

## LIMITED IN-PERSON ATTENDANCE PERMITTED

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

*Additionally, to ensure the meeting otherwise remains open to the public, we will continue to broadcast it live on the County’s YouTube channel, which can be found via the County’s website at [Oconeesc.com](http://Oconeesc.com). Further, the public may call in and listen by dialing **888-475-4499 OR 877-853-5257** and entering meeting ID # **825 5309 3004**. And, individuals parked in close proximity to Council Chambers may listen to the meeting on FM 92.3.*



# UPDATED AGENDA

## OCONEE COUNTY COUNCIL MEETING

### December 15, 2020

### 6:00 PM

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

## Call to Order

### Public Comment Session

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

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

## Council Member Comments

## Moment of Silence

## Invocation by County Council Chaplain

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

## Approval of Minutes

- December 1, 2020 Regular Minutes

## Administrator Comments

## Attorney Comments

## Proclamation 2020-12

- **Proclamation 2020-12** Supporting the South Carolina Right to Farm Act

### COUNCIL MEMBERS

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

## **Public Hearings for the Following Ordinances**

**Ordinance 2020-21** “AN ORDINANCE AUTHORIZING AND APPROVING (1) THE DEVELOPMENT OF A NEW JOINT COUNTY INDUSTRIAL AND BUSINESS PARK (FRIENDSHIP COURT PROPERTY) PURSUANT TO SECTION 4-1-170 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, IN CONJUNCTION WITH ANDERSON COUNTY (THE "PARK") SUCH PARK TO BE GEOGRAPHICALLY LOCATED IN ANDERSON COUNTY AND TO INCLUDE THE AFOREMENTIONED PROJECT; (2) THE EXECUTION AND DELIVERY OF A WRITTEN PARK AGREEMENT WITH ANDERSON COUNTY AS TO THE REQUIREMENT OF PAYMENTS OF FEE IN LIEU OF *AD VALOREM* TAXES WITH RESPECT TO PARK PROPERTY AND THE SHARING OF THE REVENUES AND EXPENSES OF THE PARK; (3) THE DISTRIBUTION OF REVENUES FROM THE PARK TO THE COUNTIES AND RELEVANT TAXING ENTITIES; AND (4) OTHER MATTERS RELATED THERETO.”

## **Third Reading of the Following Ordinances**

**Ordinance 2020-21** [see caption above]

## **Second Reading of the Following Ordinances**

**Ordinance 2020-23** “AN ORDINANCE GRANTING CERTAIN EASEMENT RIGHTS TO THE CITY OF SENECA AT THE SENECA RAIL PARK FOR THE PURPOSE OF CONSTRUCTING, MAINTAINING, AND OPERATING PIPELINES, MANHOLES, AND RELATED ITEMS FOR THE PURPOSE OF CONVEYING POTABLE WATER, OR SANITARY SEWAGE / INDUSTRIAL WASTE; AND OTHER MATTERS RELATED THERETO.”

## **First Reading of the Following Ordinances**

**Ordinance 2020-24** “AN ORDINANCE AMENDING CHAPTER 32 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING THE REMOVAL OF “*DISTANCE REQUIREMENTS*” CURRENTLY FOUND AT SECTION 32-181 OF THE OCONEE COUNTY CODE OF ORDINANCES.”

**Ordinance 2020-25** “AN ORDINANCE AUTHORIZING OCONEE COUNTY TO ENTER INTO AN ENERGY SAVINGS PERFORMANCE ARRANGEMENT, BETWEEN OCONEE COUNTY AND JOHNSON CONTROLS, INC., AND A RELATED LEASE PURCHASE ARRANGEMENT (NOT TO EXCEED \$3,400,000.00), BETWEEN OCONEE COUNTY AND ONE OR MORE LENDERS, EACH AS DESCRIBED IN SOUTH CAROLINA CODE ANNOTATED 11-27-110; AND OTHER RELATED MATTERS.”

## **First & Final Reading for the Following Resolutions**

[None Scheduled]

### **COUNCIL MEMBERS**

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

## **Discussion Regarding Action Items**

### **Local ATAX / Oconee County PRT / \$71,000**

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

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

### **A request for Council to approve a letter of support to be sent to the Oconee County Legislative Delegation regarding the temporary reduction of certain regulatory constraints pertaining to farm animal processing**

Even in the best of times farmers and ranchers in Oconee County and throughout South Carolina face a relentless shortage of animal processing facilities that can adhere to the many state and federal regulations currently in place. The global pandemic has made the severe shortage of animal processing facilities worse by increasing the demand for fresh meat and reducing the available animal processing workforces. The Oconee County Agricultural Advisory Board recommends the County Council present to our Legislative Delegation some temporary solutions for our farmers and ranchers predicament by temporarily removing some regulatory constraints.

It is staff's recommendation for Council to approve a letter of support to be sent to the Oconee County Legislative Delegation regarding the temporary reduction of certain regulatory constraints pertaining to farm animal processing.

