



PLANNING & ECONOMIC DEVELOPMENT COMMITTEE MEETING

UPDATED AGENDA

November 19, 2019
4:00 P.M.

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

1. Call to Order
2. Approval of Minutes:
 - August 20, 2019
3. Discussion Items *[to include Vote and/or Action on matters brought up for discussion, if required]*
 - Update regarding Code Enforcement activities in Oconee County – Mr. Mike Stephens
 - Updates regarding Corridor Plan / Entry Way – Mr. Adam Chapman
 - Discussion regarding a moratorium or prohibition on future billboard construction
 - Discuss amending Oconee County Local Accommodations Tax (“ATAX”) Ordinance to track more closely with S.C. State ATAX statute and regulation regarding collection issues
 - Update from Ten at the Top Trails Workshop – Mr. Phil Shirley
 - Economic Development Update – Ms. Annie Caggiano
4. Unfinished Business
5. New Business *[to include Vote and/or Action on matters brought up for discussion, if required]*
6. Adjourn

There will not be a scheduled opportunity for public to comment at this meeting.
Council members will discuss recommendations from the Administrator at this meeting.
If time permits at the end of the meeting *[and at the Committee Chair's discretion]* the Committee may take questions from the public.

[This agenda is not inclusive of all issues which the Committee may bring up for discussion at this meeting.]

Assisted Listening Devices [ALD] are available to accommodate the special needs
of citizens attending meetings held in Council Chambers.

ALD requests should be made to the Clerk to Council at least 30 minutes prior to the meeting start time.

ARTICLE III. - ACCOMMODATIONS TAX

Footnotes:

--- (3) ---

State Law reference— *Authority to impose by ordinances a local accommodations tax, S.C. Code 1976, § 6-1-520 et seq.; tax on accommodations for transients, S.C. Code 1976, § 12-36-920.*

DIVISION 1. - GENERALLY

Sec. 30-81. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Accommodations is defined as any rooms (excluding meeting and conference rooms), campground spaces, lodgings, or sleeping accommodations furnished to transients by a hotel, inn, tourist court, tourist comp, motel, campground, residence, or any other place in which rooms, lodgings or sleeping accommodations are furnished to transients for consideration within the county. This tax does not apply where the facilities consist of less than six sleeping rooms, contained on the same premises, which is used as the individual's place of abode. The gross proceeds derived from the lease or rental of sleeping accommodations supplies to the same person or persons for a period of ninety (90) continuous days or more are not considered proceeds from transients.

County of Oconee and Oconee County means the county and all of the properties within geographical boundaries of the county.

Local accommodations tax means a tax on the gross proceeds derived from the rental or charges for accommodations furnished to transients and which is imposed on every person engaged or continuing within the jurisdiction of the imposing local governmental body in the business of furnishing accommodations to transients for consideration.

Positive majority means a vote for adoption by the majority of the members of the entire governing body, whether present or not. However, if there is a vacancy in the membership of the governing body, a positive majority vote of the entire governing body as constituted on the day of the final vote on the imposition is required.

(Ord. No. 2002-14, § 1, 11-12-2002; Ord. No. 2007-12, § 1, 7-17-2007)

Cross reference— Definitions generally, § 1-2.

Sec. 30-82. - Imposed rates.

A uniform tax equal to three percent is hereby imposed on the gross proceeds derived from the rental of any accommodation within the county. Within the boundaries of a municipality, the local accommodations tax shall be 1½ percent unless the municipality, by resolution, consents to the three percent accommodations tax.

(Ord. No. 2002-14, § 2, 11-12-2002; Ord. No. 2007-12, § 2, 7-17-2007)

Sec. 30-83. - Payment of tax.

- (a) Payment of the local accommodations tax established herein shall be the liability of the consumer of the services. The tax shall be paid at the time of delivery of the services to which the tax applies, and shall be collected by the provider of the service. The county shall promulgate a form of return which shall be utilized by the provider of services to calculate the amount of local accommodation taxes collected and due. This form shall contain a sworn declaration as to the correctness thereof by the provider of services.
- (b) The taxes provided for in this article must be remitted to the county on a monthly basis when the estimated amount of average tax is more than \$50.00 dollars a month on quarterly basis when the estimated amount of average tax is \$25.00 dollars to \$50.00 dollars a month. And on an annual basis when the estimated amount of average tax is less than \$25.00 dollars a month.
- (c) The provider of services shall remit the local accommodations tax, when due, to the county on the 20th of the month, or on the next business day if the 20th is not a business day.

(Ord. No. 2002-14, § 3, 11-12-2002; Ord. No. 2007-12, § 3, 7-17-2007)

Sec. 30-84. - Special revenue fund.

An interest-bearing, segregated and restricted account to be known as the "County of Oconee Local Accommodations Tax Special Revenue Fund" is hereby established. All revenues received from the local accommodations tax shall be deposited into this fund. The principal and any accrued interest in this fund shall be expended only as permitted by this article.

(Ord. No. 2002-14, § 4, 11-12-2002; Ord. No. 2007-12, § 4, 7-17-2007)

Sec. 30-85. - Distribution of funds.

The county council shall distribute the local accommodations tax collected and placed in the "County of Oconee Local Accommodations Tax Special Revenue Fund" for tourism related capital projects, the support of tourism and tourist services in a manner that will best serve the tourists from whom it was collected including being pledged as security for indebtedness issued by the county for public purposes. Recommendations may be made through the parks, recreation, and tourism commission, as well as the arts and historical commission for the expenditure of these funds. It shall be the responsibility of the county council to ensure that any and all money expended from the "County of Oconee Local Accommodations Tax Special Revenue Fund" be distributed in accordance with South Carolina Code of Laws section 6-1-530 for the following purposes:

- (1) Tourism-related buildings, including, but not limited to, civic centers, coliseums, and aquariums.
- (2) Tourism-related cultural, recreational, or historical facilities.
- (3) Beach access, renourishment, or other tourism-related lands and water access.
- (4) Highways, roads, streets, and bridges providing access to tourism destinations.
- (5) Advertisements and promotion of Oconee County and related to tourist development.
- (6) Water and sewer infrastructure to serve tourism related demand.

