

# PROCUREMENT - AGENDA ITEM SUMMARY

## OCONEE COUNTY, SC

COUNCIL MEETING DATE: **February 4, 2025**

### ITEM TITLE:

**Procurement #: ITB 24-07    Title: Five (5) Floating Dock Systems for High Falls and South Cove County Parks    Department(s): PRT    Amount: \$398,700.00**  
**Contingency (10%): \$ 39,870.00**  
**Total: \$438,570.00**

### FINANCIAL IMPACT:

Procurement was approved by Council in Fiscal Year 2024-2025 budget process.

Budget: **\$438,570.00**    Project Cost: **\$438,570.00**    Balance: **\$0.00**    Finance Approval: \_\_\_\_\_

*(Funding is from SCDNR Water Recreation Fund (\$150,110), South Carolina National Heritage Corridor Grant or Local ATAX (\$59,000), and Oconee State ATAX (\$229,460))*

### BACKGROUND DESCRIPTION:

High Falls and South Cove County Parks welcome over 200,000 citizens and visitors each year for park access and lake recreation. Three (3) docks at South Cove and two (2) docks at High Falls have been in place since the 1970s and have undergone multiple repairs over the years. These docks are used daily by park visitors, for events, fishing tournaments, and other recreational uses. In order to comply with current codes and regulations, these docks need to be replaced.

This project includes a new floating fishing pier and a new transient dock in the day use area at High Falls County Park. A new floating fishing pier, a new transient dock at the park office for park access and a new kayak launch dock at the double boat ramp at South Cove County Park. All docks will be made with durable materials designed to last for many years.

On January 21, 2025 formal sealed bids were opened for the 5 docks for High Falls and South Cove County Parks. Twenty-Six companies downloaded this bid opportunity. Four (4) companies submitted bids, with Lake Wylie Dock Construction of Fort Mill, SC submitting the lowest, responsive bid of \$398,700.00

Staff is requesting a 10% owners' contingency to allow for unforeseen items that may arise.

### ATTACHMENT(S):

1. Bid Tab

### STAFF RECOMMENDATION:

It is the staff's recommendation that Council;

1. Approve the Award of ITB 24-07, 5 Docks for High Falls and South Cove County Parks, to Lake Wylie Dock Construction of Fort Mill, SC in the amount of \$398,700.00, plus a 10% contingency in the amount of \$39,870.00, for a total award of \$438,570.00.
2. Authorize the County Administrator to execute documents for this project and sign any change orders within the contingency amount

**Submitted or Prepared By:** \_\_\_\_\_ **Approved for Submittal to Council:** \_\_\_\_\_

*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.*

*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.*

Bidders		Advanced Marine Concepts, LLC dba Atlas Docks, LLC	Florida Floats, Inc. dba Bellingham Marine	JD Gaskins Construction, Inc.	Lake Wylie Construction, LLC
Address		Camdenton, MO	Castle Hayne, NC	Aiken, SC	Fort Mill, SC
	Description	Rejected - Did not have required SC GC License with Marine Classification	Price	Price	Price
	Dock #1 High Falls		\$ 145,185.60	\$ 124,401.39	\$ 64,610.00
	Dock #2 High Falls		\$ 178,370.88	\$ 186,959.00	\$ 117,420.00
	Dock #3 South Cove		\$ 180,444.96	\$ 138,193.40	\$ 93,910.00
	Dock #4 South Cove		\$ 37,333.44	\$ 81,856.57	\$ 43,115.00
	Dock #5 South Cove		\$ 103,704.00	\$ 129,433.90	\$ 79,645.00
	Grand Total		\$ 645,038.88	\$ 660,844.26	\$ <b>398,700.00</b>

Attended Bid Opening:

In Person: Tronda C. Popham, Madison Addington, Amber Turner

Via Zoom: Stephen Schutt, Brandon Haney, Cory Ginsky, Lee Ishee, Todd Flowers

**STATE OF SOUTH CAROLINA  
COUNTY OF OCONEE  
PROCLAMATION 2025-01**

**A PROCLAMATION OF APPRECIATION TO THE OCONEE COUNTY PERSONNEL WHO  
VOLUNTEERED THEIR SERVICES TO DORCHESTER COUNTY**

**WHEREAS**, on Wednesday, January 22<sup>nd</sup>, Oconee County received a request for assistance from Dorchester County due to four inches of snowfall and a declared state of emergency; and

**WHEREAS**, four employees from Emergency Services and four employees from Roads & Bridges answered the call to assist, despite working all day and some working the night before the event; and

**WHEREAS**, Steve Bryant, Jason Rowland, Richard Sloan, Josh NeSmith, Clint Livingston, David Greenwald, Cody Smith and Andy McGuffin spent two days helping to make safe the roads in Dorchester County for its citizens; and

**WHEREAS**, utilizing their expertise, County personnel completed all necessary work, before receiving heart-felt appreciation from Dorchester County and returning home on January 24<sup>th</sup>; and

**WHEREAS**, the commitment to public service that County personnel demonstrated by leaving the comforts of their homes to assist citizens in the low country of South Carolina cannot be understated; and

**WHEREAS**, by assisting Dorchester County during their time of need, the eight personnel proudly served the people of South Carolina while representing the integrity, helpfulness and quality services that we have come to know and expect here in Oconee County.

**NOW, THEREFORE**, we, the Oconee County Council, do hereby recognize and express our appreciation to Steve Bryant, Jason Rowland, Richard Sloan, Josh NeSmith, Clint Livingston, David Greenwald, Cody Smith and Andy McGuffin for their services to the citizens of Dorchester County.

**APPROVED AND ADOPTED** this 4th day of February, 2025.

OCONEE COUNTY, SOUTH CAROLINA

\_\_\_\_\_  
Matthew Durham, Chairman of County Council  
Oconee County, South Carolina

Attest: \_\_\_\_\_  
Jennifer Adams, Clerk to County Council  
Oconee County, South Carolina

**STATE OF SOUTH CAROLINA  
COUNTY OF OCONEE  
ORDINANCE 2024-28**

**AN ORDINANCE AMENDING CHAPTER 10 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, EFFECTING A LIMITATION ON CERTAIN EMERGENCY POWERS AND DESIGNATING THE EMERGENCY MANAGEMENT DIRECTOR AS THE PRIMARY POINT OF CONTACT FOR THE COUNTY WITH OTHER JURISDICTIONAL AUTHORITIES; AND OTHER MATTERS RELATED THERETO.**

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

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

**WHEREAS**, County Council recognizes that there is a need to revise the law of the County to meet the changing needs of the County and that there is a need to amend, specifically, Chapter 10 of the Code of Ordinances by removing certain delineated emergency powers and by designating the emergency management director as the primary point of contact for the county with other jurisdictional authorities in the event of a declared emergency; and

**WHEREAS**, County Council has therefore determined to modify Chapter 10 of the Code of Ordinances and to affirm and preserve all other provisions of the Code of Ordinances not specifically, or by implication, amended hereby.

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

1. Section 10-275 of Chapter 10 of the Code of Ordinances, entitled Emergency Management Division, is hereby revised, rewritten, and amended to read as set forth in Exhibit A, which is attached hereto and incorporated herein by reference. Attached hereto as Exhibit B is a

version of Exhibit A which reflects the changes to the prior provisions; Exhibit B is for illustrative purposes only and shall not be codified.

2. County Council hereby approves and adopts Exhibit A and directs that it be codified in the Oconee County Code of Ordinances.

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

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

5. All other terms, provisions, and parts of the Code of Ordinances, and specifically, but without exception, the remainder of Chapter 10, not amended hereby, directly or by implication, shall remain in full force.

