



PUBLIC COMMENT SIGN IN SHEET

Tuesday, February 7, 2012

6:00 PM

Limited to forty [40] minutes, four [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. As stated above, each speaker is restricted to a maximum of four [4] minutes.

Citizens with comments related to a specific action agenda item will be called first.

If time permits additional citizens may be permitted to speak on a non agenda items [at the discretion of the Chair].

PRINT Information Below

	FULL NAME	AGENDA ITEM FOR DISCUSSION	NON-AGENDA ITEMS
1	Jonathan B. Price	Re-Zoning ordinance 2011-21	Referred to Public Hearing
2	HARVEY J. PRICE	Re-Zoning ordinance 2011-21	" " "
3	S. MAHER	"	✓
4	NANCY L. RATLIFF	Re-Zoning Ordinance 2011-21	" " "
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19			✓
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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.

NOTE: Non Agenda Item matters can be addressed except for those which, due to law or proper protocol, would be inappropriate for public meetings of Council, such as, but not limited to, partisan political activity and/or comments.

Council may make closing comments directly following the public & extended public comment sessions if time permits.

February 1, 2012

Gentlemen:

The next Council Meeting is February 7, 2012; scheduled for that meeting is the third and final hearing of Ordinance 2011-21, McClure and Return Church Roads.

This ordinance originally affected some 112 parcels – as it currently exists, it now affects approximately 60 parcels, as the Planning Commission has removed the residential area off Radio Station including Green Acres, Oak Ridge, Vaughn and Cedarhill Farm roads.

However, while this residential area has been (conveniently!) removed from this ordinance, the approximate mile long border with Cross Creek Plantation, a multi million dollar Golf Community, is still included.....and therein lies a problem.

It must be remembered that rezoning impacts not only the parcels within the area rezoned but also all property which immediately abuts the rezoned area; this means that the now excluded 60 parcels along Radio Station, the parcels on Crestview, Quail Ridge, Pruitt, Turtle Dove, Birchwood and the extensive border of Cross Creek Plantation will all be impacted by this Ordinance.

The Planning Commission has proposed that this area be rezoned as Traditional Rural District and Ms. Moorehead stated on 10-17-2011 that she and others wanted to “remain rural”. The problem with the proposed Traditional Rural zoning is the vast number of “Permitted Uses” that would NOT be in keeping with the area as it currently exists; just some of these uses would include:

- Automobile services and repair
- Automobile services and gas stations
- Building and special trade contractors
- Building material and supplies
- Convenience stores
- Lumber and saw mills
- Railroad stations
- Movie theaters
- Spectator sports

In addition, “Special Exceptions” would possibly allow Government Buildings, Group Homes, Gun clubs/skeet shooting, restaurants, junkyards, waste management services, etc.....!!! CLEARLY not what is currently in this area

Rezoning requires a thoughtful, deliberate approach that will reflect the current land use, anticipated land use and impact on both the properties within and on the boundary of the rezoned areas. With that in mind, the PROPER category for this area is

Agricultural Residential (ARD), which the Planning Commission did include for the residential area along Radio Station in Consideration 2 - but then excluded this area (and category !!) from the Final Recommendation map showing the “new” areas as Traditional Rural.

The Planning Commission is **WRONG** – they have proposed the incorrect category for the rezoned area in Ordinance 2011-21. A decision of the Council supporting the current recommendation would be a serious mistake - and will negatively impact a much larger number of parcels abutting the rezoned areas vs. the parcels actually being rezoned...when would that ever make sense...?? (there are upward of 150 parcels abutting this area while only 60 parcels in this Ordinance for rezoning...).

In addition, proposed Traditional Rural would permit uses **NOT** in keeping with the request of Ms. Moorehead and her “several neighbors”, as it would permit the activities listed above – and many others – that are currently not occurring in this area. If Council approves this proposal, a gas station can easily appear immediately adjacent to someone’s existing home, a contractor might put his equipment repair facility (with all of the noise, floodlights for night time rewelding of equipment, rebuilding/running diesel engines, etc. etc. next to Ms. Moorehead ; these activities are **NOT** in keeping with the current use.

In conclusion, it is imperative that this Ordinance **NOT** be approved as it currently exists. I believe the above stated reasons will clearly show the issues, problems and concerns that are present with Ordinance 2011-21 today. Rezoning should occur to consider all the impacted parcels and should be Agricultural Residential (ARD) to properly reflect the current land use - and protect the parcels both within and adjacent to the area shown on the Ordinance 2011-21 map.

Thank you for your careful consideration and correct action on this matter.

Best regards,

Scott Maher

Oconee County Council
415 S. Pine Street
Walhalla SC 29691

February 3, 2012

Comment regarding the Public Hearing concerning the rezoning of McClure/N Return Church,
Ordinance 2011-21.

Chairman Joel Thrift, County Council Members, Mr. Molder, and Ms. Hulse

I am unable to attend the public hearing on Ordinance 2011-21 but would ask that my comments be added to the public record.

I am and always have been a proponent of the use of zoning to help implement good planning practices for a community. Good planning streamlines the decision process and adds value to communities as well as saving the public from unnecessary uncertainty about the future value of real property. Uncertainty about future value is perhaps the single most reason that affects a decision involving investment in and purchase of property. This has proven to be the lesson of the current devastating effects on the overall economy.

Zoning adds certainty only when the rules governing the process are clear, fair and applied equally. Any deviation from the zoning rules as adopted has the absolute effect of creating greater uncertainty and the public might as well have no zoning at all. I say this to point to the fact that certain rules outlined in the Oconee County Enabling Ordinance have been overlooked regarding this rezoning.

The ordinance requires properties being considered for initial rezoning by the small area method to be contiguous, defined as properties having a common border. A close inspection of the properties included in this rezoning request will show not all properties are contiguous.

Next, the council at second reading added 67 parcels which more than doubled the total number of parcels and has the net effect of not having sufficient signatures to trigger a specific requirement for the petition to have signatures of 51% of the property owners. Council will undoubtedly argue they can amend a rezoning request and that at the initial reading met the threshold. Such an argument does nothing to lessen the unfairness to those that have petitioned for rezoning only to be told they did not have the required number of signatures. The uncertainty created by such an arbitrary action on the part of council only proves that the initial rezoning by the small area method process is hopelessly flawed. This is spot zoning.

I am aware that the people that initially petitioned to be rezoned should be afforded the opportunity to do so as long as the rules have been followed. In this case when properties were added after the initial petition was received that are not contiguous then it follows that those properties should be removed and this ordinance should not be passed on third reading. Furthermore this ordinance should be sent back to the planning commission and staff needs to do due diligence to ensure the rules have been followed.

Sincerely,



Tom Markovich, owner

**County Council
02/07/12**

Gentlemen, as you all know, the CVB was established a little more than 3 years ago in Sept – 2008 with a 3 year plan to develop a sustainable tourism marketing organization. Over the course of 3 years we have exceeded our goals. A very high level summary of our accomplishments include:

- Development of a strong tourism presence through our marketing programs that has resulted in over 20,000 requests for information form every state in the nation plus 8 countries.**
- Development of a bus and group tour business that has resulted in 6 bus groups in 2011 (goal was 4) and we have already booked 5 tours for 2012 with a few others pending.**
- But the real bottom line is that we have brought in over \$5.5 M of economic impact from leisure, corporate and group travel and fishing tournaments.**

As a result, the CVB has established itself as a sustainable tourism organization and, with the blessings of the Oconee Alliance and Oconee County Council, we are now officially incorporated through a 501 C 3 non-profit organization.



Mountain Lakes

Business Development Corp.

***A Public / Private Economic Development Alliance
For Small Business***

***Implemented by
Tri-County Technical College
And
Oconee County Economic Development Commission***

Carle E. Cliche
Chairman

ccliche@bellsouth.net
864-723-2769

www.MountainLakesBDC.com



Mountain Lakes

Business Development Corp.

VISION

A Tri-County Self-help Network

Education, Mentoring and Opportunity
For
Entrepreneurs and Small Business



Mountain Lakes Business Development Corp.

HUB AND SPOKES CONCEPT

Resolves

- High initial Capital Costs
- Relies on Existing Infrastructure
- Reduces Operating Overhead
- Provides More Access Flexibility
For Entrepreneurs
- Provides Access for Small Business





Mountain Lakes Business Development Corp.

Structure supports development of
Entrepreneurs through 'immersion'
and early-stage funding.

Mountain Lakes
Foundation

UCAN/Mountain
Lakes
Angel Investors
Network

Mountain Lakes
Business Development
Corp.

Recruit – Immerse – Incubate

Budget

Incubator

Entrepreneurs
Enterprise
Development

2/7/2012

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Mountain Lakes

Business Development Corp.

Highlights

- **Oconee Business Development Center**
 - Lease signed Jan. 25, 2012 between MLBDC and Oconee County
- **Two start-ups occupying space; a third coming in prototype area; and others pending.**
- **To-date, working with more than 50 potentials**
- **To-date, 5 fully operational with more than 25 jobs**



Mountain Lakes

Business Development Corp.

How did we do it?

A lot of 'Great' people, to name only a few:

- Oconee Economic Development Commission – Jim Alexander and Thelma Miller
- Oconee County – Paul Corbeil and Scott Moulder
- Tri-County Technical College – Dr. Booth, John Lummus, Sandra Strickland
- SC SBDC – Ben Smith, Michele Abraham (Statewide Director)
- Piedmont SCORE, Gv – Ron Koprowski
- MLBDC Incubators – Terry McKenney
- Volunteer Mentors – D. Eldridge, T. McKenney, M. Hehir, R. Vordeburg, S. Seick, A. McMullen, and P. Kowalski



Mountain Lakes

Business Development Corp.

The future of the Mountain Lakes Business Development Corp. is in developing start-ups, accelerating local small businesses and creating local jobs growth.

We appreciate the interest and support of all in the Mountain Lakes Region.

Together we can make it happen!

Thank You Oconee County and Tri-County Technical College!

Thank You SC SBDC and Piedmont SCORE

2/7/2012

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PUBLIC HEARING SIGN IN SHEET

OCONEE COUNTY COUNCIL MEETING

DATE: February 7, 2012

6:30 p.m.

Ordinance 2011-21 "AN ORDINANCE TO AMEND THE OCONEE COUNTY ZONING ENABLING ORDINANCE, ORDINANCE 2007-18, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, AS TO REZONE A SERIES OF PARCELS SPECIFIED HEREIN, AND TO RATIFY AND AFFIRM ALL OTHER PROVISIONS OF ORDINANCE 2007-18 NOT AMENDED OR MODIFIED HEREBY; AND OTHER MATTERS RELATING THERETO"
(McClure & N. Return Church Roads request)

Ordinance 2011-34 "AN ORDINANCE TO AMEND THE AGREEMENT AUTHORIZED BY ORDINANCES NO. 2006-027, 2008-017, 2010-04, 2010-24, 2010-32, 2011-09, 2011-15 RELATING TO THE INDUSTRIAL/BUSINESS PARK OF OCONEE AND PICKENS COUNTIES SO AS TO ENLARGE THE PARK"

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

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

PRINT Your Name & Check Ordinance[s] You Wish to Address

	Ordinance #	2011-21	2011-34
1. DEBBIE MCKEITHEN		✓	
2. JAWIE BOTHELL		✓	
3. SHANE BRAGGS		✓	
4. ROBERT O'NEAL			
5. DYLAN PERINE			
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Ref: McClure and N Return Church Rezoning Request

AGENDA ITEM SUMMARY
OCONEE COUNTY, SC

COUNCIL MEETING DATE: February 7, 2012
COUNCIL MEETING TIME: 6:00 PM

ITEM TITLE OR DESCRIPTION:

3rd Reading of Ordinance 2011-21: "AN ORDINANCE TO AMEND THE OCONEE COUNTY ZONING ENABLING ORDINANCE, ORDINANCE 2007-18, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, AS TO REZONE A SERIES OF PARCELS SPECIFIED HEREIN, AND TO RATIFY AND AFFIRM ALL OTHER PROVISIONS OF ORDINANCE 2007-18 NOT AMENDED OR MODIFIED HEREBY; AND OTHER MATTERS RELATING THERETO"

BACKGROUND OR HISTORY:

Council took first reading in caption only on September 6, 2011 and sent the issue to the Planning Commission for review. The Commission made a recommendation to Council on October 17, 2011. At second reading Council amended the ordinance, which the Planning Commission voted in favor of the amendment at their meeting on January 9, 2012.

SPECIAL CONSIDERATIONS OR CONCERNS:

COMPLETE THIS PORTION FOR ALL PROCUREMENT REQUESTS

Does this request follow Procurement Ordinance #2001-15 guidelines? Yes / No (review #2001-15 on Procurement's website)
If no, explain briefly: N/A

STAFF RECOMMENDATION:

After considering all public input and adjusting if necessary; take 3rd and final reading of ordinance 2011-21.