The existing balance of the 25 percent local accommodations tax fund shall be distributed to the arts and historical commission and this balance, along with all future 25 percent local accommodations tax funds shall be distributed annually in grants to the arts and historical community. This will increase the ability of the grant recipient to provide for tourism, described in the above guidelines. All expenditures must be approved by county council.

The existing balance of 75 percent local accommodations tax fund, with exception of \$200,000.00 dollars to be set aside as "tourism project funds", shall be distributed to the parks, recreation, and tourism commission, and this balance, along with future 75 percent local accommodations tax funds shall be used for the promotion of the county and the parks recreation, and tourism department, as described in the above guidelines.

Each commission shall make recommendations as to the expenditure of their distributed funds to the county council. All expenditures must be approved by the county council.

(Ord. No. 2002-14, § 5, 11-12-2002; Ord. No. 2004-26, 11-9-2004; Ord. No. 2007-12, § 5, 7-17-2007)

State Law reference— Use of revenue from local accommodations tax, S.C. Code 1976, § 6-1-530.

Sec. 30-86. - Inspections; audits and administration.

For the purpose of enforcing the provisions of this article, a code enforcement officer or other authorized agent of the county, is empowered to enter upon the premises of any person subject to this article and to make inspections, examine and audit books and records. It shall be unlawful for a person to fail or refuse to make available the necessary books and records during normal business hours upon 24 hours written notice. In the event that an audit reveals that false information has been filed by the remitter, the costs of the audit shall be added to the correct amount of tax determined to be due. The code enforcement officer may make systematic inspections of all service providers which are governed by this article within the county to ensure compliance with this article. Records of inspections shall not be deemed public records.

(Ord. No. 2002-14, § 6, 11-12-2002; Ord. No. 2007-12, § 6, 7-17-2007)

Sec. 30-87. - Violations and penalties.

It shall be a violation of this article to:

- (1) Fail to collect the local accommodations tax in connection with the rental of any accommodations to transients;
- (2) Fail to remit the county the local accommodations tax collected, pursuant to this article;
- (3) Knowingly provide false information on the form of return submitted to the county; or
- (4) Fail to provide books and records to the code enforcement officer for the purpose of an audit upon 24 hours written notice.

The penalty for violation of this article shall be five percent per month, charged on the original amount of the local accommodations tax due.

(Ord. No. 2002-14, § 7, 11-12-2002; Ord. No. 2007-12, § 7, 7-17-2007)

Secs. 30-88—30-110. - Reserved.

DIVISION 2. - RESERVED

Footnotes:

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Editor's note— *Ord. No. 2011-12, § 4, adopted May 17, 2011, repealed Art. III, Div. 2, §§ 30-111 and 30-112, which pertained to accommodations tax advisory committee and derived from Ord. No. 1998-01, §§ III, IV, adopted Mar. 3, 1998.*

Secs. 30-111—30-140. - Reserved.

ARTICLE VIII. - SIGN CONTROL

Footnotes:

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Editor's note— *Ord. No. 2018-13, § 1(Att. A), adopted September 11, 2018, amended art. VIII in its entirety to read as herein set out. Former art. VIII, pertained to similar subject matter, consisted of §§ 32-515—32-524, and derived from Ord. No. 2017-09, adopted July 18, 2017.*

Sec. 32-515. - Title.

This article shall be known as the "Sign Control Ordinance of Oconee County, South Carolina."

(Ord. No. 2018-13, § 1(Att. A), 9-11-2018)

Sec. 32-516. - Purpose.

It is the purpose of this article to establish regulations for the safe and orderly placement, for all signage to which this article applies in the unincorporated areas of the county; also, this article shall establish penalties such as are necessary to discourage the violations of these standards, and to establish appropriate fees to offset costs associated with implementation.

(Ord. No. 2018-13, § 1(Att. A), 9-11-2018)

Sec. 32-517. - Authority.

This article is adopted pursuant to the provisions of S.C. Code 1976 § 4-9-30. Personnel employed by the county administrator as zoning administrator or their designee, code enforcement officers and personnel employed by the sheriff of the county shall be vested with the authority to enforce and administer signage control within the county.

(Ord. No. 2018-13, § 1(Att. A), 9-11-2018)

Sec. 32-518. - Jurisdiction.

The regulations set forth in this article shall be applicable within the unincorporated areas of the county. All billboards and signs to which this article applies which are constructed in the unincorporated areas of the county after the date of adoption of these standards shall be permitted under these regulations. Billboards and signs existing at the time of the adoption of these standards shall be considered exempt, with the exception of any structure considered abandoned, disassembled, or otherwise removed from a site.

(Ord. No. 2018-13, § 1(Att. A), 9-11-2018)

Sec. 32-519. - Terms and definitions.

Except where specifically defined herein, all words used in this article shall carry their customary meanings. Words used in the present tense include the future tense; the singular number includes the plural. The word "shall" is mandatory.

Abandoned billboard or sign means a billboard or sign which is not being maintained as required by S.C. Code § 57-25-110, et seq., and the regulations promulgated pursuant thereto, or which is overgrown by trees or other vegetation, not on the road right-of-way, or which has an obsolete advertising message or no advertising message for a period of six months. Any public service signage shall not be considered abandoned under this definition.