6. This ordinance is effective at its approval following a public hearing and third reading.

**ORDAINED** in meeting, duly assembled, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**ATTEST:**

\_\_\_\_\_  
Jennifer C. Adams  
Clerk to Oconee County Council

\_\_\_\_\_  
Matthew Durham  
Chair, Oconee County Council

First Reading: December 03, 2024  
Second Reading: January 21, 2025  
Public Hearing: February 04, 2025  
Third Reading: February 04, 2025

Exhibit A

*[See attached]*

EXHIBIT B

*[See attached]*



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EXHIBIT A

**Sec. 10-275. Emergency management division.**

(a) *Administrative procedures.*

- (1) There is hereby created the position of emergency management director, who shall be responsible for directing the day-to-day operations of the emergency management division and coordinating the activities of various county and municipal governments during a period of disaster. The emergency management director shall be hired by the county administrator. The emergency management director shall be empowered and required to coordinate and render assistance to county and city officials in the development of plans for the use of all facilities, equipment, manpower and other resources of the city and county for the purpose of minimizing or preventing damage to persons or property in disaster situations. City and county personnel shall include in such plans the restoration of governmental services and public utilities necessary for public health, safety and welfare. The emergency management director shall further direct the efforts of the emergency management division in the implementation of the provisions of this article.
- (2) All county and city officials and employees of the county, together with those volunteer forces enrolled to aid them during a disaster and persons who may by agreement or operation of law be charged with duties incident to the protection of life and property in the county during times of disaster, shall constitute the emergency management division.
- (3) The county council shall be responsible for meeting the problems and dangers to the county and its residents resulting from disasters of any origin and upon a declaration of a State of Emergency by the Governor of the State of South Carolina, the county council may issue proclamations and regulations concerning disaster relief and related matters which, during such an emergency situation, shall have the full force and effect of law.
  - a. A state of disaster emergency may be declared by the Governor of the State of South Carolina if he finds a disaster has occurred or that a threat thereof is imminent and extraordinary emergency measures are deemed necessary to cope with the existing or anticipated situation. Once declared, the state of emergency shall continue until terminated by proclamation of the Governor of the State of South Carolina.
  - b. In addition to any other powers conferred by law, when a state of emergency has been declared by the Governor of the State of South Carolina, in cooperation with the State Emergency Preparedness Agency, the county council may, under the provisions of this Act, authorize the following:
    1. The suspension of existing laws and regulations prescribing the procedures for conduct of county business if strict compliance with the provisions of any statute, order, rule or regulation would in any way prevent, hinder or delay necessary action in coping with an emergency;
    2. The utilization of all available resources of county government as reasonably necessary to cope with a disaster emergency;
    3. The transfer of the direction, personnel or functions of county departments and agencies or units thereof for purpose of facilitating or performing emergency services as necessary or desirable;
    4. Action to compel performance by elected and appointed county government officials and employees of the duties and functions assigned in the county disaster plan;
    5. Contract, requisition and compensate for goods and services from private sources;

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6. Warn and advise for evacuation of all or parts of the population from any stricken or threatened area within the county, if such action is deemed necessary for preservation of life or other disaster mitigation, response or recovery;
  7. Prescribe routes, modes of transportation and destinations in connection with evacuations;
  8. The making of provision for the availability and use of temporary housing;

(b) *Emergency management director.*

- (1) The emergency management director shall maintain liaison with the state and federal authorities, and the authorities of other nearby political subdivisions, so as to insure the most effective operation of the emergency plan. Further, unless otherwise determined by local, state, or federal law, the emergency management director or his designee shall be the primary point of contact for the county with local, state, and federal authorities whenever a state of emergency has been declared by the Governor of the State of South Carolina.
- (2) His/her duties shall include, but shall not be limited to, the following:
  - a. Development and publication of emergency plans in conformity with state emergency plans for the immediate use of all of the facilities, equipment, manpower, and other resources of the county for the purpose of minimizing or preventing damage to persons or property, and protecting and restoring to usefulness governmental services and public utilities necessary for the public health, safety, and welfare.
  - b. Control and necessary record-keeping for civil defense funds and property which may be made available from federal, state, county and municipal governments.
  - c. Submission of annual budget requirements to the state and federal government and to the county council.
  - d. Signing such documents as are necessary in the administration of the county disaster preparedness program to include project applications and billing for purchases under project applications.
  - e. Through public information programs, educating the civil population as to the actions necessary and required for the protection of their persons and property in case of enemy attack, or natural disaster.
  - f. Conducting simulated exercises and public practice alerts to insure efficient operations of the emergency management division and to familiarize residents of the county with civil defense regulations, procedures, and operations.
  - g. Coordinating the activity of all other public and private agencies engaged in any emergency preparedness program.
  - h. Coordinate in conjunction with the department of social services in negotiation with owners or persons in control of buildings or other property for the use of such buildings or property for civil defense purposes, and designating suitable buildings as public fallout shelters.
  - i. Coordinate in conjunction with the department of social services in the development of a community shelter plan, which will have as its ultimate goal an assigned fallout shelter space for every citizen of the county.
  - j. Assume such authority and conduct such activity as may be necessary to promote and execute the emergency operations plan.

(c) *Jurisdiction.*

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- (1) All employees of departments, commissions, boards, institutions, and other agencies of the county, designated as civil emergency forces, shall cooperate with the coordinator in formulation of the county emergency operations plan, and shall comply with the orders of the emergency management director when such orders are issued pursuant the provisions of this article.
  - (2) All such civil emergency forces shall notify the emergency management director of conditions in the county resulting from enemy attack or natural disaster, and they shall inform the emergency management director of any conditions threatening to reach the proportions of a natural disaster as defined herein. Failure to notify the emergency management director, however, shall not prevent the emergency management director from exercising any authority assigned to him/her by this article.
  - (3) The emergency management director may at any time appoint or authorize the appointment of volunteer citizens to augment the personnel of a department in time of civil emergency. Such volunteer citizens shall be enrolled as civil emergency volunteers in cooperation with the heads of the county departments affected, and they shall be subject to the rules and regulations set forth by the emergency management director for such volunteers.
  - (4) The emergency management director may appoint volunteer citizens to form the personnel of a civil emergency service for which the county has no counterpart. He/she may also appoint volunteer citizens as public shelter managers who, when directed by the emergency management director shall open public shelters and take charge of all stocks of food, water, and other supplies and equipment stored in the shelter, admit the public according to the community shelter plan and take whatever control measures are necessary for the protection and safety of the occupants.
  - (5) County and municipal employees assigned to duty as a part of the civil emergency forces pursuant to the provision of this Act shall retain all the rights, privileges, and immunities of employees, and shall receive the compensation incident to their employment.
- (d) *Enforcement and penalties.*
- (1) This article is an exercise by the county of its governmental functions for the protection of the public peace, health, and safety, and the county or agents and representatives of the county, or any individual, receiver firm, partnership, corporation, association, or trustee, or any of the agents, thereof in good faith carrying out, complying with, or attempting to comply with any order, rule, or regulation promulgated pursuant to the provisions of this article shall not be liable for any damage sustained to persons or property as a result of such activity.
  - (2) Any person owning or controlling real estate or other premises who voluntarily and without compensation grants the county the right to inspect, designate, and use the whole or any part or parts of such real estate or premises for the purposes of sheltering persons during an actual, impending, or threatened enemy attack or during an authorized civil emergency practice exercise, shall not be civilly liable for the death of, or injury to, any person on or about such real estate or premises under such license, privilege, or other permission, or for the loss of, damage, to, the property of such person.
  - (3) It shall be unlawful for any person to violate any of the provisions of this Act of the regulations issued pursuant to the authority contained herein, or to willfully obstruct, hinder, or delay any member of the civil emergency organization in the enforcement of the provisions of this Act or any regulation issued thereunder. Any violation of this section shall be considered as a misdemeanor and shall be punished by a fine of not more than \$500.00 or confinement of not more than 30 days.
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EXHIBIT B

**Sec. 10-275. Emergency management division.**

(a) *Administrative procedures.*

- (1) There is hereby created the position of emergency management director, who shall be responsible for directing the day-to-day operations of the emergency management division and coordinating the activities of various county and municipal governments during a period of disaster. The emergency management director shall be hired by the county administrator. The emergency management director shall be empowered and required to coordinate and render assistance to county and city officials in the development of plans for the use of all facilities, equipment, manpower and other resources of the city and county for the purpose of minimizing or preventing damage to persons or property in disaster situations. City and county personnel shall include in such plans the restoration of governmental services and public utilities necessary for public health, safety and welfare. The emergency management director shall further direct the efforts of the emergency management division in the implementation of the provisions of this article.
- (2) All county and city officials and employees of the county, together with those volunteer forces enrolled to aid them during a disaster and persons who may by agreement or operation of law be charged with duties incident to the protection of life and property in the county during times of disaster, shall constitute the emergency management division.
- (3) The county council shall be responsible for meeting the problems and dangers to the county and its residents resulting from disasters of any origin and upon a declaration of a State of Emergency by the Governor of the State of South Carolina, the county council may issue proclamations and regulations concerning disaster relief and related matters which, during such an emergency situation, shall have the full force and effect of law.
  - a. A state of disaster emergency may be declared by the Governor of the State of South Carolina if he finds a disaster has occurred or that a threat thereof is imminent and extraordinary emergency measures are deemed necessary to cope with the existing or anticipated situation. Once declared, the state of emergency shall continue until terminated by proclamation of the Governor of the State of South Carolina.
  - b. In addition to any other powers conferred by law, when a state of emergency has been declared by the Governor of the State of South Carolina, in cooperation with the State Emergency Preparedness Agency, the county council may, under the provisions of this Act, authorize the following:
    1. The suspension of existing laws and regulations prescribing the procedures for conduct of county business if strict compliance with the provisions of any statute, order, rule or regulation would in any way prevent, hinder or delay necessary action in coping with an emergency;
    2. The utilization of all available resources of county government as reasonably necessary to cope with a disaster emergency;
    3. The transfer of the direction, personnel or functions of county departments and agencies or units thereof for purpose of facilitating or performing emergency services as necessary or desirable;
    4. Action to compel performance by elected and appointed county government officials and employees of the duties and functions assigned in the county disaster plan;
    5. Contract, requisition and compensate for goods and services from private sources;