FINANCIAL IMPACT:

None Anticipated

COMPLETE THIS PORTION FOR ALL GRANT REQUESTS:

Are Matching Funds Available: Yes / No
If yes, who is matching and how much: N/A

ATTACHMENTS

Copy of Ordinance 2011-21

Reviewed By/ Initials:

_____ County Attorney

_____ Finance

_____ Grants

_____ Procurement

Submitted or Prepared By:

John F. Cobby

_____ Department Head/Elected Official

Approved for Submittal to Council:

Scott Moulder
Scott Moulder, County Administrator

Council has directed that they receive their agenda packages in work prior to each Council meeting, therefore, Agenda Item 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 Planning Department

415 S. Pine Street, Walhalla, SC 29691

Telephone: 864-638-4218
Fax: 864-638-4168

Date: January 11, 2012

To: Chairman Thrift, Members of County Council, Mr. Moulder, and Ms. Hulse

From: Aaron Gadsby, Planning Department

Re: Planning Commission Comment on Ordinance 2011-21

The Planning Commission considered the amendments to ordinance 2011-21 at their meeting on January 9th. The Commission voted in unanimous support of the changes made by Council at second reading.

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
ORDINANCE NO. 2011-21**

AN ORDINANCE TO AMEND THE OCONEE COUNTY ZONING ENABLING ORDINANCE, ORDINANCE 2007-18, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, AS TO REZONE A SERIES OF PARCELS SPECIFIED HEREIN, AND TO RATIFY AND AFFIRM ALL OTHER PROVISIONS OF ORDINANCE 2007-18 NOT AMENDED OR MODIFIED HEREBY; AND OTHER MATTERS RELATING THERETO

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 County Council (the "County Council"), is authorized by the South Carolina Local Government Comprehensive Planning Enabling Act of 1994 (the "Act"), codified in Title 6, Chapter 29 of the South Carolina Code of Laws, 1976, as amended (the "Code") to adopt zoning regulations and districts; and,

WHEREAS, Oconee County Council has heretofore, by and through its Zoning Enabling Ordinance, 2007-18, finally adopted on November 6, 2008 (the "Zoning Enabling Ordinance", or "ZEO"), codified at Chapter 38 of the Oconee Code of Ordinances (the "Oconee County Code"), adopted such zoning regulations and districts in accordance with and consistent with the Oconee County comprehensive land use plan; and,

WHEREAS, subsequent to the adoption of the Zoning Enabling Ordinance, a request for rezoning a series of parcels pursuant to provisions established in the Ordinance was duly presented to County Council; and,

WHEREAS, in accordance with the Act and the Zoning Enabling Ordinance, Oconee County Council has referred such matters to the Oconee County Planning Commission for their review, particularly regarding the proposed amendment's compliance with the Oconee County Comprehensive Plan. The Oconee County Planning Commission has, in fact, reviewed the rezoning request, and recommendations of the Oconee County Planning staff, and by at least a majority vote affirmed its opinion that the proposed changes are in compliance with the Comprehensive Plan, and has made certain recommendations concerning adoption of the changes by County Council. The Oconee County Council has considered the recommendation of the Oconee County Planning Commission, and the Oconee County Planning Department, held a public hearing, duly noticed and advertised, as required by law, to receive the comments of the public, finds that such comments and recommendations are correct and necessary, and desires to amend the Zoning Enabling Ordinance, as codified at Chapter 38 of the Oconee County Code of Ordinances, in certain limited particulars only, based on the review, comments, and recommendations of the Oconee County Planning Commission, the Oconee County Planning staff, and the public, and to otherwise ratify and reaffirm the Zoning Enabling Ordinance and other provisions of Chapter 38 of the Oconee County 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. Chapter 38 of the Oconee County Code of Ordinances is hereby amended, as follows, and in the following details, only:

A. The following parcels, listed below, previously zoned in the Control-Free District (CFD), and duly identified on the Official Zoning Map to be in the Control-Free District, are hereby rezoned, and shall be in the Traditional Rural District (TRD), and shown as such on the Official Zoning Map in the manner depicted in Appendix A of this Ordinance. Each parcel, and associated uses and activities conducted thereupon, shall be subject to all standards, limitations, and requirements established for the District in Chapter 38 of the Code.

Parcel (Tax Identification Number)

238-00-05-019	252-00-03-056	253-00-01-027	266-00-02-024
238-00-06-009	252-00-03-057	253-00-01-028	266-00-02-025
252-00-03-003	252-00-03-058	253-00-01-029	267-00-01-002
252-00-03-004	252-00-03-059	253-00-02-001	267-00-01-003
252-00-03-007	252-00-03-060	253-00-02-002	267-00-01-005
252-00-03-009	252-00-03-061	253-00-02-003	267-00-01-006
252-00-03-010	252-00-03-062	253-00-02-004	267-00-01-007
252-00-03-011	252-00-03-063	253-00-02-005	267-00-01-008
252-00-03-012	252-00-03-065	253-00-02-006	267-00-01-009
252-00-03-017	252-00-03-091	253-00-02-008	267-00-01-010
252-00-03-018	253-00-01-002	253-00-02-011	267-00-01-011
252-00-03-019	253-00-01-003	253-00-03-033	267-00-01-015
252-00-03-020	253-00-01-004	253-00-03-037	267-00-02-001
252-00-03-021	253-00-01-005	253-00-03-038	267-00-02-006
252-00-03-022	253-00-01-006	253-00-03-041	267-00-02-013
252-00-03-023	253-00-01-007	253-00-03-043	267-00-02-014
252-00-03-024	253-00-01-008	253-00-03-080	267-00-02-015
252-00-03-025	253-00-01-009	253-00-03-082	267-00-03-001
252-00-03-026	253-00-01-010	253-00-03-093	267-00-03-002
252-00-03-027	253-00-01-011	253-00-03-098	267-00-03-033
252-00-03-030	253-00-01-012	266-00-02-004	267-00-03-034
252-00-03-046	253-00-01-013	266-00-02-005	267-00-03-043
252-00-03-047	253-00-01-014	266-00-02-006	
252-00-03-048	253-00-01-015	266-00-02-009	
252-00-03-049	253-00-01-018	266-00-02-013	
252-00-03-050	253-00-01-020	266-00-02-014	
252-00-03-051	253-00-01-021	266-00-02-015	
252-00-03-052	253-00-01-023	266-00-02-016	
252-00-03-054	253-00-01-025	266-00-02-020	
252-00-03-055	253-00-01-026	266-00-02-023	

2. All other parts and provisions of the Oconee County Code of Ordinances not amended hereby, either explicitly or by implication, remain in full force and effect. The Zoning Enabling Ordinance, Ordinance 2007-18, and Chapter 38 of the Oconee County Code of Ordinances as amended hereby, are hereby ratified and affirmed, *ab initio*.
3. Should any part or provision of this Ordinance be deemed unconstitutional or unenforceable by any court of competent jurisdiction, such determination shall not affect the rest and remainder of this Ordinance, all of which is hereby deemed separable.
4. All ordinances, orders, resolutions, and actions of Oconee County Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked, and rescinded.
5. This Ordinance shall take effect and be in full force and effect from and after third reading and enactment by Oconee County Council.

ORDAINED in meeting, duly assembled, this 7th day of February, 2012.

OCONEE COUNTY, SOUTH CAROLINA

By: _____
Joel Thrift, Chairman, County Council
Oconee County, South Carolina

ATTEST:

By: _____
Elizabeth G. Hulse, Clerk to County Council
Oconee County, South Carolina

First Reading: September 6, 2011
Second Reading: December 20, 2011
Public Hearing: February 7, 2012
Third Reading: February 7, 2012

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
ORDINANCE NO. 2011-34**

**AN ORDINANCE TO AMEND THE AGREEMENT AUTHORIZED BY
ORDINANCES NO. 2006-027, 2008-017, 2010-04, 2010-24, 2010-32, 2011-09,
2011-15 RELATING TO THE INDUSTRIAL/BUSINESS PARK OF
OCONEE AND PICKENS COUNTIES SO AS TO ENLARGE THE PARK.**

WHEREAS, pursuant to Ordinance No. 2006-027 enacted on December 5, 2006 by Oconee County Council, Oconee County (the "County") entered into an Agreement for Development of Joint County Industrial and Business Park dated as of January 16, 2007 with Pickens County (the "Agreement"), which was subsequently amended by Ordinance No. 2008-17 enacted on October 21, 2008 by the County, resulting in the Agreement as amended by the First Amendment to the Agreement dated November 3, 2008; by Ordinance No. 2010-04 enacted on May 4, 2010 by the County, resulting in the Agreement as amended by the Second Amendment to the Agreement dated May 4, 2010; by Ordinance No. 2010-24 enacted on July 21, 2010 by the County, resulting in the Agreement as amended by the Third Amendment to the Agreement dated August 16, 2010; by Ordinance No. 2010-32 enacted on December 7, 2010 by the County, resulting in the Agreement as amended by the Fourth Amendment to the Agreement dated January 18, 2011; by Ordinance 2011-09 enacted on April 5, 2011 by the County, resulting in the Agreement as amended by the Fifth Amendment to the Agreement dated June 6, 2011, by Ordinance 2011-15 enacted on November 1, 2011 by the County, resulting in the Agreement as amended by the Sixth Amendment to the Agreement dated November 7, 2011 (hereinafter collectively referred to as the "Park Agreement"); and

WHEREAS, pursuant to Section 3 of the Park Agreement, the boundaries of the park created therein (the "Park") may be enlarged pursuant to ordinances of the respective County Councils of the County and Pickens County; and

WHEREAS, Oconee County is desirous of enlarging the Park by the addition of the property described on Exhibit A of the Seventh Amendment to the Agreement, attached hereto;

NOW, THEREFORE, be it ordained by Oconee County Council that the Park Agreement is hereby and shall be amended by the Seventh Amendment to the Agreement to include the property in Oconee County described in the schedule attached to the Seventh Amendment to the Agreement as Exhibit A (as such description may be hereafter refined), and that the Chairman of Oconee County Council is hereby authorized to execute and deliver any desired amendments to the Park Agreement necessary to accomplish the aforestated enlargement.

Section 1. The Chairman of the County Council and the Clerk of the County Council, for and on behalf of the County, are hereby each authorized and directed to do any and all things necessary to effect the execution and delivery of the Seventh Amendment to the Agreement and the performance of all obligations of the County under and pursuant to the Seventh Amendment to the Park Agreement and this Ordinance.

Section 2. All orders, resolutions, ordinances and parts thereof in conflict herewith are,

to the extent of such conflict, hereby repealed and this Ordinance shall take effect and be in full force from and after its passage and approval.

DONE in meeting duly assembled this ___ day of February, 2012.

OCONEE COUNTY, SOUTH CAROLINA

(SEAL)

By: _____
Joel Thrift, Chairman, County Council
Oconee County, South Carolina

ATTEST:

By: _____
Elizabeth G. Hulse, Clerk to County Council
Oconee County, South Carolina

First Reading: November 15, 2011
Second Reading: December 6, 2011
Public Hearing: February 7, 2012
Third Reading: February 7, 2012

Addition to Exhibit A (Oconee County)
Agreement for Development of Joint County
Industrial Park dated as of January 16, 2007,
Amended on November 3, 2008,
Second Amended on May 4, 2010
Third Amended on August 16, 2010
Fourth Amended on January 18, 2011
Fifth Amended on June 6, 2011
Sixth Amended on November 7, 2011
Seventh Amended on February 6, 2012
Between Oconee County and Pickens County

Tract 7

BASF CORPORATION

This being the same property acquired by Engelhard Corporation (now known as BASF Corporation) by deed recorded in Deed Book 422 at page 217 and shown on the sketch attached hereto.

All that certain piece, parcel or tract of land situate, lying and being in Reedy Fork School District, Oconee County, South Carolina containing 93.00 acres as shown on plat of Michael L. Henderson, RLS dated May 27, 1985, and recorded in Plat Book P-51 at page 80.

STATE OF SOUTH CAROLINA)	
)	SEVENTH AMENDMENT OF AGREEMENT
COUNTY OF OCONEE)	FOR DEVELOPMENT OF JOINT COUNTY
COUNTY OF PICKENS)	INDUSTRIAL/BUSINESS PARK

THIS AGREEMENT for the seventh amendment of an agreement for the development of a joint county industrial/business park located both within Oconee County, South Carolina and Pickens County, South Carolina, such original agreement dated as of January 16, 2007, and subsequently amended, previously, on November 3, 2008, May 4, 2010, August 16, 2010, January 18, 2011, June 6, 2011, November 7, 2011 by and between the County of Oconee and the County of Pickens both political subdivisions of the State of South Carolina (the "Agreement"), is made and entered into as of this 7th day of February 2012 by and between the parties hereto (the "Seventh Amendment to Agreement").

RECITALS

WHEREAS, pursuant to the Agreement, Oconee County, South Carolina ("Oconee County"), and Pickens County, South Carolina ("Pickens County") in order to promote economic development and thus provide additional employment opportunities within both of said counties, have established in Oconee County and Pickens County a Joint County Industrial and Business Park (the "Park"); and

WHEREAS, as a consequence of the establishment of the Park, property therein is exempt from ad valorem taxation, but the owners or lessees of such property are required to pay annual fees in an amount equal to that amount for which such owner or lessee would be liable except for such exemption; and

WHEREAS, pursuant to the Agreement, Oconee County and Pickens County have agreed to accept responsibility for the costs of infrastructure, maintenance, management, promotional costs, and other appropriate costs associated with the establishment and operation of the Park; and

WHEREAS, Oconee County and Pickens County desire to amend the Agreement, as previously amended, as more specifically provided below:

NOW, THEREFORE, in consideration of the mutual agreement, representations and benefits contained in this Seventh Amendment to Agreement and for other good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereby agree as follows:

1. **Binding Agreement.** This Seventh Amendment to Agreement serves as a written instrument amending the entire Agreement between the parties, as previously amended, and shall be binding on Oconee County and Pickens County, their successors and assigns.