Billboard means any advertising structure that directs persons to a different location from where the billboard is located or which is otherwise "off-premises" but makes no reference to a location. The sign area of a billboard ranges anywhere from 50 square feet to 672 square feet.

Building-mounted sign means any sign attached, or artistically rendered upon (such as painting), to a building or canopy/awning attached to a building or structure, placed horizontally, vertically, parallel or perpendicular too. When the building is located, and addressed, from a four-lane road the maximum sign area for a building mounted sign is 672 square feet. When the building is located and addressed from a two-lane road the maximum sign area for a building mounted sign is 75 square feet.

Existing billboard means for the purposes of these regulations any billboard either erected within the boundaries of the county prior to the adoption of this article or duly permitted by an agency of the county subsequent to the adoption of this article.

Four-lane road means any public road or highway consisting of four or more travel lanes.

Sign means any sign structure or combination of sign structure and message in the form of an outdoor sign, display, device, figure, painting, drawing, message, plaque, poster, advertising structure, advertisement, logo, symbol or other form which is designated, intended or used to advertise or inform in relation to the premises on which it is located, any part of the message or informative contents of which is visible from the main traveled way. The term does not include official traffic control signs, official markers, nor specific information panels erected, caused to be erected, or approved by the state department of transportation.

Sign area means the entire face of a sign or billboard, including the advertising surface and any framing, trim, or molding, but not including the supporting structure.

Sign permit means any permit, other than a building permit, obtained by an applicant from the county for the purpose of the construction or maintenance of a sign or billboard or a permit obtained for any temporary or political sign as defined by this article.

Stacked signs or billboards means any structure so configured to present two or more sign areas at different elevations and/or presenting two or more sign areas facing in the same direction.

Two-lane road means any public road or highway consisting of two travel lanes allowing traffic to flow in opposite directions. Such roads may or may not also have at various locations turning lanes, medians, islands, or other traffic control features designed to enhance the safe and efficient utilization of the thoroughfare.

(Ord. No. 2018-13, § 1(Att. A), 9-11-2018)

Sec. 32-520. - Requirements for billboards and other commercial signs.

Unless exempted hereby, all signs and billboards erected in the unincorporated areas of the county shall be permitted under the provisions of this article.

(Ord. No. 2018-13, § 1(Att. A), 9-11-2018)

Sec. 32-521. - Setback and height.

- (a) Billboards and signs shall follow all setback requirements of the underlying zoning district.
- (b) Billboards and signs height shall be limited by the underlying zoning district's height requirements.

(Ord. No. 2018-13, § 1(Att. A), 9-11-2018)

Sec. 32-522. - Billboards.

- (a)

No billboard shall be erected within 1,300 feet of an existing billboard located on the same road. This distance shall be measured as the shortest route of ordinary pedestrian or vehicular travel along the public through fare from the location of an existing billboard to the proposed site.

- (b) Maximum sign area for any billboard is 672 square feet.
- (c) No billboards with a sign area greater than 75 square feet shall be permitted on two-lane roads.
- (d) No billboard shall be located along any federal, state, or county designated scenic highways or roadways.
- (e) No stacked billboards shall be permitted within the unincorporated areas of the county.

(Ord. No. 2018-13, § 1(Att. A), 9-11-2018)

Sec. 32-523. - Signs.

- (a) Signs less than or equal to 75 square feet are permitted on two-lane roads. Signs less than or equal to 50 square feet do not require a land-use permit.
- (b) The maximum sign area on four-lane, or larger, roads shall contain no more than 75 feet of sign area per sign face. This excludes building-mounted signs, as defined by this chapter, which may contain up to 672 square feet of sign area.

(Ord. No. 2018-13, § 1(Att. A), 9-11-2018)

Sec. 32-524. - Abandoned billboards and signs.

An abandoned billboard or sign, as defined by this article, shall be removed by the owner thereof or the owner of the property upon which the billboard or sign is located within 45 days of notification by the county building official that the billboard or sign is deemed abandoned. The billboard or sign owner and/or the property owner may appeal the county's designation of the billboard or sign as abandoned under this article to the magistrate's court of the county during the 45-day period to remove the billboard or sign. If the property owner files a timely appeal, the time period for removing the billboard or sign shall be tolled until the magistrate's court renders a decision. In the event that an abandoned billboard or sign is removed, the billboard or sign owner and/or the property owner shall have the right to replace it with a new billboard or sign of the same size and height and for the same location for a period of six months from the date of removal.

(Ord. No. 2018-13, § 1(Att. A), 9-11-2018)

Sec. 32-525. - Exemptions.

- (a) Replacing any billboard or sign face with no change in sign area, structure, or use of electricity does not require a permit.
- (b) Any sign or billboard with a sign or billboard area less than 50 square feet shall be exempted from a land-use permit.

(Ord. No. 2018-13, § 1(Att. A), 9-11-2018)

Sec. 32-526. - Billboard and sign submittal process.

- (a) Signs and billboards permitted under these regulations shall impose no obvious hazards to any drivers, pedestrians, bicyclists, or other users of any public road in the unincorporated areas of the county. As such, the following materials shall be submitted to the planning director or his/her designee at the time of application:
 - (1) A completed application form.
 - (2) A detailed site plan prepared and stamped by a surveyor licensed by the state, noting the proposed location of the structure, and verification that the new sign or billboard meets with all location requirements set forth in this article.
 - (3) A set of construction plans, to include all proposed lighting features. All plans submitted shall be stamped by appropriate professionals licensed by the state.
 - (4) Appropriate fees.

(Ord. No. 2018-13, § 1(Att. A), 9-11-2018; Ord. No. 2019-11, § 1, 6-4-2019)

Sec. 32-527. - Fees.