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6. Warn and advise for evacuation of all or parts of the population from any stricken or threatened area within the county, if such action is deemed necessary for preservation of life or other disaster mitigation, response or recovery;
  7. Prescribe routes, modes of transportation and destinations in connection with evacuations;
  - ~~8. The control of ingress and egress to and from a disaster area, the movement of persons within the area, and the occupancy of premises threatened;~~
  - ~~9. The suspension or limitation upon the sale, dispensing or transportation of alcoholic beverages, firearms, explosives and combustibles;~~
  - ~~8.10. The making of provision for the availability and use of temporary housing;~~
  - ~~11. The suspension or limitation of non-emergency activities and the prohibition of public assemblies including the imposition of a curfew.~~

(b) *Emergency management director.*

- (1) The emergency management director shall maintain liaison with the state and federal authorities, and the authorities of other nearby political subdivisions, so as to insure the most effective operation of the emergency plan. Further, unless otherwise determined by local, state, or federal law, the emergency management director or his designee shall be the primary point of contact for the county with local, state, and federal authorities whenever a state of emergency has been declared by the Governor of the State of South Carolina.
  - (2) His/her duties shall include, but shall not be limited to, the following:
    - a. Development and publication of emergency plans in conformity with state emergency plans for the immediate use of all of the facilities, equipment, manpower, and other resources of the county for the purpose of minimizing or preventing damage to persons or property, and protecting and restoring to usefulness governmental services and public utilities necessary for the public health, safety, and welfare.
    - b. Control and necessary record-keeping for civil defense funds and property which may be made available from federal, state, county and municipal governments.
    - c. Submission of annual budget requirements to the state and federal government and to the county council.
    - d. Signing such documents as are necessary in the administration of the county disaster preparedness program to include project applications and billing for purchases under project applications.
    - e. Through public information programs, educating the civil population as to the actions necessary and required for the protection of their persons and property in case of enemy attack, or natural disaster.
    - f. Conducting simulated exercises and public practice alerts to insure efficient operations of the emergency management division and to familiarize residents of the county with civil defense regulations, procedures, and operations.
    - g. Coordinating the activity of all other public and private agencies engaged in any emergency preparedness program.
    - h. Coordinate in conjunction with the department of social services in negotiation with owners or persons in control of buildings or other property for the use of such buildings or property for civil defense purposes, and designating suitable buildings as public fallout shelters.
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- i. Coordinate in conjunction with the department of social services in the development of a community shelter plan, which will have as its ultimate goal an assigned fallout shelter space for every citizen of the county.
  - j. Assume such authority and conduct such activity as may be necessary to promote and execute the emergency operations plan.
- (c) *Jurisdiction.*
- (1) All employees of departments, commissions, boards, institutions, and other agencies of the county, designated as civil emergency forces, shall cooperate with the coordinator in formulation of the county emergency operations plan, and shall comply with the orders of the emergency management director when such orders are issued pursuant the provisions of this article.
  - (2) All such civil emergency forces shall notify the emergency management director of conditions in the county resulting from enemy attack or natural disaster, and they shall inform the emergency management director of any conditions threatening to reach the proportions of a natural disaster as defined herein. Failure to notify the emergency management director, however, shall not prevent the emergency management director from exercising any authority assigned to him/her by this article.
  - (3) The emergency management director may at any time appoint or authorize the appointment of volunteer citizens to augment the personnel of a department in time of civil emergency. Such volunteer citizens shall be enrolled as civil emergency volunteers in cooperation with the heads of the county departments affected, and they shall be subject to the rules and regulations set forth by the emergency management director for such volunteers.
  - (4) The emergency management director may appoint volunteer citizens to form the personnel of a civil emergency service for which the county has no counterpart. He/she may also appoint volunteer citizens as public shelter managers who, when directed by the emergency management director shall open public shelters and take charge of all stocks of food, water, and other supplies and equipment stored in the shelter, admit the public according to the community shelter plan and take whatever control measures are necessary for the protection and safety of the occupants.
  - (5) County and municipal employees assigned to duty as a part of the civil emergency forces pursuant to the provision of this Act shall retain all the rights, privileges, and immunities of employees, and shall receive the compensation incident to their employment.
- (d) *Enforcement and penalties.*
- (1) This article is an exercise by the county of its governmental functions for the protection of the public peace, health, and safety, and the county or agents and representatives of the county, or any individual, receiver firm, partnership, corporation, association, or trustee, or any of the agents, thereof in good faith carrying out, complying with, or attempting to comply with any order, rule, or regulation promulgated pursuant to the provisions of this article shall not be liable for any damage sustained to persons or property as a result of such activity.
  - (2) Any person owning or controlling real estate or other premises who voluntarily and without compensation grants the county the right to inspect, designate, and use the whole or any part or parts of such real estate or premises for the purposes of sheltering persons during an actual, impending, or threatened enemy attack or during an authorized civil emergency practice exercise, shall not be civilly liable for the death of, or injury to, any person on or about such real estate or premises under such license, privilege, or other permission, or for the loss of, damage, to, the property of such person.
  - (3) It shall be unlawful for any person to violate any of the provisions of this Act of the regulations issued pursuant to the authority contained herein, or to willfully obstruct, hinder, or delay any member of the civil emergency organization in the enforcement of the provisions of this Act or any regulation issued
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thereunder. Any violation of this section shall be considered as a misdemeanor and shall be punished by a fine of not more than \$500.00 or confinement of not more than 30 days.

**STATE OF SOUTH CAROLINA  
COUNTY OF OCONEE  
ORDINANCE 2025-05**

**AN ORDINANCE TO PROHIBIT THE USE OF COUNTY FUNDS  
FOR DIVERSITY, EQUITY, AND INCLUSION INITIATIVES AND  
TO ENSURE FAIRNESS AND EQUALITY UNDER THE LAW.**

**WHEREAS**, the Oconee County Council (Council) is committed to promoting fiscal responsibility, limited government, and equal opportunities for all residents;

**WHEREAS**, the Council recognizes that the principles of fairness and equality under the law must remain free of preferential treatment based on race, gender, or other characteristics;

**WHEREAS**, the use of public funds for Diversity, Equity, and Inclusion (DEI) initiatives may result in divisive policies that contradict the values of individual merit, responsibility, and equal opportunity;

**WHEREAS**, Oconee County seeks to ensure that all hiring, contracting, and governmental decisions are based solely on merit and qualifications, without consideration of race, gender, or other personal characteristics unrelated to performance or ability; and

**NOW, THEREFORE, BE IT ORDAINED** by the Oconee County Council, in a duly assembled meeting, as follows:

**SECTION 1. PROHIBITION ON FUNDING FOR DEI INITIATIVES**

1. **Definition of DEI Initiatives:** For the purposes of this ordinance, "Diversity, Equity, and Inclusion (DEI) initiatives" are defined as any program, training, policy, or activity that:
  - a. Promotes differential treatment, preferences, or quotas based on race, color, ethnicity, national origin, gender, sexual orientation, or gender identity.
  - b. Seeks to advance concepts of "equity" that promote equality of outcomes rather than equality of opportunity.
  - c. Encourages or requires political or social activism related to race, gender, or similar characteristics as a condition of employment or contracting.
2. **Prohibited Expenditures:** No funds from the Oconee County general budget, special revenue funds, or other sources may be appropriated or expended for DEI initiatives as defined in this ordinance. Programs, processes, agencies, or titles that otherwise meet the definition of DEI initiatives, as stated herein, shall not avoid or circumvent application of this ordinance by way of renaming, reassigning, rebranding, disguising, or otherwise misrepresenting their nature or intent.
3. **Exceptions:** This prohibition does not apply to:
  - a. Compliance with federal or state laws or court orders respecting civil rights or discrimination based on race, color, religion, sex, or national origin.



- b. Programs required to ensure compliance with the Americans with Disabilities Act (ADA) or other non-discrimination statutes.
- c. Compliance with the terms of previously executed grant awards or agreements.
- d. Equal employment opportunity training and practices as mandated by state or federal law for all Americans.
- e. Autonomous actions of duly-elected officials, as protected under state law.<sup>1</sup>

**SECTION 2. MERIT-BASED GOVERNANCE**

- 1. All hiring, promotion, and contracting decisions made by Oconee County shall be based on objective, merit-based criteria, including qualifications, skills, and experience.
- 2. County employees shall not be required to attend mandatory training or participate in activities that promote ideological concepts related to DEI as a condition of employment.

**SECTION 3. REPORTING AND ACCOUNTABILITY**

- 1. The County Administrator shall conduct a review of all existing county-funded programs to ensure compliance with this ordinance.
- 2. The County Administrator shall provide an annual report to the County Council detailing the implementation and enforcement of this ordinance, including any expenditures or programs identified as non-compliant.

