shall reimburse the OCCB in the amount of the improperly used funds, plus interest.

(d) All interests in land acquired with OCCB funds shall be held by the eligible OCCB recipient approved by the board to acquire the interest in land; except that an interest in land obtained with OCCB funds may be assigned from one eligible OCCB recipient to another upon approval of the board by majority vote. In the event that there is a mortgage on any property interest protected through the use of OCCB funds, the eligible OCCB recipient and property owner, if any, shall notify and inform the mortgagee or debt-holder that the mortgage will be subordinate to the conservation easement or conservation provisions in the deed. The eligible OCCB recipient shall copy the OCCB on the notice and information to the mortgagee.

(e) The owner of the fee simple title to property upon which a conservation easement was purchased with OCCB funds, whether the original owner that conveyed the conservation easement or a successor-in-interest, may reacquire and thereby terminate or extinguish that conservation easement, whether in whole or in part, only by complying with all of the following: (i) proving that the original conservation and/or historic values of the protected land have been lost or substantially impaired by factors beyond the owner's control, (ii) obtaining unanimous approval by the OCCB board, (iii) obtaining unanimous approval by county council, (iv) obtaining approval by the Oconee County Court of Common Pleas, and (v) making payment in cash to the OCCB fund of whichever is higher of the original fair market value or the current fair market value of the conservation easement, as determined by a certified appraisal paid for by the owner of fee simple title to the property.

(f) If an eligible OCCB recipient acquires fee simple title to land for conservation and/or historic purposes with OCCB funds, that land may not be sold, transferred, assigned, alienated, or converted to a use other than the use set forth in the grant award except by complying with all of the following: (i) proving that the original conservation and/or historic values of the protected land have been lost or substantially impaired by factors beyond the owner's control, (ii) obtaining unanimous approval by the OCCB board, (iii) obtaining unanimous approval by county council, (iv) obtaining approval by the Oconee County Court of Common Pleas, and (v) making payment in cash to the OCCB fund of whichever is higher of the original fair market value or the current fair market value of the protected land, as determined by a certified appraisal paid for by the eligible OCCB recipient.

(g) If any interests in lands that have been acquired by an eligible OCCB recipient with OCCB funds are extinguished, terminated, sold, transferred, assigned, alienated, or converted pursuant to subsections (e) and (f), the eligible OCCB recipient extinguishing, selling, transferring, assigning, alienating, or converting the interests in land shall replace them with the interests in land of substantially equal current fair market value, with any excess from the sale of the prior interests being used by contribution to the OCCB fund. The replacement land shall have the same or greater significance when evaluated under the criteria set forth in section 2-403. The board shall verify that suitable replacement interests in lands have been identified and will be obtained before authorizing that any interest in land purchased with OCCB funds be extinguished, sold, transferred, assigned, alienated, or conveyed. Where replacement in whole or in part is impossible, funds realized which are not used for replacement interests in land must be credited to the OCCB fund. Where funding for an original acquisition was from multiple sources, funds realized must be credited to the OCCB fund under this section in proportion equal to the contribution that OCCB funds made to the original acquisition.

(h) The eligible OCCB recipient or property owner shall notify the board in the event that a claim against the title to the property has been made.

(i) In the event that the title to the protected property interest is invalidated or otherwise found to be deficient, the board shall be reimbursed by the eligible OCCB recipient and/or owner in an amount up to the amount of the award approved by county council and disbursed to the eligible OCCB recipient.

(j) In the event that there is no conservation easement on a property funded by the OCCB, the County Administrator shall be responsible for ensuring that the owner of the property complies with the ordinance and for enforcing the provisions of the ordinance. The grant agreement shall specify that the County shall be able to access the property for monitoring and/or enforcement purposes.

(Ord. No. 2011-16, § VIII, 9-6-2011)

Sec. 2-406. - Eminent domain or condemnation proceedings.

OCCB funds may not be used to acquire interests in lands or other interests in real property through the exercise of any power of eminent domain or condemnation proceedings.

(Ord. No. 2011-16, § IX, 9-6-2011)

Sec. 2-407. - Recreational and economic use.

The provisions of this division shall not be construed to eliminate or unreasonably restrict hunting, fishing, farming, forestry, timber management, or wildlife habitat management, as regulated by the law of this state, upon lands for which interests in lands are obtained pursuant to this division. These and other traditional and compatible activities may be conducted, where appropriate, upon lands protected with OCCB funds.

(Ord. No. 2011-16, § X, 9-6-2011)

Sec. 2-408. - Conservation easements.

When OCCB funds are used to purchase a conservation easement on land, the conservation easement shall be the controlling legal document regarding what is and what is not permitted upon the land, how the land will be protected, and what rights are vested with the eligible OCCB recipient and its assigns which holds the conservation easement. If any inconsistencies or ambiguities arise between the provisions of this ordinance and the terms and conditions of the conservation easement purchased with OCCB funds, the terms and conditions of the conservation easement shall prevail. The eligible OCCB recipient shall have sole responsibility for monitoring the property subject to the conservation easement and for enforcing the terms and conditions thereof.

(Ord. No. 2011-16, § XI, 9-6-2011)

Sec. 2-409. - Historic properties.

The board may authorize up to ten percent of the annual OCCB appropriation to acquire interests in land that qualify solely as a historic or cultural feature according to the criteria contained in section 2-403.

(Ord. No. 2011-16, § XI, 9-6-2011)

DRAFT

STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
ORDINANCE 2020-17

AN ORDINANCE AMENDING CHAPTER 32 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING THE ESTABLISHMENT OF RECREATIONAL VEHICLE PARK DEVELOPMENT STANDARDS; 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 (“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;

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 (“Code of Ordinances”), as amended;

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;

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 32 of the Code of Ordinances, specifically Article IX, to hereinafter be titled “The Recreational Vehicle Park Standards Ordinance of Oconee County, South Carolina,” which is purposed to establish development standards for Recreational Vehicle Parks within the County;

WHEREAS, County Council has therefore determined to modify Article IX of Chapter 32 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. Article IX of Chapter 32 of the Code of Ordinances shall hereafter be titled the *Recreational Vehicle Park Standards Ordinance of Oconee County, South Carolina*, and it is

hereby revised, rewritten, and amended by Attachment A, which is attached hereto and incorporated herein by reference.

2. County Council hereby approves and adopts Attachment A as the applicable land use provisions of the County in relation to Recreational Vehicle Park Standards and directs that it be codified in the Oconee County Code of Ordinances.