Fees shall be established for the cost of a sign permit by county council from time to time.

(Ord. No. 2018-13, § 1(Att. A), 9-11-2018)

Sec. 32-528. - Permits.

Upon satisfactory completion of all requirements set forth in this article, the owner/agent shall be issued a land use permit by the planning director or his/her designee for construction of the billboard or sign. The land use permit shall be valid for six months from the date of issue; the owner/agent may be granted a one-time six-month extension, provided a written request is submitted to the planning director no later than seven working days prior to the original expiration date. Request for extension shall include documentation of efforts to obtain other necessary permits and permissions needed to begin construction, specifically noting the reason for the extension request. Extensions shall be granted only to those projects that were delayed through no fault of the owner/agent of the billboard or sign. The land use permit issued by the planning director shall in no way be construed to be a building permit needed to begin construction of a sign. No building permit, or other county-issued permits, certification or approval, shall be issued for a billboard or sign prior to the issuance of the land use permit.

(Ord. No. 2018-13, § 1(Att. A), 9-11-2018; Ord. No. 2019-11, § 1, 6-4-2019)

Sec. 32-529. - 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.

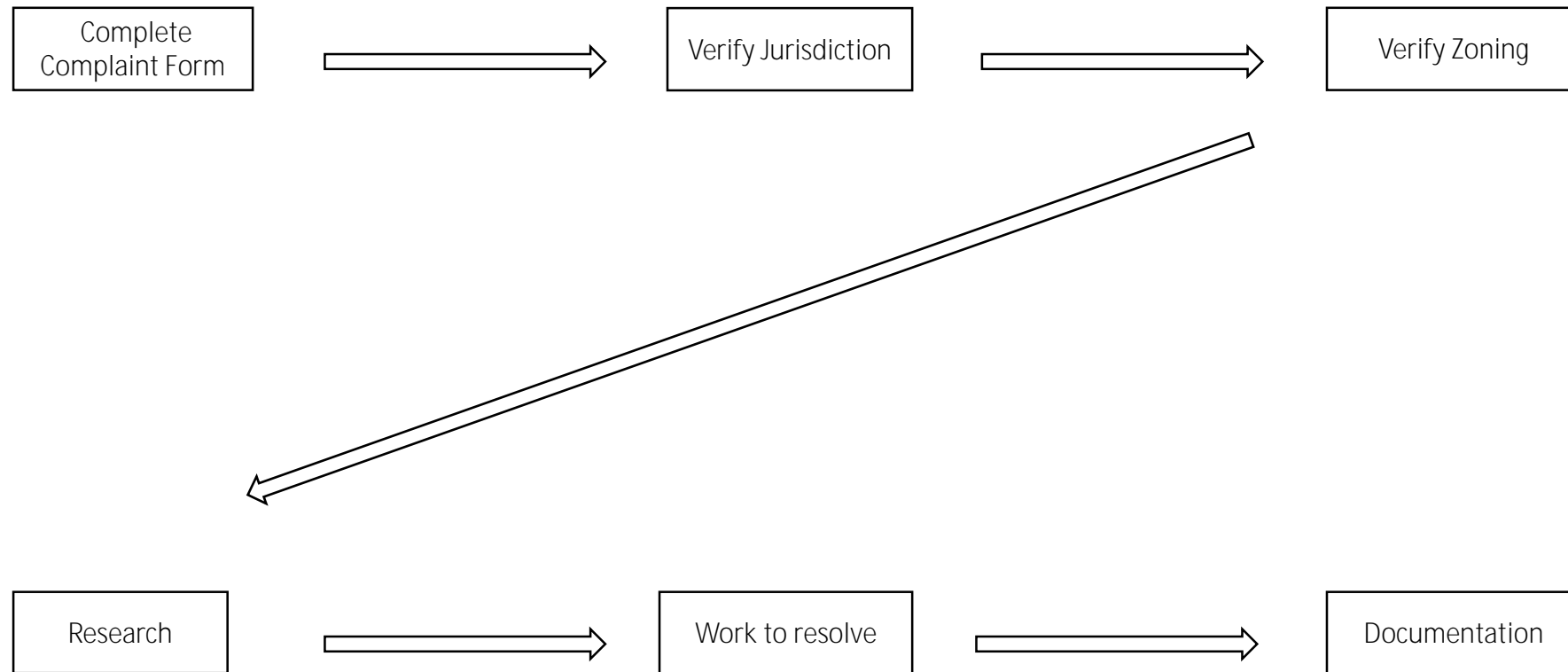
(Ord. No. 2018-13, § 1(Att. A), 9-11-2018)

Secs. 32-530—32-600. - Reserved.



Code Enforcement
Status Update
November 19, 2019

Oconee County Code Enforcement: Process Flow Overview



Code Enforcement Received & Reviewed:

105 complaints in 75 days

- Comprised of 25 code categories
- Top 4 code categories make up 65% of the total

108.1 Unsafe Structures – damaged, decayed or unlawful

302.2 Exterior Property – grading and drainage

302.8 Exterior Property – motor vehicles

308.1 Sanitation - rubbish and garbage

Code 108.1 Unsafe or Unlawful Structure

Violation: Retaining Wall is framed 8' tall without permit, engineering plans and form braces

Result: Contractor removed forms and cut the concrete down to 4' to meet code

Before



After



Code 302.2 Grading and Drainage

Violation: Drainage due to the silt fence being destroyed and the driveway extended to the dock