**SECTION 4. MISCELLANEOUS**

- 1. Sections 1, 2, and 3, above, shall be codified in the Oconee County Code of Ordinances at Section 2-133, which shall be cross-referenced in Section 2-449.
- 2. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.
- 3. All other terms, provisions, and parts of the Oconee County Code of Ordinances, not supplemented, revised, or amended hereby, directly or by implication, shall remain in full force.
- 4. This ordinance is effective at its approval following a public hearing and third reading.

**ORDAINED** in meeting, duly assembled, this \_\_\_ day of \_\_\_\_\_, 2025.



**ATTEST:**

\_\_\_\_\_  
 Jennifer C. Adams  
 Clerk to Oconee County Council

\_\_\_\_\_  
 Matthew Durham  
 Chair, Oconee County Council

First Reading: February 04, 2025  
 Second Reading: February 18, 2025  
 Public Hearing: March 04, 2025  
 Third Reading: March 04, 2025

<sup>1</sup> See e.g., S.C. Code §§ 4-9-30(7), 4-9-620, and 4-9-650.

 An official website of the United States government  
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U.S. Immigration  
and Customs  
Enforcement

**Call 1-866-DHS-2-ICE**

Report Crime

## IDENTIFY AND ARREST



# **ICE's 287(g) Program**

The Illegal Immigration Reform and Immigrant Responsibility Act of 1996 added Section 287(g) to the Immigration and Nationality Act (INA) — authorizing U.S. Immigration and Customs Enforcement (ICE) to delegate to state and local law enforcement officers the authority to

perform specified immigration officer functions under the agency's direction and oversight.

The 287(g) Program enhances the safety and security of our nation's communities by allowing ICE Enforcement and Removal Operations (ERO) to partner with state and local law enforcement agencies to identify and remove incarcerated criminal aliens who are amenable to removal from the U.S. before they are released into the community.

ICE recognizes the importance of its relationships with its law enforcement partners to carry out its critical mission.

The 287(g) program allows ICE — through the delegation of specified immigration officer duties — to enhance collaboration with state and local law enforcement partners to protect the homeland through the arrest and removal of aliens who undermine the safety of our nation's communities and the integrity of U.S. immigration laws.

## 287(g) Program Models

ICE Enforcement and Removal Operations operates two 287(g) models:

- The **Jail Enforcement Model** is designed to identify and process removable aliens — with criminal or pending criminal charges — who are arrested by state or local law enforcement agencies.
- The **Warrant Service Officer** program allows ICE to train, certify and authorize state and local law enforcement officers to serve and execute administrative warrants on aliens in their agency's jail.

## How to Participate

Participating jurisdictions sign a memorandum of agreement (MOA) with ICE. State and local law enforcement officers participating in the 287(g) Program must possess U.S. citizenship, complete and pass a background investigation, and have knowledge of and have enforced laws and regulations related to law enforcement activities at their jurisdictions.

## FINDING OF MASS INFLUX OF ALIENS

On January 20, 2025, the President issued Presidential Proclamation, *Guaranteeing the States Protection Against Invasion*. That Presidential Proclamation recognizes an “ongoing influx of illegal aliens across the southern border of the United States.” *Id.* In support of that, the order notes that “[o]ver the last 4 years, at least 8 million illegal aliens were encountered along the southern border of the United States, and countless millions more evaded detection and illegally entered the United States.” *Id.*

Section 65.83 of Title 28 of the Code of Federal Regulations allows the Secretary<sup>1</sup> to “request assistance from a State or local government in the administration of the immigration laws of the United States” under certain specified circumstances. Among those circumstances are when “[t]he [Secretary] determines that there exist circumstances involving the administration of the immigration laws of the United States that endanger the lives, property, safety, or welfare of the residents of a State or locality.” 28 CFR § 65.83(b).

In making such a determination, the Secretary may also determine that “an actual or imminent mass influx of aliens [are] arriving off the coast or near a land border of the United States and present[] urgent circumstances requiring an immediate federal response.” 28 CFR § 65.83(d)(1) (using identical language as 8 U.S.C. § 1103(a)(10)). Such a determination is based on “the factors set forth in the definitions contained in” 28 CFR § 65.81.

I have determined that there exist circumstances involving the administration of the immigration laws of the United States that endanger the lives, property, safety, or welfare of the

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<sup>1</sup> Although the regulations reference the “Attorney General,” Congress has, since the publication of these regulations, transferred the authority and responsibility for administering and enforcing the immigration laws to the Secretary of Homeland Security. *See* Homeland Security Act of 2002 § 471, 6 U.S.C. § 291 (abolishing the former Immigration and Naturalization Service); *id.* § 441, 6 U.S.C. § 251 (transferring immigration enforcement functions from the Department of Justice to the Department of Homeland Security); Immigration and Nationality Act § 103(a)(1), 8 U.S.C. § 1103(a)(1) (“The Secretary of Homeland Security shall be charged with the administration and enforcement of this chapter and all other laws relating to the immigration and naturalization of aliens . . .”).

residents of all 50 States and that an actual or imminent mass influx of aliens is arriving at the southern border of the United States and presents urgent circumstances requiring an immediate federal response. Over the last four years, our southern border has been overrun. Last month, Border Patrol encountered 47,330 aliens along the southern border. While that number is a major reduction from the peak over the last four years, it is still too high. To demonstrate, in that month Border Patrol released at least 6,920 aliens at the southwest border, the vast majority of whom are subject to mandatory detention under 8 U.S.C. § 1225(b). In other months during the last four years, the numbers were astronomically higher. In December 2022, for example, Border Patrol released at least 140,306 aliens at the southwest border. Whether the number is 140,000 or 6,000, this is not the way our immigration laws are supposed to work. Aliens arriving at ports of entry or entering unlawfully are supposed to be inspected. 8 U.S.C. § 1225(a)(3), (b). Unless they are “clearly and beyond a doubt entitled to be admitted,” they are supposed to be detained until either removed or they are granted discretionary relief such as asylum. 8 U.S.C. § 1225(b)(2)(A), (b)(1)(A)–(B).

This mandatory detention serves important public safety and national security purposes. Aliens who have not completed this process have not been effectively vetted for criminality or national security threats. Current databases do not allow for comprehensive and rapid searching for foreign convictions or other public safety and national security risks. As a result, the fact that the numbers at the border are effectively forcing DHS to engage in catch-and-release practices is eliminating or thwarting legally mandated screenings and it is threatening public safety and national security. This does not account for so-called gotaways, of which there have been millions over the last four years, who are not screened in any manner.

On the basis of these facts, I find that these circumstances endanger the lives, property,

safety, and welfare of the residents of every State in the Union. In fact, the only way to effectively prevent this danger to the States is to maintain operational control of the border, which Congress defined to mean “the prevention of all unlawful entries into the United States, including entries by terrorists, other unlawful aliens, instruments of terrorism, narcotics, and other contraband.” 8 U.S.C. § 1701 note; *see also id.* (stating that the Secretary of DHS “shall take all actions the Secretary determines necessary and appropriate to achieve and maintain operational control over the entire international land and maritime borders of the United States”).

I also find, in concurrence with the President, that there is currently an influx of aliens arriving across our entire southern border, which requires a federal response. While 28 CFR § 65.81 identifies a variety of factors that “may be considered” in finding an influx, I find the most dispositive factor is “magnitude.” The magnitude of the problem is alone sufficient to find an influx. The enumerated factors, however, further support this finding. First, if the influx is not controlled, it is likely to increase. I have seen again and again that failure to control the border increases the incentives for more aliens to attempt to enter unlawfully. Second, the introduction of unvetted foreign persons—at least some of whom will unquestionable be criminals—has a likelihood to increase criminal activity. Much of the illegal entries at our southern border involve other criminal conduct, including human trafficking, drug smuggling, and sexual assault. Third, law enforcement agencies, particularly immigration enforcement agencies, face unusual and overwhelming demands. In particular, immigration enforcement agencies currently face a shortage of detention capacity necessary to comply with the statutory detention obligations of 8 U.S.C. § 1225(b).

Accordingly, pursuant to the authorities under the Immigration and Nationality Act, 8 U.S.C. § 1101, *et sec.*, including the implementing regulations identified above, I find “that there

exist circumstances involving the administration of the immigration laws of the United States that endanger the lives, property, safety, or welfare of the residents” of all 50 States. I further find that an actual or imminent mass influx of aliens is arriving at the southern border of the United States and presents urgent circumstances requiring an immediate federal response. I therefore request the assistance of State and local governments in all 50 States.

This finding is effective immediately. It expires in 60 days, unless extended.

Dated:

1-23-25

A handwritten signature in blue ink, appearing to read 'B. Huffman', is written over a horizontal line.