2. **Authorization.** Article VIII, Section 13(d), of the Constitution of South Carolina (the "Constitution") provides that counties may jointly develop an industrial or business park with other counties within the geographical boundaries of one or more of the member

counties, provided that certain conditions specified therein are met and further provided that the General Assembly of the State of South Carolina provides by law a means by which the value of property in such park will be considered for purposes of bonded indebtedness of political subdivisions and school districts and for purposes of computing the index of taxpaying ability for school districts. Section 4-1-170, Code of Laws of South Carolina, 1976, as amended ("Section 4-1-170"), satisfies the conditions imposed by Article VIII, Section 13(d), of the Constitution and provides the statutory vehicle whereby a joint county industrial park may be created.

3. **Seventh Amendment to the Agreement.** As of the date of this Seventh Amendment to the Agreement, the Sixth Amendment of the Agreement, the Fifth Amendment to the Agreement, the Fourth Amendment to the Agreement, the Third Amendment to the Agreement, the Second Amendment to the Agreement, the First Amendment to the Agreement and the Agreement as previously amended are further amended, in accordance with Section 3(B) of the Agreement, so as to expand the Park premises in Oconee County by the addition of one (1) tract of land, to be shown as "Tract 7" on the revised Exhibit A, attached hereto, which shall amend, replace, and supersede the previously amended Exhibit A to the Agreement which was in effect prior to execution of this Seventh Amendment to Agreement.

4. **Severability.** In the event and to the extent (and only to the extent) that any provision or any part of a provision of this Seventh Amendment to Agreement shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable the remainder of that provision or any other provision or part of a provision of this Seventh Amendment to the Agreement.

5. **Termination.** All other terms and conditions of the Agreement as amended by this Seventh Amendment to the Agreement, and as previously amended, shall remain in full force and effect

6. **Counterparts.** This Seventh Amendment to Agreement may be executed in multiple counterparts, all of which shall constitute but one and the same document.

WITNESS our hands and seals of this 7th day of February 2012.

OCONEE COUNTY, SOUTH CAROLINA

By: _____
Joel Thrift, Chairman of County Council
Oconee County, South Carolina

By: _____
Elizabeth G. Hulse, Clerk to County Council
Oconee County, South Carolina

WITNESS our hands and seals as of this 6th day of February, 2012

PICKENS COUNTY, SOUTH CAROLINA

By: _____
Jennifer H. Willis, Chairman of County Council
Pickens County, South Carolina

ATTEST:

By: _____
Donna Owens, Clerk, County Council
Pickens County, South Carolina

**EXHIBIT A
LAND DESCRIPTION
OCONEE COUNTY**

TRACT 1

Timken US Corporation
430 Torrington Road
Walhalla, South Carolina 29691

All that certain piece, parcel or tract of land situate, lying and being in West Union School District, Oconee County, South Carolina, containing 103.45 acres, more or less, as will appear by plat thereof prepared by Schumacher Engineering Services, Dated September 23, 1966, revised November 9, 1966 and February 20, 1967, recorded in Plat Book P-29, page 132 in the office of the Clerk of Court for Oconee County, South Carolina. BEGINNING at a point in the center of Road S 37-324, thence S 75-13 E 34.7 feet to an iron pin corner, old; thence S 75-13 E 1464.6 feet to an iron pin corner; old; thence S 18-16 W 1418.89 feet to an iron pin corner, new; thence N 73-32 W 811.15 feet to an iron pin corner, old; thence S 05-28 W 481 feet to an iron pin corner, old; thence N 74-34 W 1248.93 feet to an iron pin corner, new; thence N 15-32 E 445.85 feet to I.P.O.; thence N 70-08 W 124.93 feet to I.P.O.; thence N 15-20 E 1604.90 feet to I.P.O.; thence N 74-38 W 1050.31 to a stone corner, old; thence N09-41 W 237.32 feet to I.P.O.; thence N 76-47 E 1351.79 feet to a nail in the center of bituminous road, designated Point "B"; thence S 26-42 E 474.8 feet along center of road to a nail; thence S 23-51 E 276.8 feet along center of road to a nail; thence S 16-07 E 264.8 feet along center of road to a nail; thence S 09-20 E 222.8 feet along center of road to point designated Point "A"; same being the point of beginning. Said tract being the major portion of a tract of land conveyed to the Torrington Company (Maine) by Piedmont-Oconee Corp. by deed dated June 17, 1960, recorded in Deed Book 8-F, page 8, and the property conveyed by deed of Leroy C. Martin and Raleigh L. Martin to the Torrington Company (Maine) dated January 25, 1967, recorded in Deed Book 10-B at page 35, which said conveyance was made to make the center line of road the property line and by deed of James Robert LeCroy to the Torrington Company (Maine) dated February 14, 1967, recorded in Deed Book 10-B, page 34 which deed was made to make the center line of road the line; less a strip of land conveyed by The Torrington Company (Maine) to James Robert LeCroy by deed dated July 25, 1967, recorded in Deed Book 10-E, page 87, which deed was made for the purpose of making the center line of the road the property line.

(Tract 2 added in by the First Amended Park Agreement dated November 3, 2008)

TRACT 2

BorgWarner Torqtransfer Systems Inc.

All that certain piece, parcel or tract of land, situate, lying and being in the State of South Carolina, County of Oconee, Township of Seneca, containing 78.176 acres, more or less and shown and more fully described by metes and bounds on plat of survey thereof made by R. Jay Cooper, P.E. & L.S. dated April 6, 1990, which plat is recorded in the Office of the Clerk of Court for Oconee County in Plat Book A-54, pages 9 and 10 and which is incorporated herein by reference.

The within described property was conveyed to Borg-Warner Powertrain Systems Corporation by deed of Emhart Industries, Inc. dated September 26, 1995 and recorded in the Office of the Clerk of Court for Oconee County in Deed Book 834 at page 313 on November 5, 1995.

(Tract 3 added in by the Second Amended Park Agreement dated May 4, 2010)

TRACT 3

Greenfield Industries, Inc.

All that piece, parcel or tract of land situate, lying and being in the County of Oconee, State of South Carolina, located on the Southern side of U.S. Highway 76 and 123 and being more particularly shown and designated as a tract of land containing 78.20 acres, more or less, on a plat entitled "Plat of a Tract of Land Surveyed at the Request of The First National Bank of Boston" by Farmer & Simpson Engineers, dated June 3, 1986 and recorded in the office of the Clerk of Court of Oconee County, South Carolina in Plat Book P-51 at page 132, and being more particularly described, according to said plat as follows:

Beginning at an iron pin (P.O.B.) located on the southwester edge of the right of way for U.S. Highway 76 and 123 and at the northwestern most corner of said tract of land (said corner being a common corner with the northeastern most corner of lands now or formerly of Delta Corporation) and running thence along the southwestern edge of the right of way for U.S. Highway 76 and 123 S 63 degrees – 19' E 1,890.8 feet to an iron pin corner; thence S 22 degrees – 57' W 456.9 feet to an iron pin corner; thence S 02 degrees -07' E 261.1 feet to a nail and bottle top; thence S 38 degrees -42' W 243.9 feet to a nail and bottle top located within the right of way for Highway S-439; thence S 32 degrees - 40' W 248.5 feet to a nail and bottle top located in the center of the right of way for Highway S-439; thence S 25 degrees - 27' W 240.3 feet to an iron pin corner; thence N 86 degrees 32' W 249.9 feet to an iron pin corner; thence S 86 degrees-19' W 593.3

feet to an iron pin corner; thence S 09 degrees - 16' W 241.6 feet to an iron pin corner; thence N 78 degrees - 56' W 673.4 feet to an iron pin corner; thence N 05 degrees - 25' W 398.7 feet to an iron pin corner; thence N 09 degrees - 32' E 798.4 feet to an iron pin corner; thence N 23 degrees - 02' W 365.0 feet to an iron pin corner; thence N 75 degrees - 09' E 132.3 feet to an iron pin corner; thence N 24 degrees - 28' E 796.4 feet to the POINT OF BEGINNING. Said tract of land is bounded on the North by the right of way for U.S. Highway 76 and 123, on the East by lands of various owners, on the South by lands now or formerly of Clemson University and U.S. Government Hartwell Reservoir and on the West by lands now or formerly of U.S. Government Hartwell Reservoir and Delta Corporation.

LESS AND EXCEPT all that certain piece, parcel or tract of land conveyed from Greenfield Industries, Inc., predecessor in interest of Grantor herein, by deed dated December 22, 2003, and recorded on December 31, 2003, in the Office of the Register of Deeds of Oconee County, South Carolina in Book 1302, page 345.

LESS AND EXCEPT all that certain piece, parcel or tract of land conveyed from Greenfield Industries, Inc., predecessor in interest of Grantor herein, by deed dated March 4, 1996 and recorded on April 10, 1996 in the Office of the Register of Deeds of Oconee County, South Carolina in Book 857, page 305.

BEING commonly referred to as 2501 Davis Creek Road, Seneca, Oconee County, South Carolina and as Tax Map/Parcel Numbers 226-00-04-006 and 226-00-04-020.

(Tract 4 added in by the Third Amended Park Agreement dated August 16, 2010)

TRACT 4

U.S. Engine Valve Corporation

All that certain piece, parcel or tract of land situate, lying and being in Richland School District, Seneca, Oconee County, South Carolina. Containing One Hundred Twenty-Eight and 96/100 (128.96) acres, more or less, and being more fully described by plat prepared by Wayne R. Garland, RLS, dated December 3, 1987, recorded in Plat Book A16, page 1, records of the Clerk of Court for Oconee County, South Carolina. For a more complete description, please see recorded Plat.

(Tract 5 added in by the Fourth Amended Park Agreement executed by Oconee County on December 7, 2010 and Pickens County on January 18, 2011)

TRACT 5

Schneider Electric USA, Inc.
1990 Sandifer Boulevard
Seneca, South Carolina 29678

PARCEL #1

All that certain piece, parcel or tract of land lying and being situate in the State of South Carolina, County of Oconee, on the north side of U.S. Highway 123, containing Fifty Four and Eighty Two One-Hundredths (54.82) acres, more or less, as shown and more fully described on a plat thereof entitled "Boundary Survey for Pattillo Construction Company" by Chester M. Smith, Jr., Surveyor, of Metro Engineering and Surveying Company, recorded in Plat Book P-45 at page 115, records of the Clerk of Court of Oconee County, South Carolina.

PARCEL #2

All that certain piece, parcel or tract of land lying and being situate in the State of South Carolina, County of Oconee, on the north side of U.S. Highway 123, containing One and Four Hundred Ninety Nine One-Thousandths (1.499) acres, more or less, as shown and more fully described on a plat thereof entitled "Boundary Survey for Pattillo Construction Company" by Chester M. Smith, Jr., Surveyor, of Metro Engineering and Surveying Company recorded in Plat Book P-45 at page 115, records of the Clerk of Court of Oconee County, South Carolina.

PARCEL #3

All that certain piece, parcel or tract of land lying and being situate in the State of South Carolina, County of Oconee, on the north side of U.S. Highway 123, containing Ten and Fifty One One-Hundredths (10.51) acres, more or less, as shown and more fully described on a plat thereof entitled "Boundary Survey for Pattillo Construction Company" by Chester M. Smith, Jr., Surveyor, of Metro Engineering and Surveying Company, recorded in Plat Book P-45 at page 115, records of the clerk of Court of Oconee County, South Carolina.

PARCEL #4

All that certain piece, parcel or tract of land lying and being situate in the State of South Carolina, County of Oconee on the north side of U.S. Highway 123, containing Eleven and Five Hundred Sixty Five One-Hundredths (11.565) acres, more or less, as shown and more fully described on a plat thereof entitled "Boundary Survey for Pattillo

Construction Company” by Chester M. Smith, Jr., Surveyor, of Metro Engineering and Surveying Company, recorded in Plat Book P-45 at page 115, records of the Clerk of Court of Oconee County, South Carolina.

The above-referenced parcels is the identical property conveyed to Square D Company, a successor company to Schneider Electric USA Inc., by deed of Pattlillo Construction Company, Inc. recorded on October 24, 1985 in Deed Book 433 at page 228, records of Clerk of Court in and for Oconee County, South Carolina.