Result: New silt fences placed and gravel driveway removed

Before



After

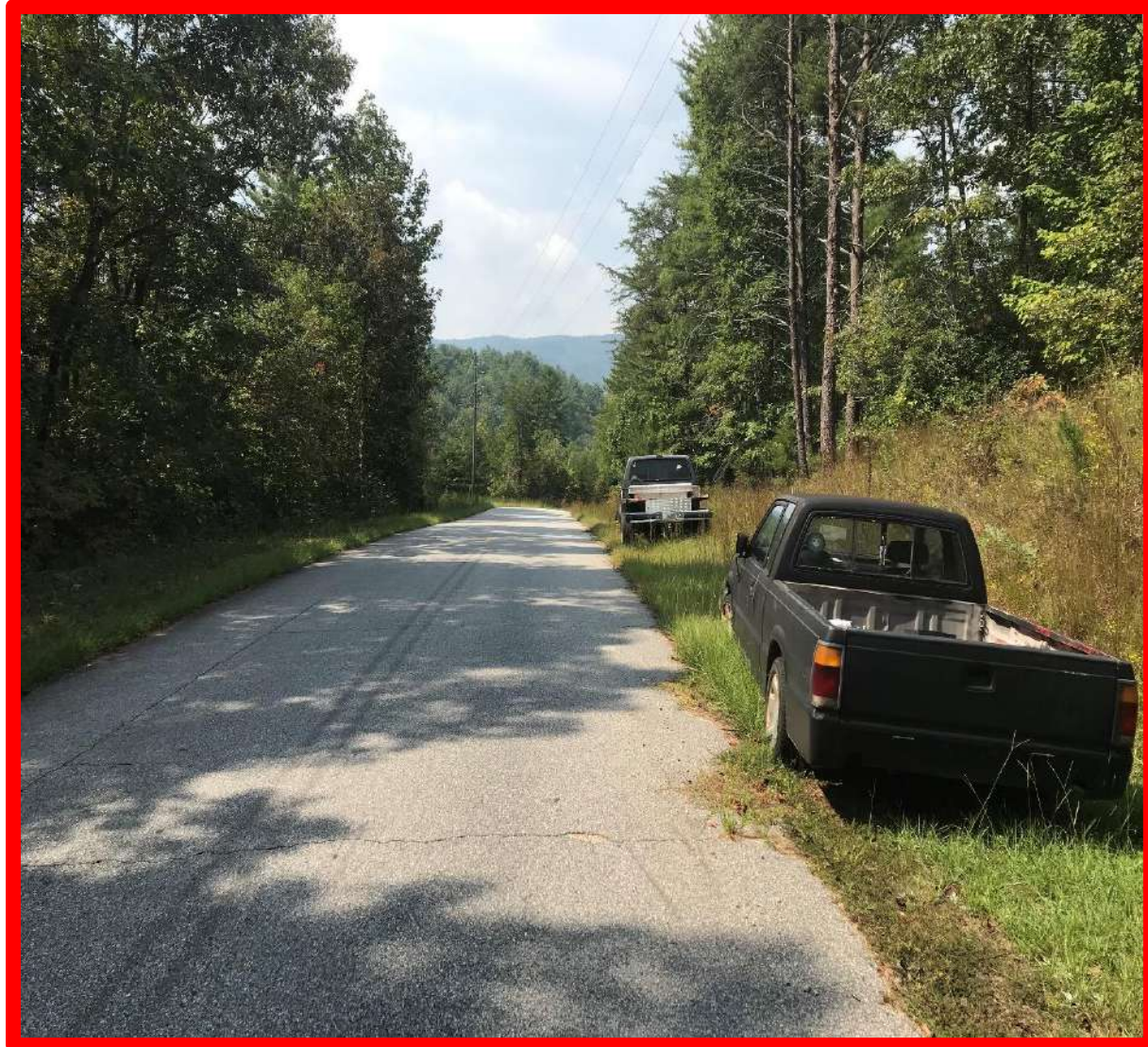


Code 302.8 Motor Vehicles

Violation: Unlicensed or unregistered vehicles on premises

Result: Vehicles were removed from the premises

Before



After



Code 308.1 Rubbish or Garbage

Violation: Accumulation of rubbish on premises

Result: Rubbish was removed from the premises

Before



After



Partnerships





Making the Connection- Trails and Greenways



Focus

1. Are we Ready?
2. Swamp Rabbit Success Story