**Benjamin C. Huffman**

*Acting Secretary of Homeland Security.*

**AGENDA ITEM SUMMARY  
OCONEE COUNTY, SC**

**COUNCIL MEETING DATE: 2.4.25**  
**COUNCIL MEETING TIME: 6:00 PM**

**ITEM TITLE: [Brief Statement]**

Acceptance of performance bond in lieu of completion for Cascade Point Subdivision

**BACKGROUND DESCRIPTION:**

Cascade Point subdivision is 148 lots on parcel 254-00-01-024. The developer has requested to bond \$451,496.50 worth of required infrastructure at 125% (total bond \$564,370.63) to record the final plat and begin selling lots in phase 1 (lots 1-30 and 93-135).

**SPECIAL CONSIDERATIONS OR CONCERNS: [only if applicable]**

**FINANCIAL IMPACT:**

Oconee County will hold the bond until the engineer of record confirms the completion of all work outlined in the performance guarantee and bond estimate. If the developer fails to install the required infrastructure the County would be required to call the bond and complete the work.

**ATTACHMENTS**

Performance guarantee, bond estimate

**STAFF RECOMMENDATIONS:**

**Submitted or Prepared By:**

**Approved for Submittal to Council:**

\_\_\_\_\_  
Department Head/Elected Official

\_\_\_\_\_  
Amanda F. Brock, County Administrator

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

*A calendar with due dates marked may be obtained from the Clerk to Council.*





December 3, 2024

TO: James Coley, Directory of Planning and Zoning  
Oconee County, 415 S. Pine Street, Walhalla, SC 29691

FROM: Collin Filo, PE  
WK Dickson & Co, Inc,  
5 Legacy Park Rd, Suite A. Greenville, SC

RE: **Phase 1 Bond Estimate – Cascade Point Subdivision**  
730 Junkyard Drive, Seneca, SC 29678  
TMS: 254-00-01-038  
Permit #SUB23-00017

I have inspected the above project to determine the amount of work still to be completed in Phase 1 (Lots 1 through 30 and 93 through 135, inclusive) before final acceptance by Oconee County. The value of work indicated on the following page is to be relied upon by the developers for the issuance of a bank letter of credit in favor of Oconee County. The following items still need to be completed:

#	Item Description	Quantity	Units	@	Unit/Unit Cost	Amount	
1	Interior Sidewalks	10,334	SF	@	\$ 8.00	\$ 82,672.00	
2	ADA Ramps	8	EA	@	\$ 1,000.00	\$ 8,000.00	
3	Landscaping	1	LS	@	\$ 55,290.00	\$ 55,290.00	
4	Mailbox Kiosk	1	LS	@	\$ 39,819.00	\$ 39,819.00	
5	Street Lights	TO BE LEASED					
6	Street Cleaning	1	LS	@	\$ 2,500.00	\$ 2,500.00	
7	Asphalt Paving (1.5" HMA, 2" Binder)	8,484	SY	@	\$ 23.00	\$ 195,139.67	
8	Curb and Gutter Repair (10% of Total)	535	LF	@	\$ 40.00	\$ 21,412.00	
9	Asphalt Full Depth Repair (10% of Total)	848	SY	@	\$ 55.00	\$ 46,663.83	
Total Construction Costs						\$ 451,496.50	
<b>125% Bond Total</b>						<b>\$ 564,370.63</b>	



5 Legacy Park Road  
Suite A  
Greenville, SC 29607  
Tel. 864.990.0180  
[www.wkdickson.com](http://www.wkdickson.com)

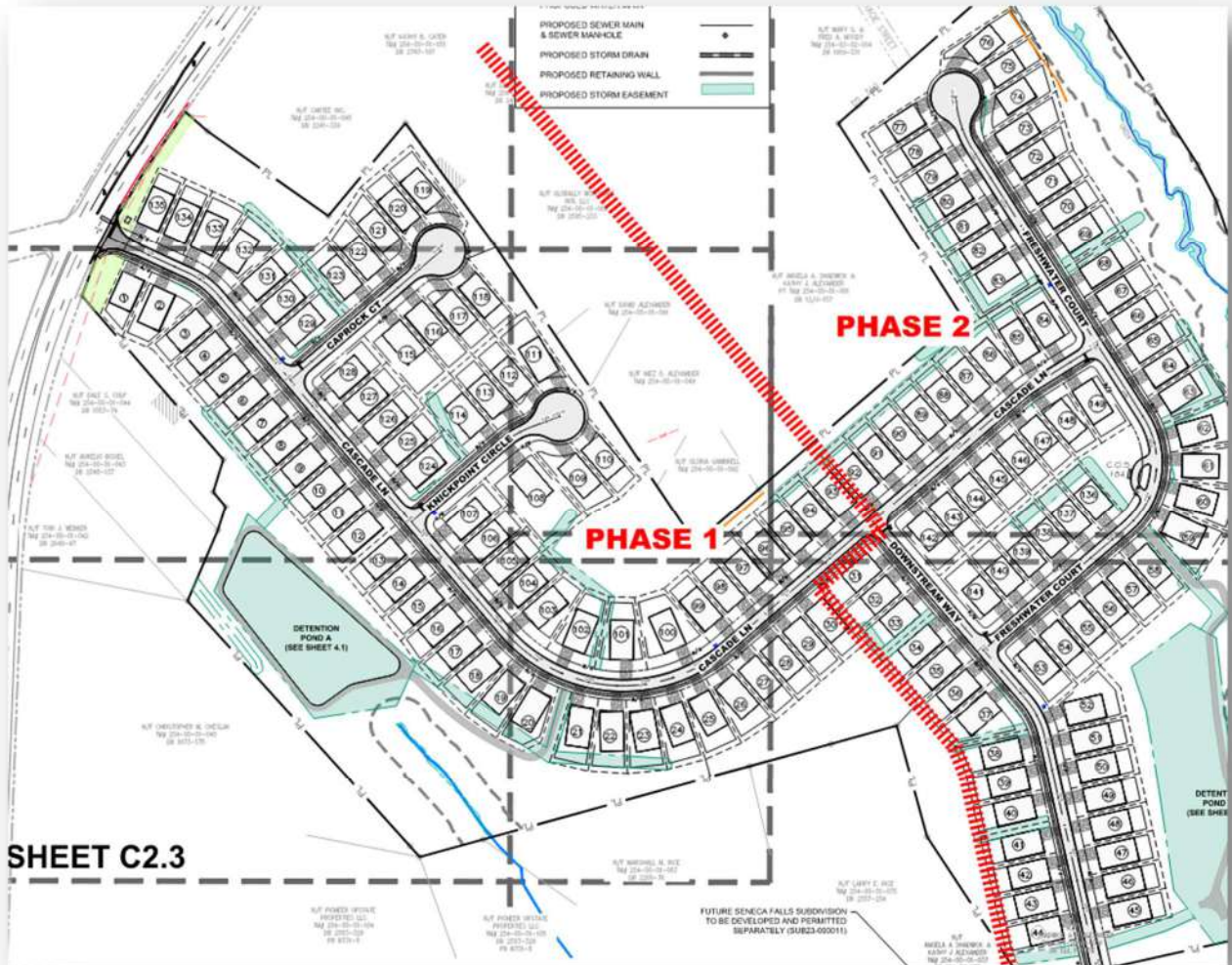


Figure 1. Cascade Point Phasing Plan

## **SUBDIVISION PERFORMANCE GUARANTEE**

THIS SUBDIVISION PERFORMANCE GUARANTEE (“Performance Guarantee”) dated this 9th day of December, 2024 (“Effective Date”) by and between Forestar (USA) Real Estate Group, Inc., for itself and its affiliates, successors, and assigns, hereinafter collectively referred to as “Developer,” and Oconee County, hereinafter referred to as “County,” provides as follows:

**WHEREAS**, on July 12, 2023 Developer submitted a Preliminary Plan Set for the Cascade Point Subdivision, dated July 11, 2023. Attached hereto as Exhibit A is a portion of the Cascade Point Subdivision Preliminary Plan Set that reflects the property that is subject to this Performance Agreement (the “Subject Preliminary Plan Set”). The Subject Preliminary Plat Set was approved by the Planning Department on May 24, 2024, subject to conditions if any, as reflected on the attached Exhibit B; and

**WHEREAS**, Developer is required to construct certain public or private improvements, hereafter called the “Improvements,” as a requirement for approval of the Final Plat and which consist of the following:

1. Interior Sidewalks
2. ADA Ramps
3. Landscaping
4. Street Lights
5. Asphalt Paving (1.5" HMA, 2" HMA courses only)
6. Asphalt Full Depth Repair (10% of Total)
7. Street Cleaning
8. Curb and Gutter Repair (10% of Total)
9. Mailbox Kiosk

**WHEREAS**, the Improvements are more particularly shown on Exhibit A;

**WHEREAS**, Section 32-219 of the Oconee County Code of Ordinances outlines provisions related to the furnishing of security in lieu of completion of improvements in the event a developer / “subdivider” wishes to receive final plat approval prior to installation, inspection, and approval of all required improvements;

**WHEREAS**, Developer has provided an estimate of costs to complete the Improvements that was prepared by an engineer who licensed in the State of South Carolina, and the estimate is attached hereto as “Exhibit C”; and

**WHEREAS**, the County Administrator approves the terms and conditions of this Subdivision Performance Guarantee for the Cascade Point Subdivision.