(Tract 6 added in by the Fifth Amendment to Park Agreement executed by Oconee County on April 5, 2011 and Pickens County on June 6, 2011)

TRACT 6

Altera Polymers LLC
320 Shiloh Road
Seneca, SC 29678

Town of Seneca, Oconee County South Carolina

All that certain tract or parcel of land lying and being near the Eastern Corporate Limits of the Town of Seneca, South Carolina and being more particularly described as follows:

Beginning at a point in the centerline of a railroad spur of Blue Ridge Railroad said point being located North 86 degrees 24 minutes 56 seconds East 1927.07 feet to a found nail in the centerline intersection of Shiloh Road and Goodard Avenue and runs thence from the point of beginning with the centerline of said railroad spur the following 7 courses and distances South 17 degrees 44 minutes 06 seconds West 64.97 feet to a point; thence South 07 degrees 28 minutes 04 seconds West 34.61 feet to a set mag nail; thence South 05 degrees 28 minutes 14 seconds West 66.40 feet to a set mag nail; thence South 10 degrees 06 minutes 58 seconds West 97.82 feet to a point; thence South 24 degrees 19 minutes 31 seconds West 100.54 feet to a point; thence South 38 degrees 29 minutes 30 seconds West 100.46 feet to a point; thence South 46 degrees 10 minutes 41 seconds West 46.48 feet to a set mag nail; thence South 34 degrees 24 minutes 02 seconds East 768.38 feet to a set iron rod; thence South 55 degrees 36 minutes 33 seconds West 866.57 feet to a set iron rod; thence North 34 degrees 23 minutes 27 seconds West 91.00 feet to a found concrete monument; thence North 36 degrees 39 minutes 54 seconds West 541.31 feet to a found iron pipe; thence North 37 degrees 17 minutes 54 seconds West 197.28 feet to a found concrete monument; thence South 63 degrees 37 minutes 55 seconds West 111.39 feet to a found iron rod; thence North 26 degrees 18 minutes 50 seconds West 330.00 feet to a found iron rod; thence South 63 degrees 41 minutes 10 seconds West 200.00 feet to a found concrete monument; thence North 26 degrees 19 minutes 52 seconds West 50.90 feet to a found iron rod; thence North 59 degrees 53 minutes 49 seconds East 228.69 feet to a found concrete monument; thence North 39 degrees 02

minutes 25 seconds West 509.89 feet to a found iron rod; thence North 39 degrees 34 minutes 28 seconds 90.92 to a found mag nail; thence South 77 degrees 58 minutes 25 seconds West 301.80 feet to a found nail; thence North 26 degrees 42 minutes West 85.70 feet to a found nail in the centerline intersection of Shiloh Road and Goodard Avenue; thence with the center of Shiloh Road North 68 degrees 34 minutes 53 seconds East 287.91 feet to a found nail; thence North 68 degrees 50 minutes 53 seconds 50.17 feet to a found nail in the centerline intersection of Shiloh Road and Providence Ridge Road; thence North 68 degrees 17 minutes 49 seconds East 194.00 feet to a nail; thence North 70 degrees 00 minutes 20 seconds East 81.28 feet to a found nail; thence North 79 degrees 53 minutes 29 seconds East 315.00 feet to a found mag nail; thence North 89 degrees 22 minutes 55 seconds East 486.22 feet; thence North 87 degrees 12 minutes 07 seconds East 85.60 feet to a found mag nail; thence South 12 degrees 01 minutes 05 seconds East 61.28 feet to a found mag nail; thence South 12 degrees 01 minutes 35 seconds East 200.00 feet to a found iron pipe; thence North 77 degrees 58 minutes 25 seconds East 424.94 feet to the point of the beginning, containing 41.97 acres more or less.

Bearings based on Plat recorded in office of the Clerk of Court, Oconee County, SC in Plat Book P-29, page 75.

(Tract 7 added in by the Sixth Amendment to Park Agreement executed by Oconee County on February 7, 2012 and Pickens County on February 6, 2012)

**TRACT 7
BASF Corporation**

This being the same property acquired by Engelhard Corporation (now known as BASF Corporation) by deed recorded in Deed Book 422 at page 217 and shown on the sketch attached hereto.

All that certain piece, parcel or tract of land situate, lying and being in Reedy Fork School District, Oconee County, South Carolina containing 93.00 acres as shown on plat of Michael L. Henderson, RLS dated May 27, 1985, and recorded in Plat Book P-51 at page 80.

**EXHIBIT B
LAND DESCRIPTION
PICKENS COUNTY**

(Tract 1 and Tract 2 added in by the Sixth Amendment to Park Agreement executed by Oconee County on November 1, 2011 and Pickens County on November 7, 2011)

**Tract 1
VCI-SC, Inc.
2932 Farris Bridge Road
Easley, South Carolina 29640**

All that certain piece, parcel or tract of land situate, lying and being in the State of South Carolina, County of Pickens being shown as 22.91 Acres, Tracts 8, 10 & 11, according to plat prepared by Freeland & Associates Surveyor, recorded November 7, 1985 in Plat Book 27, at page 950 in the RMC Office for Pickens County, South Carolina, references to said plat being hereby made for a more complete metes and bounds description thereof.

LESS AND EXCEPT: All that certain piece, parcel or lot of land in the State of South Carolina, County of Pickens, located 7 miles East of Pickens, containing 4.80 acres, more or less, as shown on survey of Van T. Cribb, dated July 1, 1991, reference to which is hereby made for a more complete and accurate description and being thereon more fully described as follows:

Beginning at a point on edge of 50' right of way for county road at the northern corner of the herein described property; thence along right of way S11-18-28E 33.79 feet; thence S16-55-30E 55.58 feet; S30-56-31E 167.22 feet; S45-50-16E 65.64 feet; thence leaving right of way S45-35-05E 56.39 feet to line of land n/f of John C. and J.P. Carey; thence along said property line S59-24-26W 630 feet to an iron pin; thence along line of land n/f of Oakknoll Properties N 22-25-34W 285.67 feet; thence N 19-54-33 W 75.47 feet; thence along line of land n/f of Sitton N 57-34-27 E 555.30 feet to the point of Beginning.

AND ALSO, LESS AND EXCEPT, a right of way for ingress, egress and roadway purposes over the existing fifty foot (50') strip leading from S.C. Highway 183 in a southeasterly direction as shown on the survey of Van T. Cribb dated July 1, 1991 and the terms and conditions of said right of way as set forth in deed recorded in Deed Book 149 at Page 204.

This being a portion of the property conveyed to Ronald J. McCracken by deed from Ervin Hendricks, dated 07-8-88 and recorded in Deed Book 40 at page 217, in the Register of Deeds Office for Pickens County, South Carolina.

Tract 2
KP Components Inc.
117 Sheriff Mill Road
Easley, South Carolina 29642

Parcel 1

All that certain piece, parcel or tract of land situate, lying and being in the State of South Carolina, County of Pickens, located on the northwestern side of Sheriff Mill Road, shown to contain 3.631 acres according to plat of boundary survey prepared for "Wachovia Bank, N.A., Trustee", by Landrith Surveying, Inc., dated 1-11-01 and according to said plat, being more particularly described as having the following measurements and boundaries, to-wit:

Beginning at the southernmost point of the herein described tract, on the northwestern side of Sheriff Mill Road, common corner of the herein described tract and other property of the Grantor; thence running along the common line of the herein described tract and other property of the Grantor herein N30-55-00W 984.91 feet to a point; thence continue N76-44-08W 565.67 feet to a point; thence running N25-31-27E 102.33 feet to a point; thence running N89-57-00E 84.45 feet to a point; continuing S73-23-00E 105.00 feet to a point; thence continuing S61-03-00E 119.88 feet to a point; thence continuing S82-18-00E 199.81 feet to a point; thence continuing S76-33-00E 84.91 feet to a point; thence running along the common line of the herein described tract and property now or formerly Gladys L. Addington S30-55-00E 1019.88 feet to a point on the northwestern side of Sheriff Mill Road; thence running along the northwestern side of Sheriff Mill Road S 54-55-00W 100.27 feet to the point of Beginning.

Parcel 2

All that certain piece, parcel or tract of land situate, lying and being in the State of South Carolina, County of Pickens, located on the northeast side of S.C. Highway #8 (Pelzer Highway) shown to contain 5.818 acres (including any and all rights of ways), as shown on a plat of boundary survey for "Wachovia Bank, N.A., Trustee" prepared by Landrith Surveying, Inc. dated 1-11-01, and according to said plat, being more particularly described as having the following measurements and boundaries, to-wit:

Beginning at the southernmost point of the herein described tract, which point is in the approximate center line of S.C. Highway #8 (Pelzer Highway), common corner of the herein described tract and other property of the Grantee herein; thence running along the approximate center line of S.C. Highway #8 (Pelzer Highway) N37-52-05W 516.64 feet to a point; thence leaving said Highway and running along the common line of the herein described property and other property of the Grantor herein N53-23-13E 888.10 feet to a point; thence running S76-44-08E 47.96 feet to a point; thence running along the common line of the herein described tract and other property of the Grantee herein S25-31-27W 1026.72 feet to the point of Beginning.

**STATE OF SOUTH CAROLINA
OCONEE COUNTY
RESOLUTION R2012-01**

**A RESOLUTION OF THE OCONEE COUNTY COUNCIL AUTHORIZING THE
DONATION OF A CANON NP6030 COPIER TO THE MOUNTAIN LAKES BUSINESS
DEVELOPMENT CORPORATION**

WHEREAS, Oconee County is no longer utilizing the Canon NP6030 copier having replaced it with amore recent model; and

WHEREAS, Oconee County wishes to dispose of the Canon NP6030 copier in accordance with Ordinance 2010-02 "AN ORDINANCE AMENDING CHAPTER 2, ARTICLE V OF THE OCONEE COUNTY CODE OF ORDINANCES PERTAINING TO THE PROCUREMENT POLICIES AND PROCEDURES OF OCONEE COUNTY; AND OTHER MATTERS RELATED THERETO, SECTION 2-445 [c]"; and

WHEREAS, Oconee County has received a request from the Mountain Lakes Business Development Corporation to donate a copier for their use; and

WHEREAS, donating used equipment constitutes a public use, in support of a public purpose by further supporting the community; and

WHEREAS, donation of this copier will require no additional costs or measures on the part of the County, and does not represent any loss to the County, and will contribute positive value to the community.

NOW, THEREFORE, it is hereby resolved by Oconee County Council, in meeting duly assembled, on behalf of all Oconee citizens, that:

1. The foregoing preamble is hereby adopted in its entirety by Oconee County Council as findings of fact, supporting this resolution.
2. Oconee County wishes to donate the **Canon, NP6030 Copier, Serial # NRD 37000**, to the Mountain Lakes Business Development Corporation.
3. Any future costs associated with the operation, maintenance, replacement and or disposition of the copier will be the sole responsibility of the Mountain Lakes Business Development Corporation.
4. Should any portion of this Resolution be deemed unconstitutional or otherwise unenforceable by any court of competent jurisdiction, such determination should not affect the remaining terms and provisions of this Resolution, all of which are hereby deemed separable.
5. All orders and resolutions in conflict herewith are, to the extent of such conflict only, repealed and rescinded.

THIS RESOLUTION WILL TAKE EFFECT immediately upon enactment.

APPROVED AND ADOPTED this 7th day of February, 2012..

OCONEE COUNTY, SOUTH CAROLINA

ATTEST:

By: _____
Joel Thrift, Chairman of County Council,
Oconee County, South Carolina

Elizabeth Hulse, Clerk to Council
Oconee County, South Carolina

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
ORDINANCE NO. 2012-05**

AN ORDINANCE TO REVISE AND AMEND *ARTICLE IV. BOARDS, COMMISSIONS AND COMMITTEES OF CHAPTER 2. ADMINISTRATION, AND ARTICLE II. ECONOMIC DEVELOPMENT COMMISSION OF CHAPTER 24. PLANNING AND DEVELOPMENT OF THE OCONEE COUNTY CODE OF ORDINANCES IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY; AND OTHER MATTERS RELATED THERETO*

WHEREAS, Oconee County, South Carolina (the "County"), a body politic and corporate and a political subdivision of the State of South Carolina (the "State"), 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"), as amended, from time to time; and

WHEREAS, *Article IV. Boards, Commissions and Committees of Chapter 2. Administration.* of the Code of Ordinances, contains provisions applicable to many County boards and commissions appointed by, or otherwise under the direction and control of County Council; and

WHEREAS, other sections of the Code of Ordinances, including, without limitation, *Article II. Economic Development Commission of Chapter 24. Planning and Development* of the Code of Ordinances likewise contain provisions applicable to other County boards and commissions appointed by, or otherwise under the direction and control of County Council; and

WHEREAS, from time to time, provisions of the Code of Ordinances need to be amended, to update such provisions, to add guidelines and procedures and rules applicable to Oconee County government, and to update all provisions of the Code of Ordinances, to keep them in concert and accord with state and county law and regulations; and

WHEREAS, there is a need to provide overall guidance to all County boards and commissions, with regard to their conduct of County business, their procedures, and their observance of state and County law and regulations; and

WHEREAS, there is a need to amend, specifically, the provisions of *Article IV. Boards and Committees of Chapter 2. Administration.* of the Oconee County Code of Ordinances pertaining to the Oconee County Aeronautics Commission; and

WHEREAS, there is a need to amend, specifically, *Article II. Economic Development Commission of Chapter 24. Planning and Development.*, of the Oconee County Code of Ordinances, pertaining to the Oconee County Economic Development Commission; and

WHEREAS, there is a need to move the current *Section 2-241., Worthless Check Unit* of the Oconee County Code of Ordinances from its current location in *Article IV. Boards, Commissions and Committees of Chapter 2. Administration.*, of the Oconee County Code of Ordinances to a more appropriate location, at (and

as) *Article I of Chapter 20. Offenses and Miscellaneous Provisions.*, of the Oconee County Code of Ordinances:

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

1. The entire narrative content of what is currently numbered as *Section 2-241. Worthless Check Unit, of Article IV. Boards, Commissions and Committees, of Chapter 2. Administration.*, of the Oconee County Code of Ordinances is hereby directed to be moved to and codified at *Section 20-1. Worthless Check Unit of Article I of Chapter 20* of the Oconee County Code of Ordinances. The remaining current sections of *Article I of Chapter 20* of the Oconee County Code of Ordinances shall thereafter be renumbered as *Sections 20-2, 20-3, and 20-4 through 20-100*, respectively.