 - . Trails Vision-Oconee County



Presenters

Mayor Brandi Amidon
Travelers Rest, SC

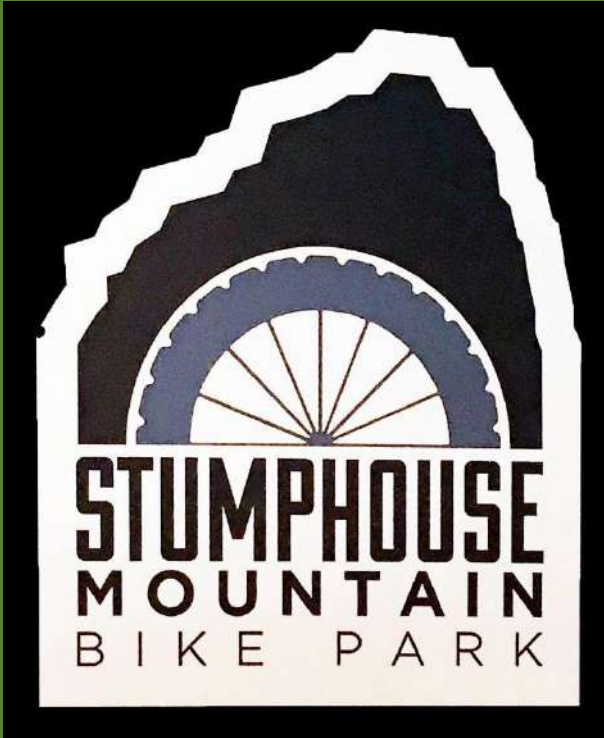
Mr. Ty Houck

**Director of Greenways, Natural and
Historic Resources**

Greenville County PRT

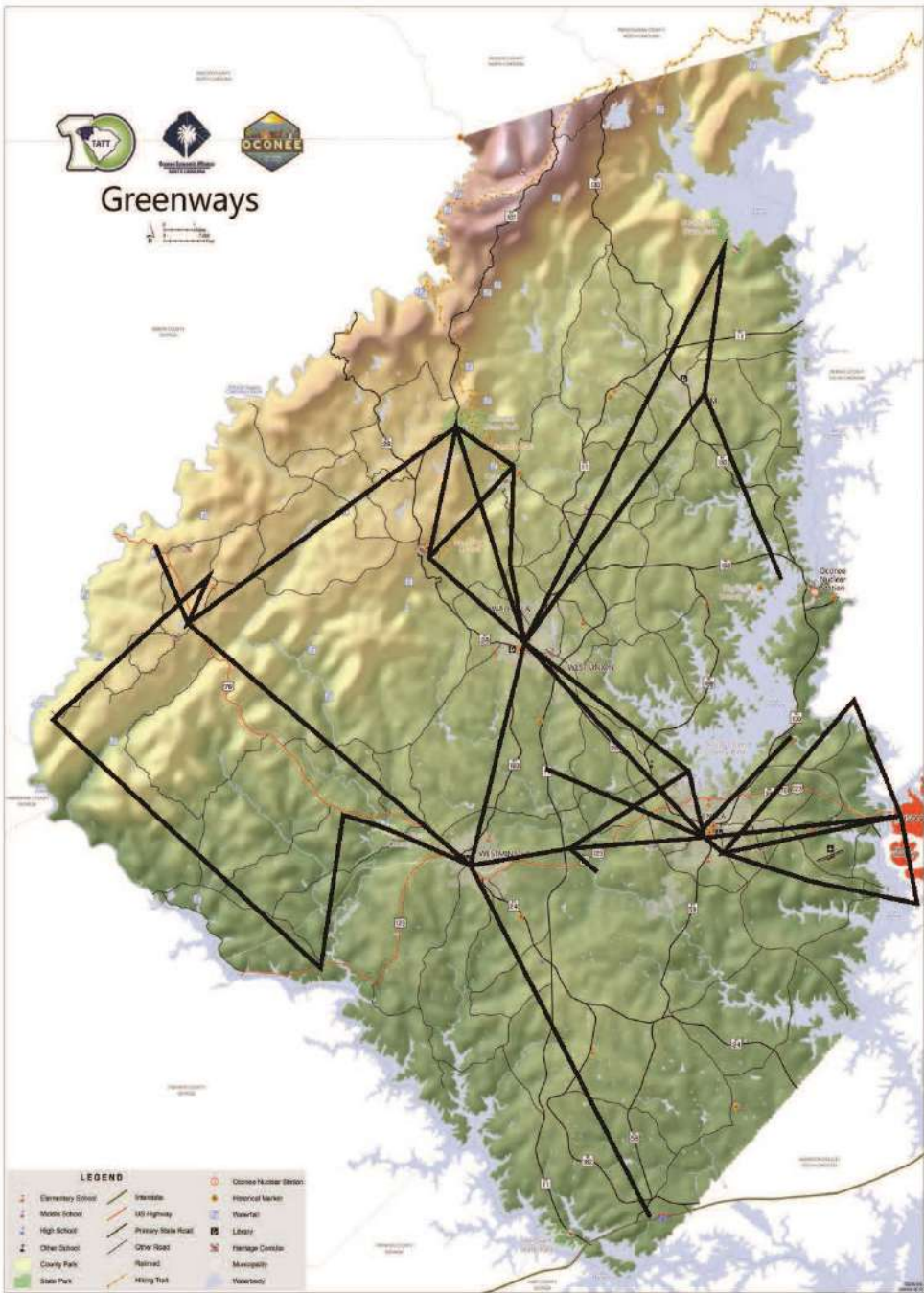


Trails/Greenways

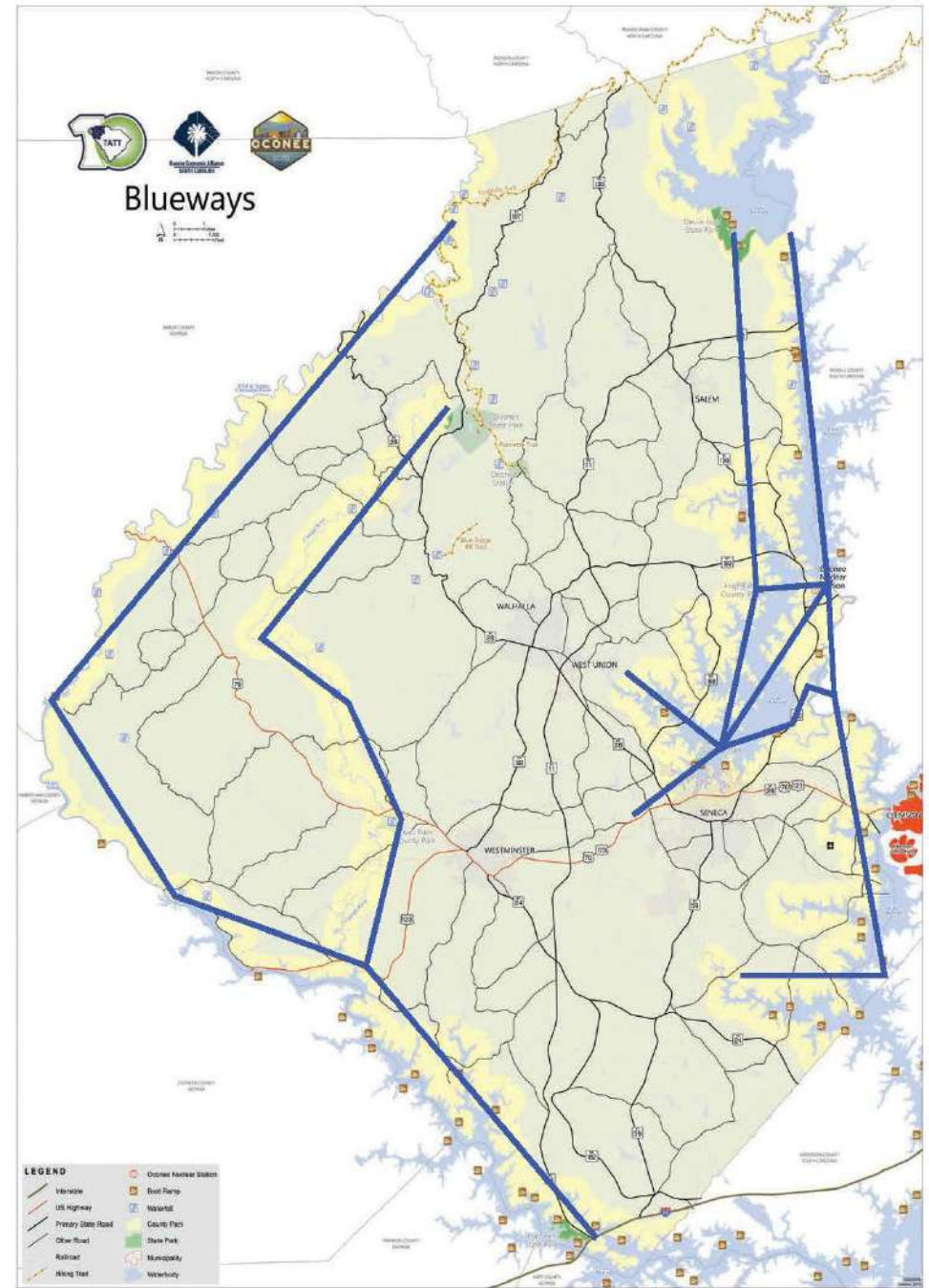


- Enhance Quality of Life
- Economic Driver
 - Residential Community
 - Business Community
 - Influence Community Development
- Increase Property Values
- Boost consumer spending





The Oconee Trail?