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 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. Nothing contained herein, however, 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 act, 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 Chapter 32, not amended hereby, directly or by implication, shall remain in full force.

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

ORDAINED in meeting, duly assembled, this _____ day of _____, 2020.

ATTEST:

Katie D. Smith
Clerk to Oconee County Council

Julian Davis, III
Chair, Oconee County Council

First Reading: September 1, 2020
Second Reading: September 15, 2020
Third Reading: _____
Public Hearing: _____

Oconee County Code of Ordinances, Chapter 32, Article IX

The Recreational Vehicle Park Standards Ordinance of Oconee County, South Carolina

32-601 Intent

To provide a safe, clean, and sanitary environment for occupants of recreational vehicle parks in Oconee County, South Carolina.

32-602 Definitions

“All-weather road” means a hard-packed and graded and/or graveled road that is passable by vehicles under both wet and dry weather conditions, is at least ten (10) feet wide, and is suitable for emergency vehicles to utilize regardless of weather, as determined by Oconee County Emergency Services.

“Dealer” means any person, firm, corporation, or business entity licensed or required to be licensed to sell new and/or used recreational vehicles to the retail public.

“Manufacturer” means any person, firm, corporation, or business entity that engages in the manufacturing of recreational vehicles.

“Minor recreational vehicle park”: Four (4) to nineteen (19) recreational vehicles or recreational vehicle spaces for rent on-site on any single parcel to be utilized as temporary living quarters for recreational, camping, or travel use.

“Major recreational vehicle park”: Twenty (20) or more recreational vehicles or recreational vehicle spaces for rent on-site on any single piece of property utilized as temporary living quarters for recreational, camping, or travel use.

“Ready to travel”: A recreational vehicle is ready to travel if it:

- a. Is on wheels or a jacking system;
- b. Is attached to the site only by quick-disconnect type utilities and security devices; and,
- c. Has no permanently-attached additions.

“Recreational vehicle” means a motorhome, travel trailer, fifth-wheel trailer, or folding camping trailer designed to provide temporary living quarters for recreational, camping, or travel use, as defined herein.

“Motorhome” means a self-propelled vehicle designed to provide temporary living quarters for recreational, camping, or travel use that complies with all applicable federal vehicle regulations. The unit must contain at least four of the following permanently installed independent life support systems which meet the NFPA 1192 Standard for Recreational Vehicles:

- a. a cooking facility with an on-board fuel source;
- b. a potable water supply system that includes at least a sink, a faucet, and a water tank with an exterior service supply connection;

- c. a toilet with exterior evacuation;
- d. a gas or electric refrigerator;
- e. a heating or air conditioning system with an on-board power or fuel source separate from the vehicle engine; or,
- f. an electric power system.

“Travel trailer” means a vehicle mounted on wheels designed to provide temporary living quarters for recreational, camping, or travel use that complies with all applicable federal vehicle regulations and is of such size and weight as to not require a special highway movement permit when towed by a motorized vehicle.

“Fifth-wheel trailer” means a vehicle mounted on wheels designed to provide temporary living quarters for recreational, camping, or travel use that complies with all applicable federal vehicle regulations and is of such size and weight as to not require a special highway movement permit when towed by a motorized vehicle equipped with a towing mechanism that is mounted above or forward of the tow vehicle's rear axle.

“Folding camping trailer” means a vehicle mounted on wheels designed to provide temporary living quarters for recreational, camping, or travel use that complies with all applicable federal vehicle regulations and is constructed with collapsible partial side walls that fold for towing by another vehicle.

“Recyclable materials” mean those materials which are capable of being recycled which would otherwise be processed or disposed of as solid waste.

“Solid waste” means any garbage, refuse, sludge, and other discarded material, including solid, liquid, semi-solid, or contained gaseous material resulting from industrial, commercial, residential, mining, and agricultural operations and from community activities.

32-603 Authority

Personnel employed by the County Administrator as zoning administrator or the zoning administrator’s designee shall be vested with the authority to enforce and administer recreational vehicle park standards within the County.

32-604 Jurisdiction

The regulations set forth in this article shall be applicable within the unincorporated areas of the County.

32-605 Exemptions

- a. Dealers and manufacturers of recreational vehicles are exempt from the standards in this Article unless a portion of the dealer or manufacturing business meets the definition of a recreational vehicle park, as contained in this Article.
- b. Indoor or outdoor facilities that store recreational vehicles that are not being utilized to provide temporary living quarters for recreational, camping, or travel use on-site.

32-606 Existing recreational vehicle parks

Recreational vehicle parks existing prior to the enactment of this Ordinance are exempt from this Article. Creation of new recreational vehicle sites in an existing recreational vehicle park will, however, be required to adhere to this Ordinance.

32-607 Solid waste and recycling facilities

All recreational vehicle park owners and/or operators shall provide appropriate on-site solid waste and recyclable materials disposal receptacles. The recreational vehicle park owner and/or operator is responsible for transporting solid waste and recyclable materials from the recreational vehicle park to an appropriate disposal site, consistent with local, state, and federal law.” Removing solid waste and recyclable materials shall be done on a regular basis in order to avoid the attraction of pests or the development of other nuisances.

32-608 Wastewater

All recreational vehicle park owners and/or operators are responsible for ensuring all recreational vehicles and recreational vehicle sites that are for rent follow all applicable DHEC standards. DHEC-approved wastewater facilities shall be included in the submission of plans for any recreational vehicle park if proposed or present.

32-609 Utilities

Utility connections shall adhere to all local, state, and federal laws including any applicable building code standards.

32-700 Setbacks and height

Setbacks and height regulations shall be determined by the underlying zoning district.

32-701 Ready to travel

Recreational vehicles in recreational vehicle parks must be ready to travel, as defined in this chapter. Recreational vehicle parks containing recreational vehicles not ready for travel will be reviewed utilizing Chapter 32, Article VI “*Land Development and Subdivision Regulations*,” including the review process, road standards, traffic-impact studies, density, and all other applicable provisions of that ordinance chapter and corresponding local, state, and federal law, as applicable.

32-702 Parking and maneuverability

All-weather roads and parking areas capable of accommodating recreational and associated vehicles will be provided by the park and reviewed by Oconee County Emergency Services prior to approval and construction. No recreational vehicle shall be parked or set up in any private or public right-of-way.