2. *Section 2-241. Generally.*, of *Article IV. Boards, Commissions, and Committees.*, of *Chapter 2, Administration.*, of the Oconee County Code of Ordinances is hereby created and written to state:

“*Section 2-241. Generally.* These regulations and procedures shall apply to all Oconee County boards, commissions, committees, or similar entities created by Oconee County Council under the auspices and authority of Section 4-9-30 of the South Carolina Code, 1976, as amended or any other such entity subject to the rules and regulations of, or controlled by Oconee County Council, which is not otherwise regulated or controlled by State law, all of which, collectively, are hereby referred to as “Board” or “Boards”. The following regulations are in addition to, not in lieu of, all others contained in the Code. In the event of any inconsistency, only, specific regulations applicable to any Board shall prevail over these general regulations.

Beginning January 1, 2012, all terms of office shall run from January 1 through December 31 of the respective year.

A Member who is absent from three consecutive meetings without adequate excuse, such as documented illness, shall be reported by the chairperson of that Board to council and is subject to replacement by council. Any Member may also be removed or replaced at will by the appointing council member at any time, unless appointment is required by or regulated by State or Federal law.

Each Board shall annually elect a chairperson, a vice chairperson, and a secretary. Each newly elected chairperson shall, as soon as practically possible, attend an appropriate training session regarding the procedures for proper governance of such Board. Additionally, the entire Board shall participate in an informative meeting detailing the function and duties of such Board. All such training sessions are the responsibility of the County department or agency with which the Board is most closely associated.

Each Board shall make recommendations in its area of expertise to council. Recommendations may be submitted either in writing, or be formally presented at a council meeting by a designated Member. No recommendation of any Board shall become effective unless or until approved or enacted or implemented by council.

Each Board shall enact by-laws, not in conflict with this section or State law, which govern the conduct of meetings, attendance, committees and the regular business of the Board.

All county Boards shall comply with the provisions of the South Carolina Freedom of Information Act (“FOIA”) and the requirements set forth in the Code of Ordinances and subsequent ordinances concerning freedom of information and the conduct of public meetings.

Members of county Boards, generally, are defined as “public officials” under the South Carolina Ethics Act, S.C. Code 1976, § 8-13-100 et seq., as amended. It shall be the responsibility of Members, individually and collectively, to become familiar with the provisions of that law and conduct themselves accordingly. As stated in the South Carolina Ethics Act, and without limiting the applicability of any other provision of the South Carolina Ethics Act, Members of county Boards shall not use membership on the county Board to obtain a direct personal economic interest, an economic interest for the immediate family of the Member, an economic interest for an individual with whom the Member is associated, or an economic interest for a business with which the Member is associated. These requirements are applicable to all county Boards, and their Members, both through the South Carolina Ethics Act and, separately, through this section.

County council shall meet with Board members and delineate duties and responsibilities of each Board, as necessary and appropriate. The role of the various boards and commissions may be changed by the county council from time to time, within the parameters of state law, so as to best meet the needs of the county.”

3. *Section 2-262. Membership of Division 2. Aeronautics Commission. of Article IV. Boards, Commissions, and Committees. of Chapter 2. Administration., of the Oconee County Code of Ordinances is hereby revised, and rewritten to state:*

“Section 2-262. Membership.

(a) The membership of the county aeronautics commission shall be seven in number, selected and appointed by a majority vote of the membership of the county council voting in council, duly assembled, with one member being selected from each of the five council districts in existence and as delineated on February 1, 2012, and two (2) members selected at large, from the County as a whole, by majority vote of County Council. If after an appointment of a member to represent a particular council district of the county to this commission, such district is altered, then such member shall continue to serve thereon for the remainder of the term to which he is appointed, irrespective of his place of residence. If the county is further divided into additional districts, additional appointments of members to the commission to represent the newly created district may be made by the county council, in the same manner described herein, by district, without further legislative action required by County Council.

(b) Should any member of this commission move and establish residence outside the county or the district where such member was residing at the time of the appointment to this commission, such moving shall constitute a resignation by the member and a replacement member shall be appointed to fill the unexpired term of such resigned member.”

4. *Section 2-263. Terms of Members., of Division 2. Aeronautics Commission. of Article IV. Boards, Commissions, and Committees. of Chapter 2. Administration. of the Oconee County Code of Ordinances is hereby revised, and rewritten to state:*

“Section 2-263. Terms of Members.

(a) Each member shall serve for a term of four years, except that the initial term of the second at-large member selected by County Council shall be for a period of two years, and thereafter all members shall serve for a four year term or until their successors in office are duly appointed.

(b) If any member of the commission shall fail to attend 50 percent of the regularly scheduled meetings within a period of 12 calendar months, he shall be deemed to have resigned his position and may be replaced without notice by action of the county council. If such absences are excused by the chair of the commission and/or the chief administrative officer of the county, then this subsection may be waived.”

5. *Article II. Economic Development Commission. of Chapter 24. Planning and Development.* of the Oconee County Code of Ordinances is hereby revised and rewritten to state:

“*Article II. Economic Development Commission.*

Sec. 24-31. Membership.

(a) The membership of the county economic development commission shall be composed of five members. Each county council member will appoint one member from their respective district to the commission. The commission will elect one of the appointed members to serve a two-year term as chairperson. If, after an appointment of a member to represent a particular council district of the county to the commission, such district is altered, then such member shall continue to serve thereon for the remainder of the term to which he is appointed. In the event the county is further divided into additional districts, additional appointments of members to the commission to represent the newly created districts may be made by the county council in the same manner described herein, by district, without further legislative action required of County Council.

(b) Should any member of this commission move and establish residence outside the county or the district where such member was residing at the time of the appointment to the commission, such moving shall constitute a resignation by the member and a replacement member shall be appointed to fill the unexpired term of such resigned member.

(c) Nonvoting *ex officio* members from the following agencies and organizations shall be invited to serve on the economic development commission by virtue of their positions of importance to the county:

- 1) Oconee County Administrator
- 2) Council Economic Development Committee Chair.
 - (3) President, Tri-County Technical College.
 - (4) Superintendent, School District of Oconee County.
 - (5) President/CEO, Oconee Regional Medical Center.
 - (6) (Officer/BOD), Clemson University (or as specified by the President of Clemson University).
 - (7) Oconee Joint Regional Sewer Authority Superintendent.
 - (8) Director, Oconee County Planning Commission.
 - (9) Representative, Oconee Alliance.

Additional *ex officio* members may be added by a majority vote of the county council.

Sec. 24-32. Term of members.

(a) Each appointed member shall serve for a term of four years, or until their successors in office are duly appointed. No member will serve more than 12 consecutive years on the commission and no member will hold the same office for more than six consecutive years.

(b) If or in the event any member of the commission shall fail to attend 50 percent of the regularly scheduled meetings within a period of 12 calendar months, he shall be deemed to have resigned his

position and may be replaced without notice by action of the county council. If absences are excused by the chairperson of the commission, this provision may be waived.

Sec. 24-33. Removal of members.

Appointed members of the county economic development commission may be removed at any time by a majority vote of the county council for cause, conflict of interest, or any action or activity that discredits the county and/or commission.

Sec. 24-34. Training.

Each member of the county economic development commission shall be encouraged to attend all four (4) sessions of the South Carolina Economic Developers' Institute., Tuition, food, travel and lodging expenses for the training is to be compensated through the economic development commission fiscal year budget.

Sec. 24-35. Organization, meetings, officers.

(a) The county economic development commission shall meet at the call of the chairperson and at such times as the chairperson or commission may determine. The Commission shall meet in at least ten (10) months of each calendar year.

(b) The director of the county economic development commission shall be an employee of the county and shall serve at the pleasure of the county administrator. He shall not have the right to vote.

(c) At the January meeting of each even-numbered year, there shall be elected a chairperson and a vice-chairperson from the appointed commission members, together with such other officers as the commission may deem necessary, and these officers will serve for a period of two years or until their successors are duly elected and qualified. Vacancies in any such office by reason of death, resignation or replacement shall be filled for the unexpired term of the officer whose position become vacant. The director or the administrative assistant of the economic development commission shall serve as secretary of the commission.

(d) The commission shall adopt rules of organizational procedure and shall keep a record of its resolutions, findings, determinations and recommendations to the county council. The media and public shall be notified of all meetings in accordance with the State Freedom of Information Act. A quorum shall consist of the majority (three (3)) of appointed commission members (not including *ex officio* members). The economic development director may purchase equipment and supplies and may employ or contract for such staff and such experts as he considers necessary and consistent with funds appropriated by the county council and approved by the county administrator.

Sec. 24-36. Powers and duties.

(a) The duties of the county economic development commission shall be, *inter alia*, as follows:

(1) To advise the county council on any matter affecting the industrial and/or economic development of the county. Such advice shall be made in the form of a written report to the council. Reports shall be presented to the chair of the county council and the county administrator or their designees within a reasonable time.

(2) To participate in the formulation of the budget and budgetary appropriations affecting the area of concern of the commission.

(3) To attend county council, planning commission, and other meetings as necessary to support the work of the commission and its economic development efforts.

(4) To prepare plans and recommendations to the county council and the county administrator in the area of its activity, with recommendations for the implementation of such plans.

(5) To advise and recommend the employment of or the removal of commission employees to the county administrator.

(6) To institute a program for the encouragement of current industries to remain and expand when the economy permits and for new industrial operations to locate in the county, so as to provide additional jobs and places of employment for county citizens.

(7) To recommend ordinances of countywide application that would encourage planning and growth of the county, both in population and in business and industrial base.

(8) To confer with and cooperate with other local, regional, state and federal agencies in the development and improvement of industrial and economic development in the county to the extent such cooperation is authorized by this article.

(9) To review these regulations as frequently as required (but no less frequently than once every two (2) years) to ensure that they are up to date, in accord with County and State law, and provide adequate means to carry out the mission(s) of the commission. Any amendment to or modification of these regulations shall be by approved ordinance of County Council, and shall only be undertaken in concert with a recommendation as to such amendment or modification by the commission (although County Council is not bound by such recommendation).

(10) To perform such additional duties and functions as shall be prescribed by the county administrator and/or county council.

(b) Any advice or recommendations to the county council may be prepared and presented orally by the chairman of the commission at a regularly scheduled meeting of council after due notice for agenda purposes, or in writing forwarded to the chairman of the county council and the county administrator for dissemination to council members.

Sec. 24-37. Reimbursements.

Each member of the county economic development commission shall be reimbursed for expenses for out-of-county travel, food, lodging and registration at economic development related events. Any expense for same shall be first approved by the county administrator, unless the same is made by the chairperson of the commission and submitted for approval and payment to the county council. In no event shall any member of the commission be entitled to any other compensation, direct or indirect, for services on the commission. Members of the commission shall not provide any services to the commission or provide any services, materials, products, goods or equipment to the county unless the same is sold or offered for sale in accordance with existing county and state purchasing procedures.”

5. All other parts and provisions of the Oconee County Code of Ordinances not amended hereby, either explicitly or by implication, remain in full force and effect.

6. 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.

7. 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.

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

ORDAINED in meeting, duly assembled, this ____ day of _____, 2012.