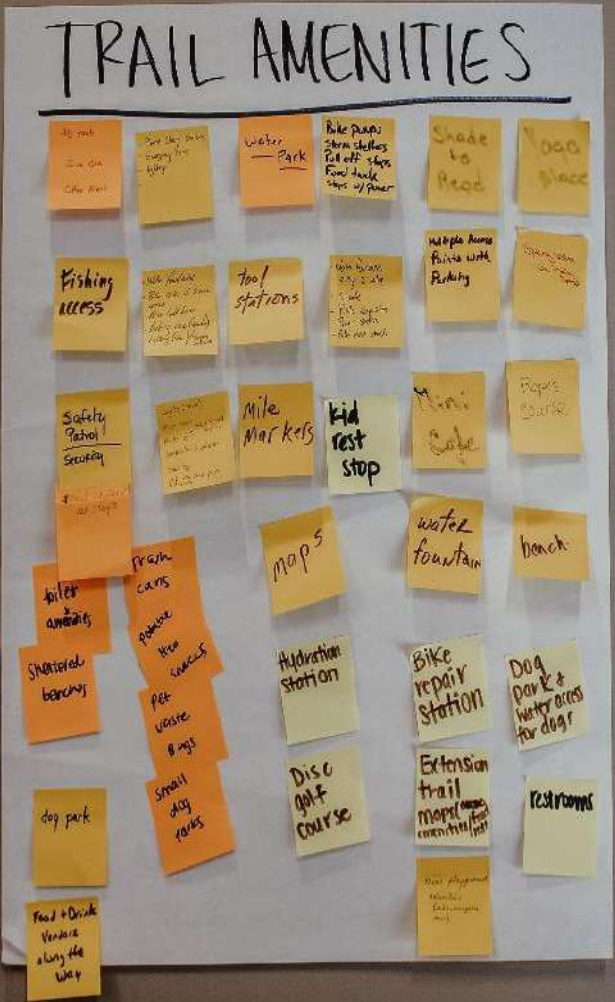


Interactive Input

Greenway/Blueway Connections

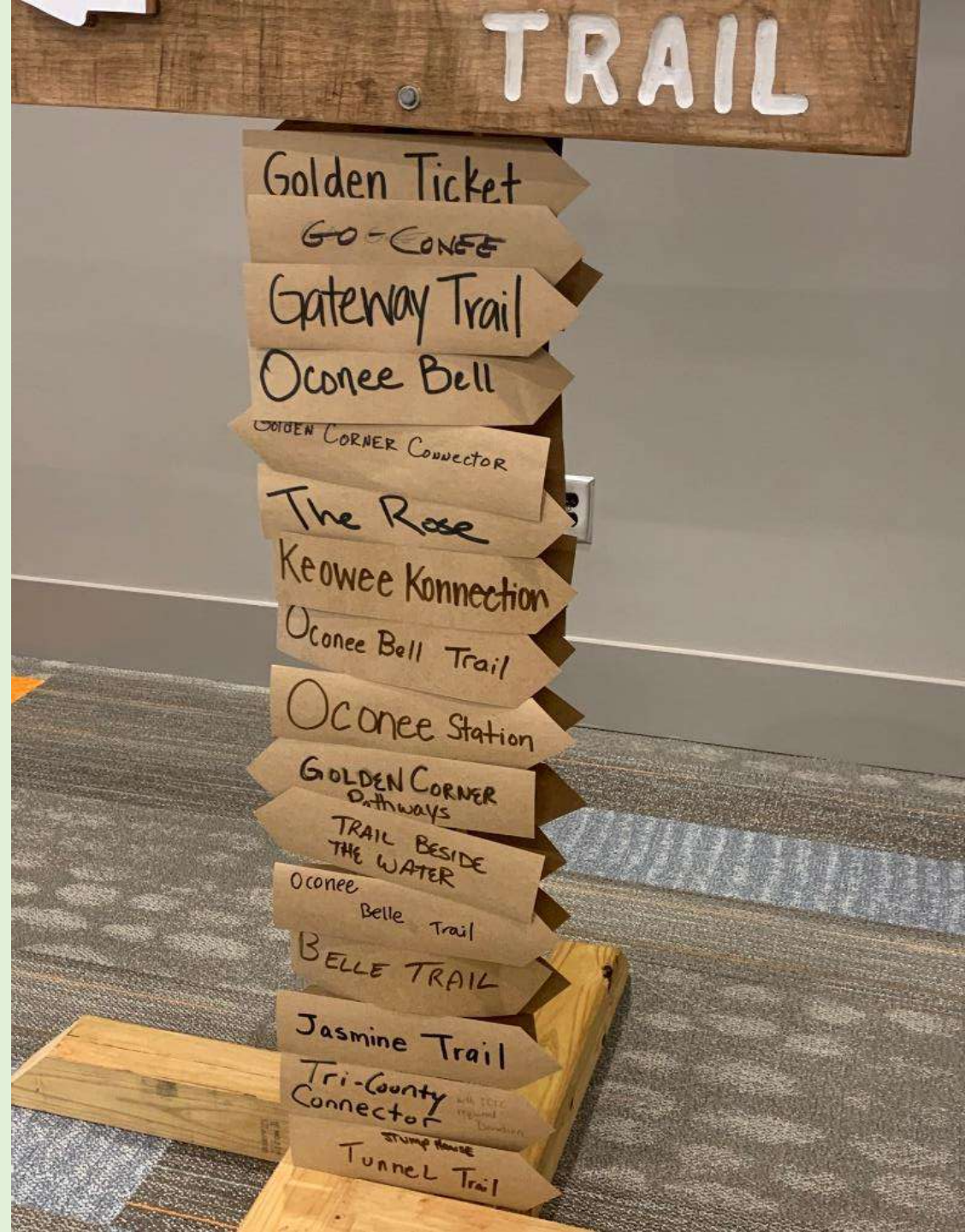


Trail Amenities



Interactive Input

Name the Trail



Interactive Input

In addition to grants and sponsorships which methods of funding will you support for the creation and maintenance of your trail system?



How do we pay for it?

In addition to grants and sponsorships which methods of funding will you support for the creation and maintenance of your trail system?







Questions?



14 Ford Escape
Titanium, 88k, \$12,500.
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Court will appoint a lawyer for you.

This the 26th day of September,
2019.

Mary G. Holliday
Attorney for Petitioner
Jackson County Department
of Social Services
PO Box 597
Webster, North Carolina 28788
(828) 631-0346

**NOTICE TO CITIZENS OF OCONEE
COUNTY:** Pursuant to the South
Carolina Eminent Domain Procedure
Act, Section 28-2-70(c), Code of
Laws of South Carolina, 1976, as
amended, notice is hereby given that
entry by personnel of the South
Carolina Department of Transporta-
tion will be made in the area of the
roads described below for such
purposes as topographic surveys,
subsurface exploration, environmen-
tal related studies and for the
gathering of any other data necessa-
ry for the planning, development of
location alternatives, design, property
acquisition and construction of high-
way improvement projects.

The proposed project includes the
replacement of the existing bridge
over Mud Creek within the county
limits of Oconee. A detour may be
utilized for this bridge replacement to
facilitate a shorter construction peri-
od as well as reduce costs.