32-703 Access

Permitted access to the recreational vehicle park from a state, County, or private road is as follows and must be included in the submission of plans for a recreational vehicle park:

- a. State road: Permit from South Carolina Department of Transportation;
- b. County road:
 - (1) Minor recreational vehicle parks: Permit from Oconee County Roads & Bridges;
 - (2) Major recreational vehicle parks: A traffic-impact study and the recommended improvements therein and a permit from Oconee County Roads & Bridges.
- c. Private road intersecting a County road:
 - (1) Major and minor recreational vehicle parks: Written permission from private road owners;
 - (2) Major recreational vehicle park: A traffic-impact study and the recommended improvements therein. Permit from Oconee County Roads & Bridges.

32-704 Park contact information

For purposes of emergency contact, the owner and/or operator shall post up-to-date contact information for the park owner and/or operator. This posting shall be at a place within the park that is clear and conspicuous.

32-705 Application, review, and permitting process

The following must be included with the application for a minor or major recreational vehicle park:

- a. An accounting of total acreage in the tract to be utilized, the number of proposed recreational vehicle parking spaces, and any existing and proposed accessory buildings and setbacks;
- b. Location of existing property lines, buildings, easements, road right-of-ways and other public ways contained within and adjoining the tract;
- c. Alignment, right-of-way width, and clarification of proposed roads;
- d. Map scale, north arrow, and date;
- e. Name, address, and telephone number of legal owner or agent;
- f. Location of watercourses and land subject to flooding based on a 100-year frequency flood. Owner's surveyor shall indicate if property is or is not in a floodplain;
- g. The existing and proposed uses of land throughout the recreational vehicle park;
- h. Permits and method of water supply and wastewater treatment and other utility services;
- i. DHEC land-disturbance permits and storm-water permits if applicable;
- j. The proposed names of the recreational vehicle park and internal road system;

- k. Applicable Zoning (including any applicable Overlay) designations;
- l. Any other information the zoning administrator or his or her designee requests, as necessary to assist in the review process.

32-706 Penalties

Any person or entity violating the regulations set forth in this article is guilty of a misdemeanor and may be fined up to \$500.00 or imprisoned for 30 days or both.

DRAFT

PROCUREMENT - AGENDA ITEM SUMMARY

OCONEE COUNTY, SC

COUNCIL MEETING DATE: September 15, 2020

ITEM TITLE:

Title: Hitachi ZW370-6 Wheel Loader

Department: Rock Quarry

Amount: \$373,451.00

FINANCIAL IMPACT:

Procurement was approved by Council in Fiscal Year 2020-2021 budget process.

Budget: \$470,000.00

Project Cost: \$373,451.00

Finance Approval: 

Balance: \$96,549.00

BACKGROUND DESCRIPTION:

This Wheel Loader is a Hitachi ZW370-6. Its main use will be used in the yard to load customer's trucks. This loader will enable the Rock Quarry staff to load customer dump trucks in timely fashion. This machine will have a scale on the bucket which will provide more accuracy in amount of product loaded. The County will be trading in a 1992 CAT 985F Wheel Loader. May Equipment has agreed to \$20,000.00 for the trade-in.

After researching the necessary horse power and operating weights of a two pass Wheel Yard Loader that can safely handle an 8 cubic yard bucket, it was determined that the Hitachi ZW370-6, will best meet the needs of the Oconee Quarry.

The County is utilizing the North Carolina Sheriffs' Association contract through a cooperative purchasing agreement. The contract discount is 38% off the list price of the equipment and 10% off the list price of attachments. National Equipment Dealers (dba: May/RHI) are also offering an additional dealer discount of \$17,046.64 off of the contract price for the wheel loader and the attachments.

SPECIAL CONSIDERATIONS OR CONCERNS:

National Equipment Dealers (dba: May/RHI) holds the North Carolina Sheriffs' Association contract for the Hitachi ZW370-6 Wheel Loader. The North Carolina Sheriff's Association contract allows all County and City Government Agencies to purchase, from this contract, directly from the awarded vendors.

ATTACHMENT(S):

1. Quote from May/RHI
2. Pricing Spreadsheet
3. Contract Discount & Award page from NC Sheriffs' Association Contract

STAFF RECOMMENDATION:

It is the staff's recommendation that Council approve the purchase of the Hitachi ZW370-6 Wheel Loader from National Equipment Dealers (dba: May/RHI) of Columbia, SC in the amount of \$373,451.00.

Submitted or Prepared by: 

Tronda Popham, Procurement Director

Approved for Submittal to Council: 

Amanda Brock, County Administrator

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.



Quotation / Order
July 28, 2020

County of Oconee
Mr Thom Moxley

Ship to:
Rock Quarry - Oconee County
Walhalla, SC

Thank you for this opportunity. We would like to offer you the following for your purchase consideration. If you have any questions please do not hesitate to contact us.

NEW Hitachi ZW370-6 Wheel Loader

- Isuzu 6WG1 Tier 4 Final, 386 HP Engine - DOC & SCR without DPF!
- Automatic Transmission w/Load Sensing and Declutch System
- Lock Up Torque Converter and Quick Power Switch
- Ride Control w/Load Sensing Valve and Traction Control
- Inboard (Mid) Mounted Hydraulic Wet Disc Brakes
- Normal and Power Work Modes
- Anti Drift Valve and Dual Boom Kick Out
- Front Fenders w/Mudflap - FULL Rear Fenders w/Mudflap
- Guarding Package: Belly Guard, Rear Chassis Std
- Global E-Service Telematic Monitoring System for 4 Years
- 7.5 CY Rockland GPX Bucket with Bolt On Skid Shoes and BOCE
- 2 Year / 2000 Hour Manufacturer's Full Machine Warranty
- Operating Weight: 74,600 lbs.
- ROPS Cab Enclosed with Sound Suppression and ****Tinted Glass to Spec**
- Heater and Air Conditioning w/Cabin Temp Controls
- Premium Heated Seat with TLV Suspension and 3" Seat Belt
- Dual Control Lever - Pilot Assisted
- Radio - AM/FM/WB with Aux Input
- (2) Halogen Headlights, (2) LED Front Working Lights
- (2) Halogen and (2) LED Rear Working Lights, (2) Stop/Tail/Backup LED's
- Rearview Camera w/7" High Mount RLED Monitor
- Standard Reversible Fan - Automatic and Manually Controlled
- 29.5 R25 L3 Radials

Sale Price Base Unit: **368,554.04 @ 38% Discount**

As equipped above. FOB Walhalla, SC Sales Tax: Oconee County All Delivery and Training Included

Option:

- 7.5 Cu Yd (Standard) GPX Bucket with BOCE: \$ 16,086.60 @ 10% NCSA Discount
- 8.0 Cu Yd (Add) GPX Bucket with BOCE: \$ 597.60 @ 10% NCSA Discount
- Bucket Spill Guards: \$ 1,899.90 @ 10% NCSA Discount
- Loadrite L2150 Scale: \$ 8,658.90 @ 10% NCSA Discount
- Auto Lube System: \$ 14,700.60 @ 10% NCSA Discount

Note: Pricing for machine and other options are based on N.C. Sheriff's Bid 19-03-0504RR standard list pricing and discount structure for Hitachi LoadersNC

Sheriff's Assn Base Pricing Plus All Options and Bucket attachment listed above = \$410,497.64

Minus Trade CAT 980F S/N 8CJ00703 (\$20,000)

May/RHI Additional Discount to Oconee County = \$17,046.64

Total Purchase Price \$373,451.00



Terms & Conditions

1. In the event Buyer fails to pay any portion of the amount identified above, Buyer shall be responsible, and must reimburse Seller, for any costs (including litigation costs and attorney's fees) incurred by Seller collecting the outstanding balance. Any past due amounts owing under this Bill of Sale shall accrue interest at 1½ % per month until the entire balance is paid in full.
2. Title to or ownership of the Property shall not pass from Seller to Buyer, and Seller is not obligated to relinquish possession of the Property, until Seller is paid in full and all funds have cleared. In the event Buyer fails to make immediate payment, Buyer shall be in default under this agreement, and Seller may pursue any available remedy under applicable law. Buyer shall still be responsible for all unpaid rental charges associated with the rental of said Property through the completion of the sale.
3. Risk of loss of the Property shall pass to Buyer when Seller notifies Buyer that the Property is available for pick-up or shipment. If Buyer does not furnish shipping instructions, Seller will select the mode of shipping. In that situation, if Seller selects to ship the Property by carrier, risk of loss shall pass to Buyer when Seller makes the Property available to the carrier for shipment. Any charges to ship, load, unload, erect or dismantle the Property, and any demurrage or similar charges, are the sole responsibility of Buyer.
4. To the full extent allowed by law, Buyer agrees to indemnify, defend and hold harmless Seller from and against any and all (1) federal, state, municipal and local license fees and taxes of any kind or nature owing from Buyer in connection with the purchase of the Property, including without limitation, any and all excise, personal property, use and sales taxes; and (2) liabilities, obligations, losses, damages, and penalties incurred by, and claims, actions, and suits against, Seller which result from the sale of the Property to Buyer or in connection with Buyer's use, possession, or ownership of the Property.
5. Check box if not applicable: Buyer acknowledges that used property, as identified on previous is being sold "As is, Where is" and with all faults. Buyer agrees and understands that Seller makes no warranty regarding the condition of the used Property or its fitness for a particular purpose, and none shall be implied. Seller solely represents, warrants, and covenants to Buyer that (1) Seller is currently the true and lawful owner of the Property; (2) the Property shall be transferred to Buyer free and clear of all liens and encumbrances; and (3) Seller currently holds the right to transfer ownership of the Property to Buyer pursuant to the terms herein.
6. This contract shall be governed by the law of the State of North Carolina. The Mecklenburg and Davidson County, NC courts and the U.S. Western and Middle District courts of NC shall have exclusive jurisdiction over any claim filed in connection with this agreement, and Buyer waives the right to challenge jurisdiction and venue in the aforesaid courts.
7. Notice is hereby given that National Equipment Dealers, LLC has assigned to WTP Exchange, as part of a like-kind exchange, its rights (but not its obligations) to sell the equipment described in this sale agreement.
8. This agreement constitutes the entire contract between the parties and no other verbal or written agreement exists, and Buyer acknowledges that Seller makes no other representation or warranty apart from that contained herein.

NATIONAL EQUIPMENT DEALERS (dba May/RHI) PRICING FOR WHEEL LOADER				
N.C. Sheriff's Association Bid Award # 19-03-0504RR				
Description	List Price	Contract Discount Percentage	Discount Amount	Total Price
New Hitachi ZW370-6 Wheel Loader (base price for Wheel Loader)	\$594,442.00	38%	\$225,887.96	\$368,554.04
Total Price of Wheel Loader (without attachments)				\$368,554.04
Optional Attachments:				
	\$17,874.00	10%	\$1,787.40	\$16,086.60
	\$664.00	10%	\$66.40	\$597.60
	\$2,111.00	10%	\$211.10	\$1,899.90
	\$9,621.00	10%	\$962.10	\$8,658.90
	\$16,334.00	10%	\$1,633.40	\$14,700.60
Total Price of Attachments	\$46,604.00		\$4,660.40	\$41,943.60
NC SHERIFF'S ASSOCIATION PRICING - WHEEL LOADER		38%	\$0.00	\$368,554.04
NC SHERIFF'S ASSOCIATION PRICING - ATTACHMENTS	\$0.00	10%	\$0.00	\$41,943.60
TOTAL QUOTED MACHINE PRICE WITH ATTACHMENTS (NC SHERIFF'S ASSOCIATION PRICING)				\$410,497.64
Additional Dealer Discount				\$17,046.64
Trade In 1992 Cat 985F				\$20,000.00
Grand Total				\$373,451.00

North Carolina Sheriffs' Association
Heavy Equipment Procurement Program
Rollover Price Sheet Award Agreement

Heavy Equipment Procurement Program

Bid 19-03-0504RR and Bid 20-04-0506R

We are pleased to announce the North Carolina Sheriffs' Association has rolled over your contract for one additional year. NCSA Heavy Equipment Bid 19-03-0504RR and Bid 20-04-0506R will be effective May 18, 2020 through May 17, 2021.

By the award of this contract based on your dealership's bid for Solicitation Number 19-03-0504RR and 20-04-0506R, all terms and conditions set forth in the Solicitation for Bids and Contract Terms and Conditions are incorporated herein by reference and agreed to by the Contractor and the North Carolina Sheriffs' Association.

NCSA COOPERATIVE
PURCHASING PROGRAMS


Signature of Authorized Representative

R. SCOTT WOODY
Printed Name of Authorized Representative

NATIONAL EQUIPMENT DEALERS, LLC
Contractor/Dealership Name (Please Print)

3/16/2020
Date


Signature of NCSA Contract Administrator

Jason D. Bennett
Printed Name of NCSA Contract Administrator

March 16, 2020
Date

FINAL BID AWARD ANNOUNCEMENT 5.18.2020

Contracts Effective: May 18, 2020 - May 17, 2021

Attachments: Items that increase or add to the performance of the equipment. For example, side mower or hook lift.