OCONEE COUNTY, SOUTH CAROLINA

By: _____
Joel Thrift, Chairman, County Council
Oconee County, South Carolina

ATTEST:

By: _____
Elizabeth G. Hulse, Clerk to County Council
Oconee County, South Carolina

First Reading: January 18, 2012 [in title only]
Second Reading: February 7, 2012
Public Hearing:
Third Reading:

OCONEE COUNTY, SOUTH CAROLINA

ORDINANCE NUMBER 2012-05

AN ORDINANCE TO REVISE AND AMEND ARTICLE IV, BOARDS, COMMISSIONS AND COMMITTEES OF CHAPTER 2, ADMINISTRATION, AND ARTICLE II, ECONOMIC DEVELOPMENT COMMISSION OF CHAPTER 24, PLANNING AND DEVELOPMENT OF THE OCONEE COUNTY CODE OF ORDINANCES IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY; AND OTHER MATTERS RELATED THERETO

WHEREAS, Oconee County, South Carolina (the "County"), a body politic and corporate and a political subdivision of the State of South Carolina (the "State"), 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"), as amended, from time to time; and

WHEREAS, *Article IV, Boards, Commissions, and Committees of Chapter 2, Administration*, of the Code of Ordinances, contains provisions applicable to many County boards and commissions appointed by, or otherwise under the direction and control of County Council; and

WHEREAS, other sections of the Code of Ordinances, including, without limitation, *Article II, Economic Development Commission of Chapter 24, Planning and Development* of the Code of Ordinances likewise contain provisions applicable to other County boards and commissions appointed by, or otherwise under the direction and control of County Council; and

WHEREAS, from time to time, provisions of the Code of Ordinances need to be amended, to update such provisions, to add guidelines and procedures and rules applicable to Oconee County government, and to update all provisions of the Code of Ordinances, to keep them in concert and accord with state and county law and regulations; and

WHEREAS, there is a need to provide overall guidance to all County boards and commissions, with regard to their conduct of County business, their procedures, and their observance of state and County law and regulations; and

WHEREAS, there is a need to amend, specifically, the provisions of *Article IV, Boards and Committees of Chapter 2, Administration*, of the Oconee County Code of Ordinances pertaining to the Oconee County Aeronautics Commission; and

WHEREAS, there is a need to amend, specifically, *Article II, Economic Development Commission of Chapter 24, Planning and Development*, of the Oconee County Code of Ordinances, pertaining to the Oconee County Economic Development Commission; and

WHEREAS, there is a need to move the current *Section 2-241, Worthless Check Unit* of the Oconee County Code of Ordinances from its current location in *Article IV, Boards, Commissions and Committees* of *Chapter 2, Administration*, of the Oconee County Code of Ordinances to a more appropriate location, at (and as) *Article 1 of Chapter 20, Offenses and Miscellaneous Provisions*, of the Oconee County Code of Ordinances;

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

1. The entire narrative content of what is currently numbered as *Section 2-241, Worthless Check Unit*, of *Article IV, Boards, Commissions and Committees*, of *Chapter 2, Administration*, of the Oconee County Code of Ordinances is hereby directed to be moved to and codified at *Section 20-1, Worthless Check Unit* of *Article 1 of Chapter 20* of the Oconee County Code of Ordinances. The remaining current sections of *Article 1 of Chapter 20* of the Oconee County Code of Ordinances shall thereafter be renumbered as *Sections 20-2, 20-3, and 20-4 through 20-100*, respectively.

2. *Section 2-241, Generally*, of *Article IV, Boards, Commissions, and Committees*, of *Chapter 2, Administration*, of the Oconee County Code of Ordinances is hereby created and written to state:

"Section 2-241, Generally. These regulations and procedures shall apply to all Oconee County boards, commissions, committees, or similar entities created by Oconee County Council under the auspices and authority of Section 4-9-30 of the South Carolina Code, 1976, as amended or any other such entity subject to the rules and regulations of, or controlled by Oconee County Council, which is not otherwise regulated or controlled by State law, all of which, collectively, are hereby referred to as "Board" or "Boards". The following regulations are in addition to, not in lieu of, all others contained in the Code. In the event of any inconsistency, only, specific regulations applicable to any Board shall prevail over these general regulations.

~~No member of a Board ("Member") shall serve on more than one Board at any given time. County employees may not serve on a county Board. Beginning January 1, 2012, all terms of office shall run from January 1 through December 31 of each respective year of the term. A staggered appointment schedule for all County Council appointed Boards will be maintained in the County Council office by the Clerk to Council. All Boards addressed by this Section shall use the Model Rules of Parliamentary Procedure for South Carolina Counties, published by the South Carolina Association of Counties, as the basis for their parliamentary procedure in the respective year.~~

A Member who is absent from three consecutive meetings without adequate excuse, such as documented illness, shall be reported by the chairperson of that Board to council and is subject to replacement by council. Any Member may also be removed or replaced at will by the appointing council member at any time, unless appointment is required by or regulated by State or Federal law.

Each Board shall annually elect a chairperson, a vice chairperson, and a secretary. Each newly elected chairperson shall, as soon as practically possible, attend an appropriate training session regarding the procedures for proper governance of such Board. Additionally, the entire Board shall participate in an informative meeting detailing the function and duties of such Board. All such training sessions are the responsibility of the County department or agency with which the Board is most closely associated.

Each Board shall make recommendations in its area of expertise to council. Recommendations may be submitted either in writing, or be formally presented at a council meeting by a designated Member. No recommendation of any Board shall become effective unless or until approved or enacted or implemented by council.

Each Board shall enact by-laws, not in conflict with this section or State law, which govern the conduct of meetings, attendance, committees and the regular business of the Board.

All county Boards shall comply with the provisions of the South Carolina Freedom of Information Act ("FOIA") and the requirements set forth in the Code of Ordinances and subsequent ordinances concerning freedom of information and the conduct of public meetings.

Members of county Boards, generally, are defined as "public officials" under the South Carolina Ethics Act, S.C. Code 1976, § 8-13-100 et seq., as amended. It shall be the responsibility of Members, individually and collectively, to become familiar with the provisions of that law and conduct themselves accordingly. As stated in the South Carolina Ethics Act, and without limiting the applicability of any other provision of the South Carolina Ethics Act, Members of county Boards shall not use membership on the county Board to obtain a direct personal economic interest, an economic interest for the immediate family of the Member, an economic interest for an individual with whom the Member is associated, or an economic interest for a business with which the Member is associated. These requirements are applicable to all county Boards, and their Members, both through the South Carolina Ethics Act and, separately, through this section.

County council shall meet with Board members and delineate duties and responsibilities of each Board, as necessary and appropriate. The role of the various boards and commissions may be changed by the county council from time to time, within the parameters of state law, so as to best meet the needs of the county."

Section 2-262, Membership of Division 2, Aeronautics Commission, of Article IV, Boards, Commissions, and Committees, of Chapter 2, Administration, of the Oconee County Code of Ordinances is hereby revised, and rewritten to state:

"Section 2-262, Membership,

(a) The membership of the county aeronautics commission shall be seven in number, selected and appointed by a majority vote of the membership of the county council voting in council, duly assembled, with one member being selected from each of the five

council districts in existence and as delineated on February 1, 2012, and two (2) members selected at large, from the County as a whole, by majority vote of County Council. If after an appointment of a member to represent a particular council district of the county to this commission, such district is altered, then such member shall continue to serve thereon for the remainder of the term to which he is appointed, irrespective of his place of residence. If the county is further divided into additional districts, additional appointments of members to the commission to represent the newly created district may be made by the county council, in the same manner described herein, by district, without further legislative action required by County Council.

(b) Should any member of this commission move and establish residence outside the county or the district where such member was residing at the time of the appointment to this commission, such moving shall constitute a resignation by the member and a replacement member shall be appointed to fill the unexpired term of such resigned member."

4. *Section 2-263. Terms of Members.* of *Division 2. Aeronautics Commission* of *Article IV. Boards, Commissions, and Committees* of *Chapter 2. Administration* of the Oconee County Code of Ordinances is hereby revised, and rewritten to state:

"Section 2-263. Terms of Members.

(a) Each member shall serve for a term of four years, except that the initial term of the second at-large member selected by County Council shall be for a period of two years, and thereafter all members shall serve for a four year term or until their successors in office are duly appointed.

(b) If any member of the commission shall fail to attend 50 percent of the regularly scheduled meetings within a period of 12 calendar months, he shall be deemed to have resigned his position and may be replaced without notice by action of the county council. If such absences are excused by the chair of the commission and/or the chief administrative officer of the county, then this subsection may be waived."

5. *Article II. Economic Development Commission* of *Chapter 24. Planning and Development* of the Oconee County Code of Ordinances is hereby revised and rewritten to state:

"Article II. Economic Development Commission.

Sec. 24-31. Membership.

(a) The membership of the county economic development commission shall be composed of five members. Each county council member will appoint one member from their respective district to the commission. The commission will elect one of the appointed members to serve a two-year term as chairperson. If, after an appointment of a member to represent a particular council district of the county to the commission, such district is altered, then such member shall continue to serve thereon for the remainder of the term to which he is appointed. In the event the county is further divided into additional districts, additional

appointments of members to the commission to represent the newly created districts may be made by the county council in the same manner described herein, by district, without further legislative action required of County Council.

(b) Should any member of this commission move and establish residence outside the county or the district where such member was residing at the time of the appointment to the commission, such moving shall constitute a resignation by the member and a replacement member shall be appointed to fill the unexpired term of such resigned member.

(c) Nonvoting ex officio members from the following agencies and organizations shall be invited to serve on the economic development commission by virtue of their positions of importance to the county:

- (1) Oconee County Administrator
- (2) ~~(1) Oconee County Council~~ Economic Development Committee Chair.
- (3) President, Tri-County Technical College.
- (4) Superintendent, School District of Oconee County.
- (5) President/CEO, Oconee Regional Medical Center.
- (6) (Officer/BOD), Clemson University (or as specified by the President of Clemson University).
- (7) Oconee Joint Regional Sewer Authority Superintendent.
- (8) Director, Oconee County Planning Commission.
- (9) Representative, Oconee Alliance.

Additional *ex officio* members may be added by a majority vote of the county council.
Sec. 24-32. Term of members.

(a) Each appointed member shall serve for a term of four years, or until their successors in office are duly appointed. No member will serve more than 12 consecutive years on the commission and no member will hold the same office for more than six consecutive years.

(b) If or in the event any member of the commission shall fail to attend 50 percent of the regularly scheduled meetings within a period of 12 calendar months, he shall be deemed to have resigned his position and may be replaced without notice by action of the county council. If absences are excused by the chairperson of the commission, this provision may be waived.

Sec. 24-35. Removal of members.

Appointed members of the county economic development commission may be removed at any time by a majority vote of the county council for cause, conflict of interest, or any action or activity that discredits the county and/or commission.

Sec. 24-34 Training.

Each member of the county economic development commission shall be encouraged to attend all four (4) sessions of the South Carolina Economic Developers' School, "Introduction to

Economic Development - session I Institute. Tuition, food, travel and lodging expenses for the training is to be compensated through the economic development commission fiscal year budget.

Sec. 24-35. Organization, meetings, officers.

(a) The county economic development commission shall meet at the call of the chairperson and at such times as the chairperson or commission may determine. The Commission shall meet in at least ten (10) months of each calendar year.

(b) The director of the county economic development commission shall be an employee of the county and shall serve at the pleasure of the county administrator. He shall not have the right to vote.

(c) At the January meeting of each even-numbered year, there shall be elected a chairperson and a vice-chairperson from the appointed commission members, together with such other officers as the commission may deem necessary, and these officers will serve for a period of two years or until their successors are duly elected and qualified. Vacancies in any such office by reason of death, resignation or replacement shall be filled for the unexpired term of the officer whose position become vacant. The director or the administrative assistant of the economic development commission shall serve as secretary of the commission.

(d) The commission shall adopt rules of organizational procedure and shall keep a record of its resolutions, findings, determinations and recommendations to the county council. The media and public shall be notified of all meetings in accordance with the State Freedom of Information Act. A quorum shall consist of the majority (three (3)) of appointed commission members (not including *ex officio* members). The economic development director may purchase equipment and supplies and may employ or contract for such staff and such experts as he considers necessary and consistent with funds appropriated by the county council and approved by the county administrator.

Sec. 24-36. Powers and duties.

(a) The duties of the county economic development commission shall be, *inter alia*, as follows:

(1) To advise the county council on any matter affecting the industrial and/or economic development of the county. Such advice shall be made in the form of a written report to the council. Reports shall be presented to the chair of the county council and the county administrator or their designees within a reasonable time.

(2) To participate in the formulation of the budget and budgetary appropriations affecting the area of concern of the commission.

(3) To attend county council, planning commission, and other meetings as necessary to support the work of the commission and its economic development efforts.

(4) To prepare plans and recommendations to the county council and the county administrator in the area of its activity, with recommendations for the implementation of such plans.

(5) To advise and recommend the employment of or the removal of commission employees to the county administrator.

(6) To institute a program for the encouragement of current industries to remain and expand when the economy permits and for new industrial operations to locate in the county, so as to provide additional jobs and places of employment for county citizens.

(7) To recommend ordinances of countywide application that would encourage planning and growth of the county, both in population and in business and industrial base.

(8) To confer with and cooperate with other local, regional, state and federal agencies in the development and improvement of industrial and economic development in the county to the extent such cooperation is authorized by this article.

(9) To review these regulations as frequently as required (but no less frequently than once every two (2) years) to ensure that they are up to date, in accord with County and State law, and provide adequate means to carry out the mission(s) of the commission. Any amendment to or modification of these regulations shall be by approved ordinance of County Council, and shall only be undertaken in concert with a recommendation as to such amendment or modification by the commission (although County Council is not bound by such recommendation).

(10) To perform such additional duties and functions as shall be prescribed by the county administrator and/or county council.

(b) Any advice or recommendations to the county council may be prepared and presented orally by the chairman of the commission at a regularly scheduled meeting of council after due notice for agenda purposes, or in writing forwarded to the chairman of the county council and the county administrator for dissemination to council members.

Sec. 24-37. Reimbursements.

Each member of the county economic development commission shall be reimbursed for expenses for out-of-county travel, food, lodging and registration at economic development related events. Any expense for same shall be first approved by the county administrator, unless the same is made by the chairperson of the commission and submitted for approval and payment to the county council. In no event shall any member of the commission be entitled to any other compensation, direct or indirect, for services on the commission. Members of the commission shall not provide any services to the commission or provide any services, materials, products, goods or equipment to the county unless the same is sold or offered for sale in accordance with existing county and state purchasing procedures."