**NOW, THEREFORE, Developer and County do mutually agree as follows:**

**1. SECURITY:**

Within ten (10) days of the execution of this Performance Guarantee, Developer will pay the cost of and furnish to County an irrevocable surety in the form of a performance bond ("Bond") in a form acceptable to County. The Bond shall be issued in an amount equal to 125% of the engineer's estimate, totaling five hundred sixty-four thousand three hundred seventy, and 63/100 (\$564,370.63) Dollars and shall insure Developer's proper and timely completion of the Improvements and compliance with the terms of this Performance Guarantee. The Bond shall be issued by a surety company licensed to do business in South Carolina with a financial strength rating satisfactory to County. The Bond shall be accompanied by a Power of Attorney authorizing the attorney-in-fact to bind the surety and certified to include the date of the Bond.

**2. DEVELOPER TO COMPLY:**

Developer shall comply with applicable federal, state, and local law, specifically including applicable building code provisions and the Unified Performance Standards contained in Chapter 32 of the Oconee County Code of Ordinances, as well as the Preliminary Plan Set approved by the Oconee County Planning Department on May 24, 2024 and retained on file in the office of the Planning Director. Improvements shall be engineered, designed, constructed, and installed solely at Developer's cost and expense.

**3. DEVELOPMENT PLAN AND FINAL PLAT REQUIREMENTS INCORPORATED:**

The requirements of the Planning Department shall be met as set forth in its approval of the Preliminary Plan Set. (See Exhibit A and Exhibit B.)

**4. COMPLETION:**

- A. Developer agrees to install and construct all Improvements as required by the approved Preliminary Plan Set, and as addressed herein, within one (1) year of the Effective Date, subject to delays in construction caused by events of *force majeure*. Events of *force majeure* include only those caused by a contingency beyond Developer's reasonable anticipation and control and without fault or negligence of Developer, including unavoidable delays occasioned by strikes, lockouts, acts of God, inability to secure materials or labor, enemy action, civil disturbance, pandemic, fire, and unavoidable casualties. Provided, however, that any event which Developer intends to rely upon as an excuse for failure to perform or failure to perform in a timely manner, shall only be considered by County if Developer has given County written notice of its intention to rely upon such event within ten (10) calendar days after the occurrence giving rise to the delay.
- B. The Improvements shall be constructed by Developer under the supervision of WK Dickson & Co, LLC, in full compliance with the specifications and requirements of County, and when completed, WK Dickson & Co, LLC shall furnish the Oconee County Planning Director with a certificate of satisfactory completion.
- C. If Developer fails to properly and timely complete construction of the Improvements, County may make a claim against the Bond in order to effect completion of the

Improvements. County's recourse against Developer in the event of such failure is, however, not limited to the Bond.

5. RELEASE:

The Bond submitted under this Performance Guarantee shall be returned or released, in whole or in part, upon occurrence of the following:

- A. Proper completion of the Improvements, as determined by County;
  - B. Developer's satisfactory compliance with federal, state, and local law, specifically including applicable building code provisions and the Unified Performance Standards contained in Chapter 32 of the Oconee County Code of Ordinances;
  - C. If the amount of the Bond is insufficient, Developer agrees to pay to County the amount of any deficiency, and shall do so within thirty (30) days of the date of notice to Developer of the deficiency.
  - D. Computation of damages attributable to Developer's failure to properly and timely complete construction of the Improvements, and which are chargeable against the Bond, shall include not only the direct cost of completion or correction, but also procurement costs, litigation costs, to include reasonable attorney's fees, administrative costs in the amount of ten percent (10%) of the cost of completion of Improvements, expenses due to delay caused by Developer, maintenance and repair costs, and inspection fees.
6. Notice shall be effective when delivered by registered mail, return receipt requested, or by email with confirmation of receipt, to the following:

As to Developer:

Alice Seabaugh  
Vice President, Real Estate Investments & Development  
750 Executive Center Drive, Suite 101  
Greenville, SC 29615

As to County:

Amanda F. Brock  
Oconee County Administrator  
415 S. Pine Street  
Walhalla, SC 29678  
[abrock@oconeesc.com](mailto:abrock@oconeesc.com)

7. Nothing herein shall be construed to create a joint venture or partnership between the parties or an employer/employee or agency relationship. Neither party shall have any express or implied right or authority to assume or create any obligations on behalf of or in the name of the other party or to bind the other party to any contract, agreement, or undertaking with any third party.

8. Developer hereby releases and agrees to indemnify and hold harmless County, its Councilmembers, employees, officers, and representatives from any and all claims arising out of or related to this Performance Guarantee.

9. No failure by either party to insist upon the strict performance by the other party of any covenant, agreement, term, or condition of this Performance Guarantee, or to exercise any right or remedy consequent upon a breach thereof, shall constitute a waiver of any such breach or covenant, agreement, term, or condition. No waiver of any breach shall affect or alter this Performance Guarantee, but each and every covenant, condition, agreement, and term of this Performance Guarantee shall continue in full force with respect to any other then existing or subsequent breach.

10. This Performance Guarantee may not be assigned by either party without the prior written consent of the other party.

11. This Performance Guarantee shall be governed by and construed in accordance with the laws of the State of South Carolina, without regard to conflict of law principles.

12. This Performance Guarantee may be executed by scanned signature, facsimile, or electronic means, in one or more counterparts, each of which shall be deemed an original and, when taken together, will constitute one instrument.

OCONEE COUNTY, SOUTH CAROLINA

\_\_\_\_\_  
Amanda F. Brock  
Oconee County Administrator

\_\_\_\_\_  
James Coley  
Oconee County Planning Director

DEVELOPER:

By: 

Printed Name: Altee Seabaugh

Title: VP RE Investments and Development

# THE JOURNAL

## PUBLISHER'S AFFIDAVIT

STATE OF SOUTH CAROLINA COUNTY OF OCONEE

OCONEE COUNTY COUNCIL

IN RE: AD30017 Notice of Hearing

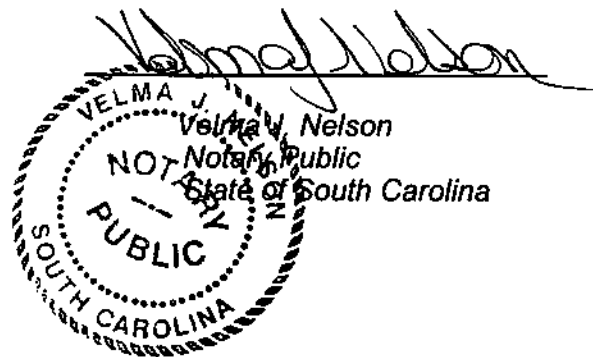
**BEFORE ME** the undersigned, a Notary Public for the State and County above named, This day personally came before me, Hal Welch, who being first duly sworn according to law, says that he is the General Manager of THE JOURNAL, a newspaper published Tuesday through Saturday in Seneca, SC and distributed in **Oconee County, Pickens County** and the Pendleton area of **Anderson County** and the notice (of which the annexed is a true copy) was inserted in said papers on **January 18, 2025**

the rate charged therefore is not in excess of the regular rates charged private individuals for similar insertions.



Hal Welch  
General Manager

Subscribed and sworn to before me this  
1/18/2025



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Call Randall Savely at the S.C. Newspaper Network, 1-888-727-7377

#### PART TIME JOBS

Arc of Oconee County Executive Director - Part time 20 hours per week day-to-day administration of the office, responsible for strategic, administrative and fiscal leadership, budgeting, social media, email correspondence, program planning, development, guiding weekly recreational programs, High School diploma required; Bachelor degree preferred  
Email: JobwithArcOconee@gmail.com or call, leave message

864-614-5985

#### HELP WANTED GENERAL

##### Help Wanted!

Needing someone to remove household trash

Call 864-280-3631

#### PETS

**REPORT YOUR LOST PET**  
to Oconee County Animal Shelter 888-0221 or email info to: [ocas@netmids.com](mailto:ocas@netmids.com)  
You may include a photo.  
We will contact you if we find your pet.

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#### AUCTIONS

##### ADVERTISE YOUR AUCTION...

in 80 S.C. newspapers for only \$375. Your 25-word classified will reach more than 2.1 million readers.

Call Randall Savely at the S.C. Newspaper Network, 1-888-727-7377

**FARM AUCTION.** Saturday, Jan. 25, 2025 at 9:30 AM. 771 Grapevine Road, Denmark, SC. Selling for Freeman's Vineyards. Tractors, trucks, trailers, farm implements, tanks, shop equipment, tools, 54-ft. freight trailer and much more! Please continue to browse our web for add'l photos. [www.cogburnauction.com](http://www.cogburnauction.com). 803-860-0712

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**DIRECTV OVER INTERNET** - Get your favorite live TV, sports and local channels. 99% signal reliability! **CHOICE Package**, \$84.99/mo for 12 months. HBO Max and Premium Channels included for 3 mos (w/CHOICE Package or higher.) No annual contract, no hidden fees! Some restrictions apply. Call IVS 1-855-237-9741

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#### VACATION RESORT RENTAL

##### ADVERTISE YOUR VACATION PROPERTY FOR RENT OR SALE

To more than 2 million South Carolina newspaper readers. Your 25-word classified ad will appear in 99 S.C. newspapers for only \$375. Call Alanna Ritchie at the South Carolina Newspaper Network, 1-888-727-7377.