**North Carolina Sheriffs' Association
Heavy Equipment Procurement Program
Bid 19-03-0504RR • Bid 20-04-0506R • Bid 21-05-0506**

Accessories: Items added to the piece of equipment which provide comfort or value, not relating to the performance or functionality of the equipment. For example, air conditioner or seat material.

Lot 8 (ROLLOVER - Bid 19-03-0504RR)

Wheel Loader

Vendor	Brand/Model	List Price of Base Unit	% Discount (Off Manufacturer's List Price)	% Discount - Attachments	% Discount - Accessories
Company Wrench	JCB/407	\$61,214.00	10%	8%	10%
Company Wrench	JCB/409	\$79,747.00	10%	8%	10%
Company Wrench	JCB/411 HT	\$122,190.00	10%	8%	10%
Company Wrench	JCB/417 HT	\$139,298.00	10%	8%	10%
Company Wrench	JCB/427 HT	\$180,898.00	10%	8%	10%
Company Wrench	JCB/427 ZX	\$174,582.00	10%	8%	10%
Company Wrench	JCB/437 HT	\$205,782.00	10%	8%	10%
Company Wrench	JCB/437 ZX	\$196,571.00	10%	8%	10%
Company Wrench	JCB/457 HT	\$266,574.00	10%	8%	10%
Company Wrench	JCB/457 ZX	\$277,101.00	10%	8%	10%
Company Wrench	JCB/TM320	\$139,458.00	10%	8%	10%
Gregory Poole Equipment Company	Caterpillar 903	\$80,110.00	22%	10%	10%
Gregory Poole Equipment Company	Caterpillar 906	\$115,620.00	22%	10%	10%
Gregory Poole Equipment Company	Caterpillar 908	\$131,610.00	22%	10%	10%
Gregory Poole Equipment Company	Caterpillar 910	\$155,285.00	22%	10%	10%
Gregory Poole Equipment Company	Caterpillar 914	\$167,934.00	22%	10%	10%
Gregory Poole Equipment Company	Caterpillar 918	\$181,993.00	22%	10%	10%
Gregory Poole Equipment Company	Caterpillar 926	\$234,862.00	22%	10%	10%
Gregory Poole Equipment Company	Caterpillar 930	\$254,362.00	22%	10%	10%
Gregory Poole Equipment Company	Caterpillar 938	\$286,212.00	22%	10%	10%
Gregory Poole Equipment Company	Caterpillar 950	\$359,405.00	22%	10%	10%
Gregory Poole Equipment Company	Caterpillar 966	\$514,836.00	22%	10%	10%
Hills Machinery Company	Case 21F	\$94,168.64	6%	7%	6%
Hills Machinery Company	Case 121F	\$101,250.64	6%	7%	6%
Hills Machinery Company	Case 221F	\$102,228.64	6%	7%	6%
Hills Machinery Company	Case 321F	\$112,900.64	6%	7%	6%
Hills Machinery Company	Case 521G	\$209,848.72	6%	7%	6%
Hills Machinery Company	Case 621G	\$243,496.72	6%	7%	6%
Hills Machinery Company	Case 721G	\$293,284.72	6%	7%	6%
Hills Machinery Company	Case 821G	\$361,608.38	6%	7%	6%
Hills Machinery Company	Case 921G	\$384,932.32	6%	7%	6%
Hills Machinery Company	Case 1021G	\$506,686.34	6%	7%	6%
Hills Machinery Company	Case 1121G	\$525,406.34	6%	7%	6%
James River Equipment	John Deere 324	\$119,506.00	23%	10%	10%
James River Equipment	John Deere 344	\$166,640.00	29%	10%	10%
James River Equipment	John Deere 444	\$192,646.00	35%	10%	10%
James River Equipment	John Deere 644	\$352,754.00	36%	10%	10%
James River Equipment	John Deere 724	\$387,872.00	37%	10%	10%
James River Equipment	John Deere 744	\$492,582.00	36%	10%	10%

Vendor	Brand/Model	List Price of Base Unit	% Discount (Off Manufacturer's List Price)	% Discount - Attachments	% Discount - Accessories
National Equipment Dealers, LLC -	Hyundai HL940	\$252,010.80	46%	8%	46%
National Equipment Dealers, LLC -	Hyundai HL940X	\$256,152.41	46%	8%	46%
National Equipment Dealers, LLC -	Hyundai HL940T	\$258,726.92	46%	8%	46%
National Equipment Dealers, LLC -	Hyundai HL955	\$292,262.94	46%	8%	46%
National Equipment Dealers, LLC -	Hyundai HL955X	\$296,516.48	46%	8%	46%
National Equipment Dealers, LLC -	Hyundai HL955T	\$299,538.73	46%	8%	46%
National Equipment Dealers, LLC -	Hyundai HL960	\$335,917.69	46%	8%	46%
National Equipment Dealers, LLC -	Hyundai HL960X	\$342,633.80	46%	8%	46%
National Equipment Dealers, LLC -	Hyundai HL960	\$358,528.61	46%	8%	46%
National Equipment Dealers, LLC -	Hyundai HL960	\$372,184.71	46%	8%	46%
National Equipment Dealers, LLC -	Hyundai HL965	\$415,615.58	46%	8%	46%
National Equipment Dealers, LLC -	Hyundai HL965X	\$418,637.84	46%	8%	46%
National Equipment Dealers, LLC -	Hyundai HL970	\$469,456.44	46%	8%	46%
National Equipment Dealers, LLC -	Hyundai HL970X	\$484,008.02	46%	8%	46%
National Equipment Dealers, LLC -	Hyundai HL975	\$548,034.98	46%	8%	46%
National Equipment Dealers, LLC -	Hyundai HL975X	\$552,848.20	46%	8%	46%
National Equipment Dealers, LLC -	Hyundai HL980	\$620,457.09	46%	8%	46%
National Equipment Dealers, LLC -	Hyundai HL980X	\$634,113.19	46%	8%	46%
National Equipment Dealers, LLC -	Hitachi ZW120-	\$157,407.00	38%	10%	38%
National Equipment Dealers, LLC -	Hitachi ZW140-	\$221,466.00	38%	10%	38%
National Equipment Dealers, LLC -	Hitachi ZW150-	\$232,207.00	38%	10%	38%
National Equipment Dealers, LLC -	Hitachi ZW150-	\$254,424.00	38%	10%	38%
National Equipment Dealers, LLC -	Hitachi ZW180-	\$255,869.00	38%	10%	38%
National Equipment Dealers, LLC -	Hitachi ZW220-	\$324,892.00	38%	10%	38%
National Equipment Dealers, LLC -	Hitachi ZW250-	\$373,763.00	38%	10%	38%
National Equipment Dealers, LLC -	Hitachi ZW310-	\$473,936.00	38%	10%	38%
National Equipment Dealers, LLC -	Hitachi ZW370-	\$594,442.00	38%	10%	38%
National Equipment Dealers, LLC -	Hitachi ZW550-	\$948,007.00	38%	10%	38%