5. All other parts and provisions of the Oconee County Code of Ordinances not amended hereby, either explicitly or by implication, remain in full force and effect.

6. 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.

7. 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.

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

ORDAINED in meeting, duly assembled, this _____ day of _____, 2012.

ATTEST:

Elizabeth Hulse,
Clerk to Oconee County Council

Joel Thrift,
Chairman, Oconee County Council

First Reading: January 17, 2012
Second Reading: _____
Third Reading: _____
Public Hearing: _____

Document comparison by Workshare Professional on Tuesday, January 31, 2012
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input:	
Document 1 ID	PowerDocs://ANDERSON/75241/2
Description	ANDERSON-#75241-v2-OCONEE_COUNTY_Ordinance_2012-05 (Amend Article IV)
Document 2 ID	PowerDocs://ANDERSON/75241/3
Description	ANDERSON-#75241-v3-OCONEE_COUNTY_Ordinance_2012-05 (Amend Article IV)
Rendering set	Standard

Legend:	
Insertion	
Deletion	
Moved from	
Moved to	
Style change	
Format change	
Moved-deletion	
Inserted cell	
Deleted cell	
Moved cell	
Split/Merged cell	
Padding cell	

Statistics:	
	Count
Insertions	14
Deletions	12
Moved from	0
Moved to	0
Style change	0
Format changed	0
Total changes	26

VERSION

MARK

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
ORDINANCE NO. 2012-06**

AN ORDINANCE TO REVISE AND AMEND *DIVISION 2. MEETINGS OF ARTICLE II. COUNTY COUNCIL OF CHAPTER 2. ADMINISTRATION OF THE OCONEE COUNTY CODE OF ORDINANCES IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY; AND OTHER MATTERS RELATED THERETO*

WHEREAS, Oconee County, South Carolina (the "County"), a body politic and corporate and a political subdivision of the State of South Carolina (the "State"), 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"), as amended, from time to time; and

WHEREAS, *Article II of Chapter 2. Administration.*, of the Code of Ordinances, entitled *County Council*, contains provisions applicable to the composition of and duties and procedures applicable to County Council; and

WHEREAS, *Division 2. Meetings*, of such *Article II.* contains provisions applicable to and regulating the meetings of County Council; and

WHEREAS, from time to time, provisions of the Code of Ordinances need to be amended, to update such provisions, to add guidelines and procedures applicable to Oconee County government, and to update all provisions of the Code of Ordinances, to keep them in concert and accord with state and county law and regulations; and

WHEREAS, there is a need to provide overall revision to all regulations governing the conduct of County Council meetings, with regard to their conduct of county business, their procedures, and their observance of state and county law and regulations; and

WHEREAS, there is a need to amend, specifically, the provisions of *Article II of Chapter 2* of the Oconee County Code of Ordinances pertaining to Oconee County Council and its meetings; and

WHEREAS, there is a need to amend, specifically, *Division 2. Meetings* of such *Article II. County Council of Chapter 2. Administration* of the Oconee County Code of Ordinances, pertaining to Oconee County Council and its meetings and procedures and guidelines applicable thereto:

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

1. *Division 2. Meetings of Article II. County Council* of the Oconee County Code of Ordinances is hereby revised and amended to state:

"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 pre-empted 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 (2) 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 an 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."

2. *Section 2-36(a)(1) Names and Responsibilities.* of the Oconee County Code of Ordinances is hereby revised and amended to state:

“(a) *Standing committees.*

(1) *Names and responsibilities.* The county council shall maintain five standing committees. The county council shall deal with matters at the committee level prior to its being brought to the full county council if it is judged appropriate by the council chair or by a majority vote of council members. Each standing committee shall be responsible for doing appropriate research and preparing informed recommendations on specific matters that are assigned. The five standing committee names reflect their general areas of jurisdiction:

- a. Budget, finance and administration committee;
- b. Transportation committee;
- c. Real estate, facilities and land management committee;
- d. Law enforcement, public safety, health and welfare committee;
- e. Planning and economic development committee.”

3. All other parts and provisions of the Oconee County Code of Ordinances not amended hereby, either explicitly or by implication, remain in full force and effect.

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.

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.

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

ORDAINED in meeting, duly assembled, this _____ day of _____, 2012.

OCONEE COUNTY, SOUTH CAROLINA

By: _____
Joel Thrift, Chairman, County Council
Oconee County, South Carolina

ATTEST:

By: _____
Elizabeth G. Hulse, Clerk to County Council
Oconee County, South Carolina

First Reading: January 18, 2012 [in title only]
Second Reading: February 7, 2012
Public Hearing:
Third Reading:

OCONEE COUNTY, SOUTH CAROLINA

ORDINANCE NUMBER 2012-06

AN ORDINANCE TO REVISE AND AMEND *DIVISION 2, MEETINGS OF ARTICLE II, COUNTY COUNCIL OF CHAPTER 2, ADMINISTRATION OF THE OCONEE COUNTY CODE OF ORDINANCES IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY; AND OTHER MATTERS RELATED THERETO*

WHEREAS, Oconee County, South Carolina (the "County"), a body politic and corporate and a political subdivision of the State of South Carolina (the "State"), 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"), as amended, from time to time; and

WHEREAS, *Article II of Chapter 2, Administration*, of the Code of Ordinances, entitled *County Council*, contains provisions applicable to the composition of and duties and procedures applicable to County Council; and

WHEREAS, *Division 2, Meetings*, of such *Article II*, contains provisions applicable to and regulating the meetings of County Council; and

WHEREAS, from time to time, provisions of the Code of Ordinances need to be amended, to update such provisions, to add guidelines and procedures applicable to Oconee County government, and to update all provisions of the Code of Ordinances, to keep them in concert and accord with state and county law and regulations; and

WHEREAS, there is a need to provide overall revision to all regulations governing the conduct of County Council meetings, with regard to their conduct of county business, their procedures, and their observance of state and county law and regulations; and

WHEREAS, there is a need to amend, specifically, the provisions of *Article II of Chapter 2* of the Oconee County Code of Ordinances pertaining to Oconee County Council and its meetings; and

WHEREAS, there is a need to amend, specifically, *Division 2, Meetings* of such *Article II, County Council of Chapter 2, Administration* of the Oconee County Code of Ordinances, pertaining to Oconee County Council and its meetings and procedures and guidelines applicable thereto;

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

1. *Division 2: Meetings of Article II, County Council* of the Oconee County Code of Ordinances is hereby revised and amended to state:

"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 pre-empted 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 (2) 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 an 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.

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(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."

2. *Section 2-36(a)(1) Names and Responsibilities.* of the Oconee County Code of Ordinances is hereby revised and amended to state:

"(a) *Standing committees.*

(1) *Names and responsibilities.* The county council shall maintain five standing committees. The county council shall deal with matters at the committee level prior to its being brought to the full county council if it is judged appropriate by the council chair or by a majority vote of council members. Each standing committee shall be responsible for doing appropriate research and preparing informed recommendations on specific matters that are assigned. The five standing committee names reflect their general areas of jurisdiction:

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- b. Transportation committee;
- c. Real estate, facilities and land management committee;
- d. Law enforcement, public safety, health and welfare committee;
- e. Planning and economic development committee."

3. All other parts and provisions of the Oconee County Code of Ordinances not amended hereby, either explicitly or by implication, remain in full force and effect.

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.

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.

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

ORDAINED in meeting, duly assembled, this _____ day of _____, 2012.
ATTEST:

Elizabeth Hulse,
Clerk to Oconee County Council

Joel Thrift,
Chairman, Oconee County Council

First Reading: January 17, 2012
Second Reading: _____
Third Reading: _____
Public Hearing: _____

MARK UP VERSION

PROCUREMENT - AGENDA ITEM SUMMARY
OCONEE COUNTY, SC

COUNCIL MEETING DATE: February 7, 2012

ITEM TITLE:

Title: **ITB 11-13, RADIO EQUIPMENT**

Department(s): **EMERGENCY SERVICES**

Amount: **\$81,899.80**

FINANCIAL IMPACT:

Procurement was approved by Council in Fiscal Year 2011-2012 budget process.

Finance Approval: 

BACKGROUND DESCRIPTION:

Bidders were asked to submit bids for portable and mobile radios, to include removal of existing equipment, re-programming and installation. Bids were publicly opened on December 13, 2011. Four companies submitted bids, with Communication Service Center of Greenville, SC submitting the lowest bid of \$81,899.80.

SPECIAL CONSIDERATIONS OR CONCERNS:

None

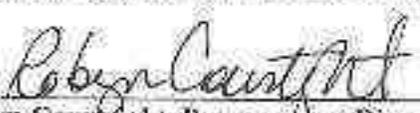
ATTACHMENT(S):

1. Bid Tabulation

STAFF RECOMMENDATION:

It is the staff's recommendation that Council award ITB 11-13 for radio equipment to Communication Services Center of Greenville, SC, in the amount of \$81,899.80.

Submitted or Prepared By:


Robyn Courtwright, Procurement Director

Approved for Submittal to Council:


T. Scott Moulder, 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.

ITB 11-13, RADIO EQUIPMENT FOR EMERGENCY SERVICES

Item Description	QTY	Communication Svs Center		Performance Communications, LLC		Quality Communications, Inc		RELM Wireless Corp	
		Greenville, SC		Anderson, SC		Atlanta, GA		West Melbourne, FL	
Motorola CP 200 Portable Radio	150	\$ 243.00	\$ 36,450.00	\$ 243.00	\$ 36,450.00	\$ 320.00	\$ 48,000.00	\$ 239.00	\$ 35,850.00
Motorola HT1250 Portable Radio	26	\$ 618.00	\$ 16,068.00	\$ 620.30	\$ 16,127.80	\$ 760.00	\$ 19,760.00	\$ 275.00	\$ 7,150.00
Motorola PM 400 Mobile Radio	48	\$ 319.00	\$ 15,312.00	\$ 401.00	\$ 19,248.00	\$ 395.00	\$ 28,960.00	\$ 399.00	\$ 19,152.00
Re-programming portable radios	450	\$ 10.00	\$ 4,500.00	\$ 24.00	\$ 10,800.00	\$ 10.00	\$ 10.00	\$ 60.00	\$ 27,000.00
Re-programming mobile radios	150	\$ 10.00	\$ 1,500.00	\$ 24.00	\$ 3,600.00	\$ 10.00	\$ 4,500.00	\$ 60.00	\$ 9,000.00
Removal of existing equipment	48	\$ -	\$ -	\$ 18.00	\$ 864.00	\$ 350.00	\$ 52,500.00	\$ -	\$ -
Shipping/Handling	1	\$ 4,000.00	\$ 4,000.00			\$ 425.00	\$ 425.00	\$ 272.41	\$ 272.41
Subtotal			\$ 67,830.00		\$ 71,825.80		\$ 86,720.00		\$ 62,152.00
Sales tax			\$ 4,069.80		\$ 4,309.55		\$ 5,203.20		\$ 3,729.12
TOTAL			\$ 81,899.80		\$ 91,399.35		\$ 149,358.20		\$ 102,153.53

Boards & Commissions	Meeting Date to Appoint	Paul Corbeil	Wayne McCall	Archie Barron	Joel Thrift	Reg Dexter	AT LARGE & OTHER APPOINTEES		
		District I	District II	District III	District IV	District V			
ACOG BOD	January 2013	Council Rep: CC-CHAIR or designee [yearly]; 2 yr terms: Rep: Bob Winchester, Minority Rep: Bennie Cunningham						Citizen	
Aeronautics Commission	March 2012	2012: Randy Renz	2012: Dan Suddeth	2012: Thomas Luke	2012: Wayne Rhoetter	2014: Ronald Chiles	2014 At Large: Dan Schmeidt		
Anderson-Oconee Behavioral Health Services Commission	June 2014	2014: Steve Jenkins, Harold Alley, Louie Holleman, Wanda Long, Fred Hamilton, Joan Black, Jere DuBois							
Building Codes Appeal Board	February 2012	2014: Roger Mize	2014: Neal Workman	VACANT	2014: Mike Williamson	2014: Harry Tillson			
Capital Project Advisory Cmte	May 2012	AT LARGE: John Rau, David Mead		PLANNING COMMISSION: Ryan Honea					
Economic Development Commission	November 2012	2012: Kim Alexander	2014: Harold Gibson	2012: Hank Field	2014: Sam Dickson	2014: Gene Blair			
Emergency Services Commission	ON HOLD PENDING DEPARTMENT REVIEW OF ORDINANCE								
Firemen's Insurance & Inspection Fund Board	August 2012	2009: Larry Harden, Dewitt Mize, Chris Smith, Richard Timms, Charles Bobby Williams							
Library Board	July 2013	2013: R. Daniel Day, John Adams, Frank Montague, Jody Gaulin, Vicki Miller, Carol Baumgardner, P. Ellis Hughes 2014: Lee Barrett, Biff Kennedy 2015: William Castor							
Parks, Recreation & Tourism Commission	June 2013	2013: Brian Greer, Jo Ann Blake, Rosemary Bailes			2015: Mike Wallace, Dave Lavore, OPEN & Rick Lacey				
Planning Commission	January 2013	2015: Andrea Heifer	2013: Howard Moore	2015: William Gilster	2013: Tommy Abbott	2013: Ryan Honea	2015: Gwen McPhail 2013: John Lyle		
Zoning Board of Appeals	February 2012	2012: Gary Winters	2012: Sammy Lee	2012: Gary Littlefield	2015: Marty McKee	2015: Dick Hughes	At Large: 2012: Berry Nichols & Paul Reckert		
Infrastructure Advisory Commission	N/A	Council Rep + Econ. Dev Director, Planning Director & Administrator - all members serve until replaced - no term limits specified							
Scenic Highway Committee	N/A	Council appoints two at large members: Allen D. Boggs & Nancy Basket / Members serve at will / no term length defined.							
Solid Waste Commission		County Attorney to repeal Ordinance - Commission abolished FY 07-08							
Water Board	N/A	Inactive Board w/o members - may appoint in future if needed.							
Worklink Board	N/A	Worklink contacts Council w/ recommendations when seats open							
Assessment Appeals, Board of		N/A	N/A	N/A	N/A	N/A	Board Full		
Disabilities & Special Needs, Board of		N/A	N/A	N/A	N/A	N/A	Board Full		
Joint Regional Sewer Authority		Council will no longer appoint - Oconee Joint Regional Sewer Authority (OJRSA)							
Kerwee Fire Tax District Commission		All Members elected to 4-yr term in November General Election / 2 in 2008, 3 in 2010, etc.							