### **Regarding Oconee County Conservation Bank - Discuss and Ratify Modified Grant Application and Grant Approval related to approximately 155 acres of real property, commonly known as the Whetstone Creek Preserve**

**Oconee County Emergency Services seeks Council's ratification of their request for a grant award from the United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS), Emergency Watershed Protection (EWP) Program, which is reimbursable up to, but not to exceed \$5.2 million with a twenty-five (25%) percent local (County) match, which may be paid by cash or in-kind services, for the purpose of clearing debris from County waterways and restoring impaired watersheds**

*Staff will work to cover the bulk of the local match with in-kind work. A contingency will need to be created for the remaining balance.*

#### **COUNCIL MEMBERS**

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

Earlier this year, Oconee County Emergency Services sent a letter of request to the USDA / NRCS for funding under the EWP Program.

The EWP Program allows communities to quickly respond to long-lasting, serious damage to land and infrastructure. Program timelines ensure quick assistance from NRCS to help communities cope with the impact of natural disasters. The program also allows NRCS to form non-traditional partnerships with sponsors to complete projects.

Oconee County Emergency Services made its request in order to address damages caused by the April 13, 2020 EF3 tornado. The debris removal and watershed restoration is necessary to safeguard property, including valuable utility infrastructure, as well as the lives of County residents, from an imminent flooding hazard due to tree debris within Coneross Creek and other areas.

The letter received a positive response from the USDA / NRCS, and the funding process has begun. Absent an extension, the County has two hundred and twenty (220) days from when the State initially received the USDA / NRCS funding to complete its work under the program, which occurred in early November. Time is therefore of the essence.

It is staff's recommendation that Council [1] ratify the Letter of Request from Oconee County to the USDA / NRCS for grant funding under the EWP Program, [2] authorize the County Administrator to complete the application for grant funding, executing such other documents as the USDA / NRCS deems necessary to continue the County's involvement in the program (on advice of the Emergency Services Director and the County Attorney), and [3] that prior to obligating the County to local match or other expenditures greater than \$150,000 (in cash or in-kind) cumulatively for this project, this matter be brought back to Council for discussion and further action. In cash or in-kind expenditures, or agreements to expend, that do not exceed \$150,000 cumulatively are hereby approved, and shall come from FEMA reimbursements recently received, as discussed.

**Seven (7) Chevrolet Tahoe's / Administration / Sheriff's Office / \$289,966.00**

The Fiscal year 2020-2021 Capital Replacement plan includes six (6) Chevy Tahoes for the Sheriff's Office and one (1) for the Administrator.

The new vehicles will replace high-mileage vehicles or vehicles that have been involved in accidents and deemed a total loss. The high-mileage vehicles being replaced will be sold as surplus or replace older vehicles used in other County departments. The Fleet Maintenance Director also approves this purchase.

Love Chevrolet of Columbia, SC was awarded SC State Contract # 4400024875 for Chevrolet PPV SUV's. Chevrolet will not begin production of the 2021 State Contract units until January of 2021. Delivery will be 90 days or more after receipt of order. Love Chevrolet currently has a 2021 four-wheel drive Tahoe on their lot, which will replace the Administrator vehicle; they have agreed sell it to Oconee County based on State Contract pricing. Staff is requesting Council approval to purchase this vehicle off the lot.

**COUNCIL MEMBERS**

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

It is the staff's recommendation that Council approve the purchase of six (6) Chevrolet Tahoe Police Pursuit SUV's and one (1) 2021 Chevy Tahoe without the PPV package to Love Chevrolet of Columbia, SC, in the amount of \$289,966.00, based on State Contract # 4400024875.

### Council Committee Reports

Real Estate, Facilities, & Land Management / Mr. Davis.....[12.01.2020]

### Board & Commission Appointments (IF ANY) [Seats listed are all co-terminus seats]

- \*Building Codes Appeal Board.....1 At Large Seat
- \*Board of Zoning Appeals.....District 5
- \*Conservation Bank Board.....District 5 & 1 At Large Seat
- \*Arts & Historical Commission.....District 4
- \*Agricultural Advisory Board.....District 4
- \*Library Board.....1 At Large Seat
- \*Aeronautics Commission.....District V

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

### Executive Session

*[upon reconvening Council may take a Vote and/or take Action on matters brought up for discussion in Executive Session, if required]*

*For the following purposes, as allowed for in § 30-4-70(a) of the South Carolina Code of Laws:*

*[1] Receive legal advice and discuss contractual matters related to the Rock Quarry.*

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

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

*[4] Receive legal advice related to opioid litigation and defendants' bankruptcy issues.*

### Adjourn

#### COUNCIL MEMBERS

Julian Davis, III, Chairman, District IV    Paul Cain, Vice-Chair, District III  
 John Elliott, Chair Pro Tem, District 1    Wayne McCall, District II  
 Glenn Hart, District V

## OCONEE CODE OF ORDINANCES

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

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

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

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

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

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

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

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

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



**AGENDA ITEM SUMMARY  
OCONEE COUNTY, SC**

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

**ITEM TITLE [Brief Statement]:**

Proclamation 2020-12 Supporting South Carolina's Right to Farm Act

**BACKGROUND DESCRIPTION:**

As part of the 2020 Comprehensive Plan the AAB discussed possible strategies for implementing and supporting the Right to Farm Act. The AAB voted unanimously to send the recommendation to County Council that Council publically support farmers' rights by supporting the Right to Farm Act.