**AGENDA ITEM SUMMARY
OCONEE COUNTY, SC**

**COUNCIL MEETING DATE: September 15, 2020
COUNCIL MEETING TIME: 6:00 PM**

ITEM TITLE OR DESCRIPTION:

Local ATAX Grants / Fall 2020 Cycle / \$73,000

BACKGROUND OR HISTORY:

A portion of Local ATAX revenues received by Oconee County are made available for ATAX grants through Ordinance 2011-12. ATAX grants are to be tourism related grants that meet the ATAX guidelines specified by local and State mandates. Grants are recommended by the PRT Commission based on tourism impact of the project and approved by County Council. All external ATAX grant recipients are required to turn in intermediate reports every 60 days to the progress of the grant and a final report upon completion of the grant.

These reports are placed in the grant folder, which is kept active by the PRT staff until the grant is considered complete. Internal projects through Oconee PRT are also funneled through local ATAX for eligible projects.

SPECIAL CONSIDERATIONS OR CONCERNS:

COMPLETE THIS PORTION FOR ALL PROCUREMENT REQUESTS:

Does this request follow Procurement Ordinance #2001-15 guidelines? No [review #2001-15 on Procurement's website]

If no, explain briefly: NO-ATAX grants

FINANCIAL IMPACT:

Beginning Local ATAX balance \$342,287

If all grants/projects approved/new balance will be: \$269,287

COMPLETE THIS PORTION FOR ALL GRANT REQUESTS:

Are Matching Funds Available: Yes

If yes, who is matching and how much: Varies by grant!

ATTACHMENTS

Spreadsheet approved by PRT Commission on 8/20/20 and 8/27/20.

STAFF RECOMMENDATION:

Approval of ATAX grant recommendations per the attached spreadsheet.

Reviewed By/ Initials:

_____ County Attorney _____ Finance _____ Grants _____ Procurement

Submitted or Prepared By:

Phil Shirley, PRT Director
Department Head/Elected Official

Approved for Submittal to Council:


Amanda Brock, County Administrator

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.

Sep-20

Local ATAX Grants

Applicant	Funds Request	Project Description	Amount Eligible for ATAX	PRT Commission Recommendation
Museum of the Cherokee in SC	\$8,088	Create Research Room	\$5,942	\$5,000
Discover Upcountry Carolina Assoc.	\$10,000	Advertising	\$10,000	\$8,000
Walhalla Oktoberfest	\$7,000	Advertising	\$7,000	\$6,000
City of Walhalla	\$9,210	Advertising	\$7,255	\$7,000
Foothills Farmstead	\$2,300	Construction assistance	\$2,300	\$2,000
City of Seneca Half Marathon/5k	\$10,000	Advertising	\$10,000	\$8,000
Devils Fork State Park	\$8,659	Picnic Pad Rehabilitation	\$7,793	\$4,000
TOTAL	\$55,257		\$50,290	\$40,000

Oconee PRT Internal Projects

Signage	\$4,000	Directional Signage- Jocassee/Keowee Visitor Center	\$4,000	\$ 4,000
High Falls County Park	\$9,000	Roof repair	\$9,000	\$ 9,000
South Cove County Park	\$10,000	Restroom renovations-Campground	\$10,000	\$ 10,000
South Cove County Park	\$6,000	New Electricity to Fishing Pier Lot	\$6,000	\$ 6,000
Oconee PRT	\$4,000	Mobile Radar Speed Device to be used in all Parks	\$4,000	\$ 4,000

TOTAL PRT Projects \$33,000 **\$ 33,000**

Total ATAX Recommendations September 2020 **\$ 73,000**

**AGENDA ITEM SUMMARY
OCONEE COUNTY, SC**

COUNCIL MEETING DATE: September 15th, 2020
COUNCIL MEETING TIME: 6:00 PM

ITEM TITLE [Brief Statement]:

Request for Council to approve a letter of support to be sent to the Oconee County Legislative Delegation regarding the creation of a State wide "Agricultural Disclosure" when real property is being transferred.

BACKGROUND DESCRIPTION:

The Oconee County Agricultural Advisory Board voted unanimously to request Council to support the creation of an "Agricultural Disclosure" when real property is being transferred. This will add a layer of protection for our farmers and farmlands, not just in Oconee County, but across the state. This would be similar in nature to the existing "lead-paint" and "asbestos" disclosure relators are required to provide.

SPECIAL CONSIDERATIONS OR CONCERNS [only if applicable]:

n/a

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

Letter for Council to send to delegation.
Presentation by Oconee Council Agricultural Board members

STAFF RECOMMENDATION [Brief Statement]:

It is staff's recommendation that Council approve a letter of support to be sent to the Oconee County Legislative Delegation regarding the creation of a State wide "Agricultural Disclosure" when real property is being transferred.

Submitted or Prepared By:



Department Head/Elected Official

Approved for Submittal to Council:



Amanda F. Brock, County Administrator

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.

**Oconee County
Council Office**

September 15, 2020

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

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

E-mail:
ksmith@oconeesc.com

John Elliott,
Chair Pro Tem
District I

Wayne McCall
District II

Paul A. Cain
Vice Chair
District III

Julian Davis, III
Chairman
District IV

J. Glenn Hart
District V

The Honorable Senator Thomas C. Alexander
SC Senate
313 Gressette Bldg.
Columbia, SC 29201

Dear Senator Alexander:

We, the members of Oconee County Council, acknowledge the incredible importance of farmers and farmland in Oconee County and the State of South Carolina. The agricultural community accounts for over 40 billion dollars per year in revenue and over 200,000 jobs, both directly and indirectly, throughout South Carolina. While South Carolina's Right-to-Farm Act has provided a degree of defense, we know we can do more to protect farmers and farmland.

We respectfully ask that our State Legislator introduce legislation that creates an "Agricultural Disclosure" when real property is being transferred. A simple notice will ensure the purchaser is made aware, prior to purchase, that adjacent properties are being utilized for agricultural purposes. This would be similar to the existing "Lead-based paint" and "Asbestos" disclosures that purchasers of real property are required to receive. Agricultural disclosure forms are successfully utilized in several other states providing one more layer of protection for our farmers and farmland and helps to prevent against frivolous government interference and litigation.