SEATS APPOINTED BY INDUSTRY NOT DISTRICT

PAST DUE APPOINTMENT

SEATS CO-TERMINUS W/ COUNCIL SEATS

OPEN SEAT for this current year.

Council appoints based on BOD recommendation

Council does not appoint this Board/Commission

Beth Hulse

From: Phil Shirley
Sent: Wednesday, January 18, 2012 12:31 PM
To: Beth Hulse
Subject: PRT Commission

Erin Mckergow is moving to New Zealand to go back home, so we will have an opening on the Commission! Erin worked at WildWater and represented the Whitewater rafting companies! I would like to recommend Becky Wise of WildWater to replace Erin! I'll send her address later! Please forward to Council for consideration!
Thank You Phil Shirley, CPRP
>Sent from Blackberry wireless

Beth Hulse

From: ocscmanager [ocscmanager@bellsouth.net]

Sent: Monday, January 16, 2012 7:01 AM

To: Joel Thrift; Reg Dexter

Cc: Beth Hulse

Subject: ACOG Board Appointments

Oconee County Council Members,

This message follows the most recent ACOG Board meeting where the ACOG Director mentioned the need for the reappointment of members of the Appalachian Council of Governments Board Members. I currently serve as a Citizen Representative on the ACOG Board and am available, willing, and able to continue this service.

I currently serve as Chairman of the ACOG's Water Quality Advisory Committee and have served on the Comprehensive Economic Development Strategy Oversight Committee. Having served four years on the Board, I attended all meetings during the first two years, and have only missed a couple during the most recent two years. I am proud of the opportunity to serve and my attendance record on the Board. I would consider it an honor to continue serving the citizens of Oconee County.

Thanks for the Council's consideration.

Sincerely,

Bob Winchester

NOTICE OF PUBLIC HEARING

There will be a public hearing on an ordinance with respect to the approval by Oconee County, South Carolina of the Seventh Amendment of the Joint County Industrial and Business Park Agreement between Oconee County, South Carolina and Pickens County, South Carolina. The property to be included in the Industrial Business Park is BASF Corporation which is located at 554 Engelhard Drive Seneca, SC 29672. Said public hearing is to occur at a meeting of the Oconee County Council in the Administration Building, 415 South Pine Street, Walhalla, South Carolina on Tuesday, February 7, 2012 at 6:30 p.m.

OCONEE COUNTY, SOUTH CAROLINA

**Joel Thrift
Chairman of County Council**

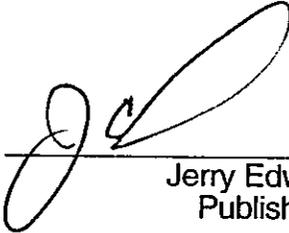
2011-34

PUBLISHER'S AFFIDAVIT

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE**

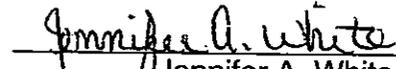
**IN RE: Oconee County Council
 Public Hearing - February 7, 2012**

BEFORE ME the undersigned, a Notary Public for the State and County above named, this day personally came before me, Jerry Edwards, who being first duly sworn according to law, says that he is the Publisher 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 paper on January 21, 2012 and the rate charged therefore is not in excess of the regular rates charged private individuals for similar insertions.



Jerry Edwards
Publisher

Subscribed and sworn to before me this
23th day of January A.D. 2012



Jennifer A. White
Notary Public for South Carolina
My Commission Expires: 05/18/2014

TOP PRICES PAID TO BUY



ALL JUNK CARS
We pay \$325 - \$1000
for cars, trucks, buses
- Same Day - Free
Pickup - Cash Paid
854-844-3799
854-375-3051

TOP PRICES PAID for
any & all junk cars.
Same day pick-up. Call
854-209-3870.

WANTED



Junk Cars, Trucks,
Up to \$700
7 days a week
Will pay cash &
pick-up same day.
864-280-3519

161 AUTOS FOR
SALE

'99 KIA OPTIMA LX,
2.4L, remote entry, pwr
w/o cruise, white &
beige, very clean non-
smoker. 51k! \$11,500
firm. 864-885-1733

1995 MERCURY
COUGAR, body in good
shape, runs good, need
some int. work, sold as
is. \$3000/obo. 847-
0931.

2000 VOLVO S-70
sedan, 124K miles, sil-
ver w/beige leather, nice
& clean. 32MPG Hwy.
\$8,800. Sat 854-3450.

LEGAL'S

The Oconee County
Council will hold a Public
Hearing on Tuesday,
February 7, 2012 at 6:00
p.m. in County Council
Chambers, Oconee
Administrative Offices,
415 South Pine Street,
Walhalla, SC 29691
regarding Ordinance
2011-21 (McClure & N.
Reburn Church Request)
"AN ORDINANCE TO
AMEND THE OCONEE
COUNTY ZONING
ENABLING ORDI-
NANCE, ORDINANCE
2007-18, IN CERTAIN
LIMITED REGARDS

the purchase price
unless the bidder
defaults, in which case
the deposit will be forfeit-
ed. If the successful bid-
der fails, or refuses, to
make the required
deposit on the day of
sale or fails or refuses to
comply with the bid with-
in 20 days, then the
property will be resold at
the bidder's risk. Personal
of deficiency judgment
having been demanded
or reserved, the sale will
remain open for thirty
(30) days pursuant to
S.C. Code Ann. §15-39-723
(1976). The Plaintiff
may waive any of its
rights, including its right
to a personal or deficiency
judgment, at any time
prior to the foreclosure
sale. The successful bidder
will be required to pay
interest on the amount of
the bid from date of sale
to date of compliance with
the bid at the rate of 7%
per annum. For complete
terms of sale, see Judgment
of Foreclosure and Sale
filed with the Oconee
County Clerk of Court at
C/A #11-CP-37-0955.

NOTICE: The fore-
closure deed is not a war-
ranty deed. Interested
bidders should satisfy
themselves as to the
quality of title to be con-
veyed by obtaining an
independent title search
prior to the foreclosure
sale date. Beverly H.
Whitfield Clerk of Court
for Oconee County
015263-00921 FM
Samuel C. Waters Esq.
Attorney for Plaintiff P.O.
Box 100200 Columbia,
SC 29202-3200 (803)
744-4444 Website:
www.rh-law.com (see
link to
Resources/Foreclosure
Sales)

NOTICE OF SALE BY
VIRTUE of a deed
foreclosure granted in the
case of: Natorstar
Mortgage, LLC vs.
Joseph L. Brown, Jr.
a/k/a Joseph Brown
a/s/o Joseph Brown, Jr.;
Debra L. Brown a/k/a
Debra Parson a/k/a
Debra Brown, C/A No.
11-CP-37-0973. The fol-
lowing property will be
sold on February 8,
2012, at 11:05 AM at the

terms of Sale, see
Judgment of
Foreclosure and Sale
filed with the Oconee
County Clerk of Court at
C/A #11-CP-37-0973.
NOTICE: The fore-
closure deed is not a war-
ranty deed. Interested
bidders should satisfy
themselves as to the
quality of title to be con-
veyed by obtaining an
independent title search
prior to the foreclosure
sale date. Beverly H.
Whitfield Clerk of Court
for Oconee County
013225-01685 FN
Samuel C. Waters, Esq.
Attorney for Plaintiff P.O.
Box 100200 Columbia,
SC 29202-3200 (803)
744-4444 Website:
www.rh-law.com (see
link to
Resources/Foreclosure
Sales)

STATE OF
SOUTH CAROLINA
COUNTY OF
OCONEE
COURT OF
COMMON PLEAS
NOTICE OF SALE
2008-CP-37-1495

Instant Cash, Inc.,
Plaintiff,
v.
SD Trust LLC; Gene
Hopper; David W. Gantt;
Joshua Ward; Charles
Pinlon, Oconee County;
Cosmo, LLC; Faustine
W. Smith; Community
First Bank; The Kaste
Group, Inc.; Jeff
Greenberg; Greenberg
Investments, L.P.; Cory
S. Chambers; Dennis
Rifer; Community South
Bank; Lillian Scane;
Robert Alexander; Big
Deal Land Company,
LLC; Metrocon, Inc.;
C.E. Property Solutions,
LLC; Home Life
Interiors, Inc.; Deutsche
Bank National Trust
Company as Trustee
under Pooling and
Servicing Agreement
dated as of March 3,
2007 Secularized Asset
Backed Receivables
LLC Trust 2007-BRI
Mortgage Pass Through
Certificates Series 2007-
BRI; Amardo Lopez;
Mortgage Electronic
Registration Systems,
Inc. (MIN #
103466910062219935;
Donald Michaelson and
Arlene Michaelson;
Thomas Gallagher; Mary

less, as shown on a plat
prepared by Barry L.
Collins, SC RLS #11903,
dated December 21,
2001 and recorded in
Plat Book A-920 at
Pages 1 and 2, records
for Oconee County,
South Carolina. This is
the same property con-
veyed to SD Trust,
LLC by deed of the
Eagle Group, LLC dated
April 28, 2006 and
recorded May 1, 2008 in
Deed Book 1498 at
Page 249-250 in the
records of Oconee
County, South Carolina.
Tax Map No. 123-00-02-
005, 123-00-02-007,
123-00-02-013, 123-00-
02-030, 123-00-02-023,
123-00-02-023, 123-00-
02-032

LESS AND EXCEPT:
All that certain piece,
parcel or lot of land with
improvements thereon
situate, lying and being
in the State of South
Carolina, County of
Oconee, Keowee
District, being known
and designated as Lot
Number Twenty-Seven
(27) of Sweetwater on
Lake Keowee
Subdivision, containing
1.43 acres, more or less,
as shown and more fully
described on a plat by
Barry L. Collins, SC RLS
#11903, recorded in the
Office of the Register of
Deeds for Oconee
County, South Carolina,
in Plat Book B-40 at
Page 2, records of
Oconee County, South
Carolina.

ALSO LESS AND
EXCEPT:
All that certain piece,
parcel or lot of land lying,
situate, in the State of
South Carolina, County
of Oconee, Keowee
District, being known
and designated as Lot
Number Thirty-Seven
(37) of Sweetwater
Subdivision on Lake
Keowee Subdivision
containing 3.01 acres,
more or less, as shown
and more fully described
on a plat prepared by
Barry L. Collins, SCPLS
#11803, dated June 30,
2004 and recorded in
Plat Book B-17 at Page
2, records of Oconee
County, South Carolina.
ALSO LESS AND
EXCEPT:
All that certain piece,



Oconee County
Council Office

T. Scott Moulder
Administrator

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

Phone: 864 718 1023
Fax: 864 718 1024

E-mail
btulbe@occoneesc.com

Paul Corbett
Vice Chairman
District I

Wayne McCall
District II

Archie Barron
District III

Joel Thrift
District IV
Chairman

Reynold T. Dexter
District V

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

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

TO: DAILY JOURNAL [classadmgr@dailyjm.com]
DATE: January 20, 2012

The Oconee County Council will hold a Public Hearings on Tuesday, February 7, 2012 at 6:00 p.m. in County Council Chambers, Oconee Administrative Offices, 415 South Pine Street, Walhalla, SC 29691 regarding Ordinance 2011-21 [McClure & N. Return Church Request] "AN ORDINANCE TO AMEND THE OCONEE COUNTY ZONING ENABLING ORDINANCE, ORDINANCE 2007-18, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, AS TO REZONE A SERIES OF PARCELS SPECIFIED HEREIN, AND TO RATIFY AND AFFIRM ALL OTHER PROVISIONS OF ORDINANCE 2007-18 NOT AMENDED OR MODIFIED HEREBY; AND OTHER MATTERS RELATING THERETO".

Any citizen wishing to speak at the meeting regarding this ordinance may do so by signing up at the meeting. Written comments may be submitted at any time prior to the hearing for inclusion in the official record of the meeting. Please submit written comments to the Clerk to Council, 415 South Pine Street, Walhalla, South Carolina, 29691.