#### HOUSES FOR SALE

#### NOTICE TO CREDITORS OF ESTATES NOTICE TO CREDITORS OF ESTATES

All persons having claims against the following estates MUST file their claims on FORM #371ES with the Probate Court of OCONEE County, the address of which is 415 S PINE STREET WALHALLA, SC 29691, within eight (8) months after the date of the first publication of this Notice to Creditors or within one (1) year from date of death, whichever is earlier (SCPC62-3-801, et seq.), or such persons shall be forever barred as to their claims. All claims are required to be presented in written statements on the prescribed form (FORM #371ES) indicating the name and address of the claimant, the basis of the claim, the amount claimed, the date when the claim will become due, the nature of any uncertainty as to the claim, and a description of any security as to the claim.

Estate: CHARLES HENRY BREAZEALE

Date of Death: 11/30/2024

Case Number: 2025ES3700002

Personal Representative: PEGGY J BREAZEALE

Address: 124 LOLA DRIVE FAIR PLAY, SC 29643

Estate: EDWARD TATE ZEIGLER SR

Date of Death: 9/22/2024

Case Number: 2024ES3700851

Personal Representative: EDWARD T ZEIGLER JR

Address: 38 LANNEAU DRIVE GREENVILLE, SC 29605

#### NOTICE OF PUBLIC HEARING

There will be a public hearing held at 6 pm on Tuesday, February 4, 2025 in Oconee County Council Chambers located at 415 S. Pine St., Walhalla, SC for the following: **ORDINANCE 2024-28 AN ORDINANCE AMENDING CHAPTER 10 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, EFFECTING A LIMITATION ON CERTAIN EMERGENCY POWERS AND DESIGNATING THE EMERGENCY MANAGEMENT DIRECTOR AS THE PRIMARY POINT OF CONTACT FOR THE COUNTY WITH OTHER JURISDICTIONAL AUTHORITIES; AND OTHER MATTERS RELATED THERETO.**

The Oconee County Fire Service Advisory Commission will meet at 6 pm in Oconee County Council Chambers located at 415 S. Pine St., Walhalla, SC on the following dates:

February 20, 2025

March 20, 2025

April 17, 2025

May 15, 2025

June 19, 2025

July 17, 2025

August 21, 2025

September 18, 2025

October 16, 2025

November 20, 2025

December 18, 2025

January 15, 2026



# THE JOURNAL

## PUBLISHER'S AFFIDAVIT

STATE OF SOUTH CAROLINA COUNTY OF OCONEE

OCONEE COUNTY COUNCIL

IN RE:

*BEFORE ME* the undersigned, a Notary Public for the State and County above named, This day personally came before me, Hal Welch, who being first duly sworn according to law, says that he is the General Manager of THE JOURNAL, a newspaper published Tuesday through Saturday in Seneca, SC and distributed in **Oconee County, Pickens County** and the Pendleton area of **Anderson County** and the notice (of which the annexed is a true copy) was inserted in said papers on


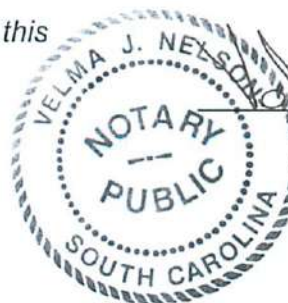
**January 11, 2025**

*the rate charged therefore is not in excess of the regular rates charged private individuals for similar insertions.*



Hal Welch  
General Manager

Subscribed and sworn to before me this  
1/11/2025



Velma J. Nelson  
Notary Public  
State of South Carolina

# IFIED PLACE

864.973.6676



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## YARD SALES:

2 Days - \$25.00

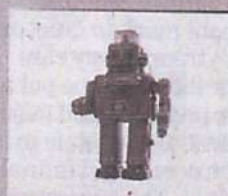
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Each additional day:

\$5.00

Sell items under \$100

# FREE\*



\*Restrictions apply. Does not include picture.

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newspapers  
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Network,  
-7377.

### OR SALE

NOTICE  
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advertise "any  
tions or dis-  
on race, color,  
dicap, familial  
rigin, or inten-

Personal Representative: PEGGY J BREAZEALE  
Address: 124 LOLA DRIVE FAIR PLAY, SC 29643  
Estate: EDWARD TATE ZEIGLER SR  
Date of Death: 9/22/2024  
Case Number: 2024ES3700851  
Personal Representative: EDWARD T ZEIGLER JR  
Address: 38 LANNEAU DRIVE GREENVILLE, SC 29605

The Oconee County Council will meet in 2025 on the first and third Tuesday of each month with the following exceptions: July, August, and November meetings, which will be only on the third Tuesday of each of these months; March, June and December meetings, which will be only on the first Tuesday of each of these months.

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

Oconee County Council will also hold a Planning Retreat beginning at 9:00 a.m. on Thursday, February 20, 2025 to establish short- and long-term goals. This meeting will be held off-site in the Tri-County Technical College, Oconee Campus, conference room located at 552 Education Way, Westminster, South Carolina.

Oconee County Council will also meet on Tuesday, January 6, 2026 in Council Chambers at which point they will establish their 2026 Coun-

cil and Committee meeting schedules.

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

Oconee County Council Committees will meet in 2025 prior to County Council meetings on the following dates/times in Council Chambers located at 415 South Pine Street, Walhalla, South Carolina unless otherwise advertised.

The Law Enforcement, Public Safety, Health, & Welfare Committee at 4:30 p.m. on the following dates: February 18, May 20, July 15, & September 16, 2025.

The Transportation Committee at 4:30 p.m. on the following dates: February 18, May 20, July 15, & September 16, 2025.

The Real Estate, Facilities, & Land Management Committee at 4:30 p.m. on the following dates: April 1, June 3, August 19, & October 21, 2025.

The Planning & Economic Development Committee at 4:30 p.m. on the following dates: April 1, June 3, August 19, & October 21, 2025.

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NOTICE OF APPLICATION  
Notice is hereby given that Ash

South Carolina Department of Revenue for a license/permit that will allow the sale and On Premises consumption of Beer, Wine and Liquor at 671 Highway 123 Bypass Seneca SC 29678.

To object to the issuance of this permit/license, written protest must be postmarked no later than January 26, 2025.

For a protest to be valid, it must be in writing, and should include the following information:

- (1) The name, address and telephone number of the person filing the protest;
- (2) The specific reasons why the application should be denied;
- (3) That the person protesting is willing to attend a hearing (if one is requested by the applicant);
- (4) That the person protesting resides in the same county where the proposed place of business is located or within five miles of the business; and,
- (5) The name of the applicant and the address of the premises to be licensed. ent of Revenue, ABL SECTION, P.O. Box 125, Columbia, SC 29214-097.

## Yard Sale?

Call 864-973-6676  
today to place an ad!

# Oconee County Council

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

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

E-mail:  
[jennifercadams@oconeesc.com](mailto:jennifercadams@oconeesc.com)

John Elliott  
District I

Matthew Durham  
Chairman  
District II

Don Mize  
Vice Chairman  
District III

Thomas James  
District IV

J. Glenn Hart  
Chairman Pro Tem  
District V



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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 inches or other dangerous weapon, concealed or not concealed, into any facility or meeting. This prohibition does not apply to law enforcement personnel or any other person whose official, governmental duties require them to carry such firearm, knife, or other weapon.
- (3) Engage in partisan political activity, including speech, in any meeting not authorized and called for the purpose of partisan political activity and explicitly authorized for such purpose in the facility in which such activity is to be conducted, or refusing to cease such activity when

the presiding official of the meeting in question has ruled that the activity in question is partisan political activity and has directed that such activity stop.