It is anticipated that traffic will be
detoured throughout construction ac-
tivities due to the volume of traffic on
S-99 (Rodgers Rd). The purpose of
this project is to upgrade the current
facilities with a new bridge structure
that conforms to current standards
that will also improve safety. Addi-
tional rights of way may be needed to
construct this project. More specific
information may be obtained by
contacting Warren Hart with SCDOT
at telephone number (803)737-2049
in Columbia or by email at hartwd@
scdot.org.

The Oconee County Council will hold
a special meeting at 5pm, Tuesday,
November 19, 2019 in Council
Chambers at the Oconee Administra-
tive Offices located at 415 South
Pine Street, Walhalla, SC 29691 to
discuss alternative waste processing
methods.

The Oconee County Real Estate,
Facilities, & Land Management Com-
mittee AND the Planning & Economic
Development Committee has moved
the time of the meetings on Tuesday
November 19, 2019 from 4:30 p.m.
to 4pm. These meetings will take
place in Council Chambers at the
Oconee Administrative Offices loca-
ted at 415 South Pine Street,
Walhalla, SC 29691.

**one person's
WHY DID I EVEN BUY THIS?**



**is another's
JUST WHAT I'VE BEEN
LOOKING FOR!**

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Find A

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**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE**

OCONEE COUNTY COUNCIL

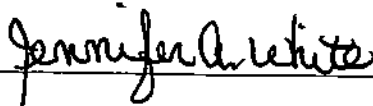
IN RE: Oconee County Real Estate Meeting November 19

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 10/03/2019 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
10/03/2019



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