Thank you for your consideration in this important matter.

Sincerely,



Julian Davis, III
Council Chairman
Oconee County Council



**Oconee County
Council Office**

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

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

E-mail:
ksmith@oconeesc.com

John Elliott,
Chair Pro Tem
District I

Wayne McCall
District II

Paul A. Cain
Vice Chair
District III

Julian Davis, III
Chairman
District IV

J. Glenn Hart
District V



September 15, 2020

The Honorable Representative William E. Sandifer, III
SC House of Representatives
407 Blatt Bldg.
Columbia, SC 29201

Dear Representative Sandifer:

We, the members of Oconee County Council, acknowledge the incredible importance of farmers and farmland in Oconee County and the State of South Carolina. The agricultural community accounts for over 40 billion dollars per year in revenue and over 200,000 jobs, both directly and indirectly, throughout South Carolina. While South Carolina's Right-to-Farm Act has provided a degree of defense, we know we can do more to protect farmers and farmland.

We respectfully ask that our State Legislator introduce legislation that creates an "Agricultural Disclosure" when real property is being transferred. A simple notice will ensure the purchaser is made aware, prior to purchase, that adjacent properties are being utilized for agricultural purposes. This would be similar to the existing "Lead-based paint" and "Asbestos" disclosures that purchasers of real property are required to receive. Agricultural disclosure forms are successfully utilized in several other states providing one more layer of protection for our farmers and farmland and helps to prevent against frivolous government interference and litigation.

Thank you for your consideration in this important matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Julian Davis, III", is written over a faint, light blue map of South Carolina.

Julian Davis, III
Council Chairman
Oconee County Council

**Oconee County
Council Office**

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

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

E-mail:
ksmith@oconeesc.com

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District III

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Chairman
District IV

J. Glenn Hart
District V



September 15, 2020

The Honorable Representative William R. Whitmire
SC House of Representatives
436C Blatt Bldg.
Columbia, SC 29201

Dear Representative Whitmire:

We, the members of Oconee County Council, acknowledge the incredible importance of farmers and farmland in Oconee County and the State of South Carolina. The agricultural community accounts for over 40 billion dollars per year in revenue and over 200,000 jobs, both directly and indirectly, throughout South Carolina. While South Carolina's Right-to-Farm Act has provided a degree of defense, we know we can do more to protect farmers and farmland.


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Thank you for your consideration in this important matter.

Sincerely,

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Julian Davis, III
Council Chairman
Oconee County Council

 Boards & Commissions	State / OC Code Reference	Reps [DX-At Large-Ex Officio]	Co-Terminus	Term Limits	4 Year Term	Meeting Date to Appoint	John Elliott	Wayne McCall	Paul Cain	Julian Davis	Glenn Hart				
							2019-2022	2017-2020	2019-2022	2017-2020	2017-2020	2019-2022	2017-2020	2019-2022	2017-2020
							District I	District II	District III	District IV	District V	At Large	At Large	Ex Officio	
Aeronautics Commission	2-262	5 - 2	YES	n/a	YES	Jan - March	Randy Renz [3]	David Bryant [1]	Auby Perry [3]	Marion Lyles [1]	Ronald Chiles [2]	A. Brightwell [2]	Michael Gray [<1]		
Ag. Advisory Board	2016-17	5 - 2 - 1	YES	n/a	YES	Jan - March	Kim Alexander [1]	Doug Hollifield [<1]	Sandra Gray [2]	Ed Land [<1]	Amanda Callahan	Debbie Sewell [2]	Rex Blanton [1]	Kerrie Roach [1]	
Arts & Historical Commission	2-321	5 - 2	YES	2X	YES	Jan - March	Aubrey Miller [1]	Libby Imbody [1]	Thomas Jones [<1]	VACANT	Mike Phillips	Daniel Dreher [1]	Suzette Cross [1]		
Board of Zoning Appeals	38-6-1	5 - 2	YES	2X	YES	Jan - March	Jim Codner [2]	Gwen Fowler [1]	Bill Gilster [2]	Marty McKee [<2]	VACANT	John Eagar [1]	Charles Morgan [<1]		
Building Codes Appeal Board		0-7	YES	2X	YES	Jan - March	Matt Rochester [2] Kenneth Owen [1]; Kevin Knight [1]; John Sandifer [1]			Joshua Lusk [1]; Osceola Gilbert [1]; VACANT					
Conservation Bank Board	2-381	Appointed by Category Preferred		2X	YES	Jan - March	Laura Havran [1]	Andrew Smith [1]	D. Ryan Keese [1]	Marvin Prater [2]	VACANT	Emily Hitchcock [1]	VACANT		
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 [2]			Trey Barnett [1], Riley Johnson [1], Gregory Coutu [1]			Alex Butterbaugh [1]		
Scenic Highway Committee	26-151	0 - 2	YES	2X	YES	Jan - March						Scott Lusk [1]	Stanley Powell [1]		
Library Board	4-9-35 / 18-1	0 - 9	YES	2X	YES	Jan - March	Clifton Powell [<1, 1/7/2020]; Diane Smathers [1, 1/19]; Katherine Smith [1, 1/19]			B. Brackett [1/17][1]; A. Griffin [1/17][1]; K. Holleman [1/17][2]; L. Martin [1/17][2]; A. Suddeth [1/17][2]; C. Morrison [1/17][1]					
Planning Commission	6-29-310 32-4	5 - 2	YES	N/A	YES	Jan - March	Mike Smith [1]	Andrew Gramling [1]	Alex Vassey [2]	Frankie Pearson [1]	Stacy Lyles [1]	Gwen McPhail [2]	Mike Johnson [2]		
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)	2-391	CC, PC 2 @ Lg	NO	3X	1 yr	January	Council Representative Wayne McCall/Paul Cain in McCall absence, Planning Commission GM Phail [1]					Lisa Bisuel [1-9/19]	Pearson [2]		
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; Ms. Amanda Brock, County Administrator; Mr. Sammy Dickson								
Ten At The Top [TATT]				NO	NO	January	Mr. Dave Eldridge								
ACOG BOD				N/A	NO	January	Council Rep: Mr. John Elliott [yearly]; 2 yr terms Citizen Rep: Mr. Julian Davis, Minority Rep: Marta Wahlen								
Worklink Board						N/A	Worklink contacts Council w/ recommendations when seats open [Current: B. Dobbins]								
[#] - 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.															