- (4) Interfere with, impede, hinder or obstruct any county governmental official or employee in the performance of his duties, whether or not on county government property.
- (5) Enter any area of a county government facility, grounds or property when such entry is prohibited by signs, or obstructed or enclosed by gates, fencing or other physical barriers. Such areas include rooms if clearly marked with signs to prohibit unauthorized entry.
- (6) Enter by vehicle any area of a county governmental facility, grounds or property when such area is prohibited by signs or markings or are obstructed by physical barriers; or park a vehicle in such restricted areas; or park in a manner to block, partially block or impede the passage of traffic in driveways; or park within 15 feet of a fire hydrant or in a fire zone; or park in any area not designated as a parking space; or park in a handicapped parking space without proper placarding or license plate; or park in a reserved parking space without authorization.
- (7) Use any county governmental facility, grounds or other property for any purpose not authorized by law or expressly permitted by officials responsible for the premises.
- (8) Enter without authorization or permission or refuse to leave any county governmental facility, grounds or other property after hours of operation.
- (9) Obstruct or impede passage within a building, grounds or other property of any county governmental facility.
- (10) Enter, without legal cause or good excuse, a county governmental facility, grounds or property after having been warned not to do so; or, having entered such property, fail and refuse without legal cause or good excuse to leave immediately upon being ordered or requested to do so by an official, employee, agent or representative responsible for premises.
- (11) Damage, deface, injure or attempt to damage, deface or injure a county governmental property, whether real property or otherwise.
- (12) Enter or attempt to enter any restricted or nonpublic ingress point or any restricted access area, or bypass or attempt to bypass the designated public entrance or security checkpoint of a facility without authorization or permission.
- (13) Perform any act which circumvents, disables or interferes with or attempts to circumvent, disable or interfere with a facility's security system, alarm system, camera system, door lock or other intrusion prevention or detection device. This includes, without limitation, opening, blocking open, or otherwise disabling an alarmed or locked door or other opening that would allow the entry of an unauthorized person into a facility or restricted access area of the facility.
- (14) Exit or attempt to exit a facility through an unauthorized egress point or alarmed door.

(d) *Penalty for violation of section.* Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished in accordance with section 1-7. In addition, vehicles that are improperly parked on any county property, facility, or other premises may be towed at the owner's expense.

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



# Public Comment SIGN IN SHEET

February 04, 2025

6:00 PM

The Public Comment Sessions at this meeting is limited to a total of 50 minutes, 5 minutes per person. Please be advised that citizens not utilizing their full four [5] minutes may not "donate" their remaining time to another speaker.

**PLEASE PRINT**

26

	FULL NAME	PURPOSE OF COMMENT
1	Wynn, Michael	DEI Immigration
2	JR Slack	
3	Dexter Robinson	Public Comments
4	David Nix	
5	Amille Moore	Against 287(g)
6	Michael Mullet	Immigration + DEI
7	Carolyna Padilla	287(g)
8	Rev. Ramfis Moulter	287(g)
9	Devin Clay	287(g)
10	Mary Parker	287(g)
11	Lynell Hecht	
12	<del>JR Slack</del> Lucretia Morgan	287(g)
13	<del>David Nix</del>	
14	<del>David Nix</del>	
15	Jaime Soto	
16	<del>Brenda Rodriguez</del>	
17	Vikki Allen	Public Comments
18	Jody Gaudin	against DEI ordinance + what should be prioritized
19	Lee Sheehan	DEI
20	Wanda Sheehan	DEI
21	ELIZABETH O'CONNOR	FOR THE DEI ORDINANCE - former ICE TRAFFIC CONTRACTOR
22	Brenda Rodriguez	Public comments.
23	Kim Jackson	DEI
24	Carly Hilton	DEI & Police used for ICE 287(g)
25	CARLI T POIRIER	DEI

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



**Public Comment**  
**SIGN IN SHEET**  
**6:00 PM**

**February 04, 2025**

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**PLEASE PRINT**

	FULL NAME	PURPOSE OF COMMENT
1	<del>Robert [unclear]</del>	
2	Carol Knupp	DEI & ICE
3	Isuy Martinez	public comment.
4	Andrey Mitta	DEF/ICE
5	Robert Lee	
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# PUBLIC HEARING SIGN IN SHEET

Oconee County Council Meeting

February 04, 2025 ~ 6:00 p.m.

**ORDINANCE 2024-28** AN ORDINANCE AMENDING CHAPTER 10 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, EFFECTING A LIMITATION ON CERTAIN EMERGENCY POWERS AND DESIGNATING THE EMERGENCY MANAGEMENT DIRECTOR AS THE PRIMARY POINT OF CONTACT FOR THE COUNTY WITH OTHER JURISDICTIONAL AUTHORITIES; AND OTHER MATTERS RELATED THERETO.

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

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

	Ordinance #	ORD 2024-28
1. <i>EA</i>		
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**From:** [PHILLIP KEARSE](#)  
**To:** [Jennifer C. Adams](#)  
**Subject:** RE: Public Comment  
**Date:** Monday, February 3, 2025 12:25:11 PM

---



Dear County Council,

I was greatly surprised to hear of your consideration to remove the D.E.I. hiring policy from Oconee County. As a five year resident of this county

I've been impressed with those workers who have been hired to serve our county be they women , veterans, minorities, challenged , young or old.

I really see no need to change what is working so well right now. Diversity makes us stronger and more just. As a Christian pastor I know how much

Jesus lifted up and supported the marginalized, forgotten, and unjustly treated. The first shall be last; and the last shall be first , In God's coming reign. I, as a

Christian leader and a follower of Christ, must stand for the inclusion of all people as well as for justice equally applied. Please do the righteous act and let the D.E.I. policies stand as they are today!

Respectfully submitted,

The Rev. Phillip Wm. Kears

(To be shared aloud and on line,)

Sent from [Mail](#) for Windows

---

**From:** Jennifer C. Adams <jennifercadams@oconeesc.com>  
**Sent:** Monday, February 3, 2025 7:55:00 AM  
**To:** 'weisergeiser' **Subject:** Public Comment

Please reply with your comments we spoke about this morning and let me know if you would like your comments to be read aloud at our meeting tomorrow evening or placed in the online backup materials or both.

It was a pleasure speaking with you!

Kind regards,

*Jennifer C. Adams*

Oconee County Clerk to Council

P: 864-718-1023

C: 864-888-7390

[jennifercadams@oconeesc.com](mailto:jennifercadams@oconeesc.com)

415 South Pine Street  
Walhalla, SC 29691


CONFIDENTIALITY NOTICE: All e-mail correspondence to and from this address may be subject to public disclosure under the South Carolina Freedom of Information Act (FOIA).

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## Jennifer C. Adams

---

**From:** Maria Green  
**Sent:** Sunday, February 2, 2025 9:01 AM  
**To:** Council Clerk Info  
**Subject:** County Council 2/4 Public Comment

 **This message needs your attention**

- This is a personal email address.
- You've never replied to this person.

Mark as Safe

Powered by Mimecast

Good morning! I was hoping to have this read into the public comment portion of the meeting.

County councilmen,

My name is Maria Green and I'm a resident of Seneca. I'm writing this letter in support for our county residents who feel absolutely disgusted and marginalized by comments made by chairman Durham on his Matthew Durham D2 Facebook page. These comments were made under his post about this meeting that is happening here today. I attached a screen grab of the comments for clear reference.

Xenophobic or xenophobia is described by the Oxford dictionary as follows: having or showing dislike or prejudice against people from other countries.

Your comments made are absolutely xenophobic and show such a disgusting disregard for our Hispanic community in Oconee. This backwards ideology needs to be eliminated from our county council and any leadership position that is supposed to represent our entire county. This is beyond inexcusable.

I ask that chairman Durham step down from council for this behavior is unbecoming of the position as chairman of Oconee County Council.

Respectfully,

Maria Green



**Bobby Smith**

How about no more housing development in oconee. Our town is looking more like a dang city. We're losing our country side views around here. Walhalla mill Hill already looks like a small Mexican country.

5 hrs Like Reply 2



**Kelly Winchester**

**Bobby Smith** I agree 100%

3 hrs Like Reply



**Matthew Durham-Oconee County Council District 2 Representative**

**Bobby Smith** well hopefully Trump will help keep us from looking like a Mexican city. But in a free market economy the market determines the housing. If I could build a wall around Oconee and keep it exactly like it is I would. But that's not possible.

Like Reply 2



Write a reply...



## Jennifer C. Adams

---

**From:** Blanca Sanchez Tuesday, February 4, 2025 3:53 PM  
**Sent:** Jennifer C. Adams  
**To:** Comment on ORDINANCE 2025-05  
**Subject:**

Hello, the following is a comment that I would like submitted for today's meeting. Thank you!

“ It is rather devastating that such a culture rich town is being compromised by the hands that have been charged with second-degree domestic violence and unlawful neglect of a child. My name is Blanca Sanchez and I am a proud Latin-American daughter, student, and worker of this community and I would like to start out by stating that the inappropriate language in which the Latin/ Hispanic community is being described as is unprofessional and unnecessary. We as a group add so much more to our town than what social media comments state, this includes the racist remarks , such as “Trump will keep us from looking like a Mexican city...If I could build a wall around Oconee and keep it exactly like it is I would.” With this being said, No one is illegal on stolen land and this dates back decades. I understand that not all Latinos and Hispanics obey the law, but neither do American citizens that obtain government positions. The community as a whole should not be judged or be hated on because a percentage of people ruined it for all of us. It would not be beneficial to stop the funding towards local diversity/equity events and businesses due to the fact that all of them are well loved in this city. We all benefit from them whether we consumer their food or buy their products. “