Oconee County Council

Oconee County
Administrative Offices
415 South Pine Street
Walhalla, SC 29681

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

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District V



The Oconee County Council will meet in 2020 on the first and third Tuesday of each month with the following exceptions:

- April, July, August, & November meetings, which will be **only** on the third Tuesday of each of the four months.

All Council meetings, unless otherwise noted, are held in Council Chambers, Oconee County Administrative Offices, 415 South Pine Street, Walhalla, South Carolina.

Oconee County Council will also hold a Planning Retreat from 9:00 a.m. to 12:00 p.m. on Tuesday, February 11, 2020 in Council Chambers to establish short and long term goals.

Oconee County Council will also meet on Tuesday, January 5, 2021 in Council Chambers at which point they will establish their 2021 Council and Committee meeting schedules.

Oconee County Council will also hold a Budget workshop on Tuesday, March 10, 2020 in Council Chambers.

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

Oconee County Council Committees will meet in 2020 prior to County Council meetings on the following dates/times in Council Chambers located at 415 South Pine Street, Walhalla, South Carolina unless otherwise advertised.

The Law Enforcement, Public Safety, Health, & Welfare Committee at 4 p.m. on the following dates: February 4, March 17, July 21, & October 6, 2020.

The Transportation Committee at 4:30 p.m. on the following dates: February 18, May 19, August 18, & October 20, 2020.

The Real Estate, Facilities, & Land Management Committee at 4 p.m. on March 17 and 4:30 p.m. on the following dates: June 16, September 15, & November 17, 2020.

The Budget, Finance, & Administration Committee at 4:30 p.m. on the following dates: March 10 [Budget Workshop], April 21, May 5, May 19, & June 2, 2020.

The Planning & Economic Development Committee at 4:30 p.m. on the following dates: March 3, June 2, September 1, & November 17, 2020.

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■ LEGAL NOTICES

LEGALS

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PUBLISHER'S AFFIDAVIT

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE**

OCONEE COUNTY COUNCIL

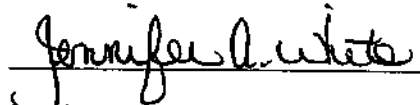
IN RE: NOTICE OF MEETING SCHEDULE AND EXCEPTIONS FOR 2020

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 01/10/2020 and the rate charged therefore is not in excess of the regular rates charged private individuals for similar insertions.

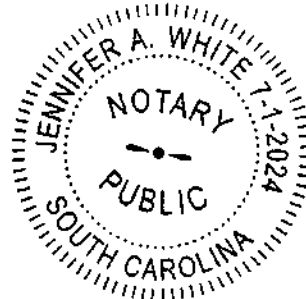


Hal Welch
General Manager

Subscribed and sworn to before me this
01/10/2020



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



Beam 11' 5", Draft 27". Weight 10,000 lbs, fuel cap. 180 gal., water cap .40 gal, 2 sleeping areas (private), dining area, cooking (refrigerator, stove & microwave) Bathroom (shower & head), AC & heat
Too many items to list here.
 Total specifications and all items included with boat sale are detailed in package.
 If interested Call Al @ 843-290-9812 for full set of pictures and comprehensive list of all boat information which we will mail to you. Boat currently docked at Lake Hartwell, GA. Marina. You can stay at Marina if desired. Full boat services are available. Boat is ready to go! Trailer not included.

TRANSPORTATION

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2014 Road King
 103 motor, classic black color, 45,294 miles.
Reduced...\$10,800.
 Plus IMF & Tag

Warren & Son Motorcycles, LLC

1602 Blue Ridge Blvd.
 Seneca, S.C.
 Call 864-973-8462



2016 Harley Davidson Dyna 103 Switchback
 Beautiful red color!
 Only 2,104 miles.
\$10,900. plus IMF & tag
Warren & Son Motorcycles, LLC

1602 Blue Ridge Blvd.
 Seneca, S.C.
 Call 864-973-8462

LEGALS

Greenleaf Self-Storage
 600 & 605 Shiloh Rd.
 Seneca, SC 29678
 Phone: 864-973-9099

Online auction of storage unit
 Q22 April Myers.

Unit contains household items, toys, furniture. Items to be sold in online auction closing at 12:00 noon on 9/10/20 at www.storage-treasures.com to the highest bidder unless balance is paid prior to auction.
 Credit/Debit card only.

Notice of Variance
 City of Clemson
 Board of Zoning Appeals
 Regular Meeting

Thursday, September 17, 2020
 at 6:00 p.m.
 1250 Tiger Blvd., Suite 2
 City Hall - City Council Chamber

All Meetings are being live streamed. Click here to be directed to the City of Clemson YouTube channel. Citizens are encouraged to not attend the meeting in person but to submit comments to staff no later than 5:00 p.m. Wednesday, September 16, 2020. You can email Jacob Peabody at jpeabody@cityofclemson.org to express your concerns or ask questions. 2020-V-02: Applicant Judith Fairey of 218 Strawberry Lane, Clemson SC, is requesting approval for a Variance from Table 19-304 Lot Width and Section 15-30.3(f) of Land Development Regulations. This Variance, if approved, would allow the applicant to subdivide her lot into three lots.

Public Notice

The Oconee County Council meetings scheduled for 6pm, or otherwise advertised, for the remainder of 2020, will have changes to the Public Comment Session and/or the Public Hearings as indicated below. Due to the Novel Coronavirus pandemic and the ongoing state of emergency, in-person attendance at this Council meeting by members of the general public will be limited. Attendance will be limited to twenty percent of the stated maximum occupancy, which equates to thirty-four (34) persons (including Council members, other elected officials, and staff). Attendees will be required to sit in designated seats, appropriately spaced. In-person attendance will be allowed on a "first-come" basis. Please contact Katie Smith, Clerk to Council at ksmith@oconeesc.com or 864-718-1023 regarding the following:

If you are unable to attend in person and have a comment you would like to submit, please contact our Clerk to Council to receive your comment and read into the record.

If you are unable to attend in person and would like to be heard during the public hearings, please contact our Clerk to Council so that she may coordinate your participation by telephone.

The Oconee County Real Estate, Facilities, & Land Management Committee meeting scheduled for 4:30 p.m., Tuesday, September 15, 2020 has been CANCELLED.

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PUBLISHER'S AFFIDAVIT

STATE OF SOUTH CAROLINA
COUNTY OF OCONEE

OCONEE COUNTY COUNCIL

IN RE: Public Notice Oconee County Council Meetings

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 09/03/2020 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
09/03/2020



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





September 15, 2020

Public Comment
SIGN IN SHEET
6:00 PM

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	BARNETT	
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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.