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

n/a

**FINANCIAL IMPACT [Brief Statement]:**

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

Approved by :                      Finance

**COMPLETE THIS PORTION FOR ALL GRANT REQUESTS:**

Are Matching Funds Available: Yes / No

If yes, who is matching and how much:

Approved by :                      Grants

**ATTACHMENTS**

Proclamation 2020-12

**STAFF RECOMMENDATION [Brief Statement]:**

It is staff's recommendation that Council approve Proclamation 2020-12 supporting South Carolina's Right to Farm Act.

**Submitted or Prepared By: Adam Chapman**

**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.*



**STATE OF SOUTH CAROLINA  
COUNTY OF OCONEE  
PROCLAMATION 2020-12**

**A PROCLAMATION SUPPORTING SOUTH CAROLINA'S RIGHT TO  
FARM ACT**

**WHEREAS**, we reside in a wonderful region of the United States called Oconee County, in which the oldest and largest industry abides in harmony with the mountains, lakes, and rivers in all their beauty; and

**WHEREAS**, the Oconee County Council (the "Council") desires to preserve and protect this natural beauty, the future of agriculture, and the welfare of our farmers; and

**WHEREAS**, growth is rapidly occurring, frequently to the boundaries of agricultural operations, often impeding the farmer who is feeding many families, while trying to earn a living for his own, we believe support of protective measures is appropriate; and

**WHEREAS**, agriculture has significant hurdles to overcome naturally, and therefore informing and educating the public as to the importance of these farms, and how critical it is for these operations to continue, unhindered by complaints and unhampered by frivolous accusations, is our duty; and

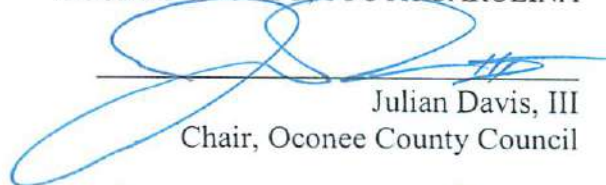
**WHEREAS**, currently, anyone, South Carolina resident or not, can lodge a complaint against any farming operation, and it is the farmer who bears the burden of proof of compliance; and

**WHEREAS**, whereas the Oconee County Council supports the South Carolina Right to Farm Act, an increased awareness of the importance of agriculture, and easing the burden that falls to farmers when unthoughtful complaints occur

**NOW, THEREFORE**, we, the Oconee County Council, fully support the South Carolina Right to Farm Act and fully supports following all guidelines specified therein.

**APPROVED AND ADOPTED** this 15<sup>th</sup> day of December, 2020.

OCONEE COUNTY, SOUTH CAROLINA

  
Julian Davis, III  
Chair, Oconee County Council

**ATTEST:**  
  
Katie D. Smith  
Clerk to Oconee County Council





by reference as if the Friendship Court Multi-County Park Agreement were set out in this Ordinance in its entirety. The County Administrator of Oconee County is hereby authorized, directed, and empowered to execute the Friendship Court Multi-County Park Agreement in the name and on behalf of Oconee County; the Clerk to Oconee County Council is hereby authorized, directed, and empowered to attest the same; and the County Administrator of Oconee County is further authorized, directed, and empowered to deliver the Friendship Court Multi-County Park Agreement to Anderson County.

The Friendship Court Multi-County Park Agreement is to be in substantially the form now before this meeting and hereby approved, or with such changes therein as shall not materially adversely affect the rights of Oconee County thereunder and as shall be approved by the officials of Oconee County executing the same, their execution thereof to constitute conclusive evidence of their approval of any and all changes or revisions therein from the form of the Friendship Court Multi-County Park Agreement now before this meeting.

The County Administrator of Oconee County and the Clerk to the Oconee County Council, for and on behalf of Oconee County, are hereby each authorized and empowered to do any and all things necessary or proper to effect the development of the Friendship Court Multi-County Park and the performance of all obligations of Oconee County under and pursuant to the Friendship Court Multi-County Park Agreement and to carry out the transactions contemplated thereby and by this Ordinance.

**Section 2. Payment of Fee in Lieu of Tax.** The businesses and industries located in the Friendship Court Multi-County Park must pay a fee in lieu of *ad valorem* taxes as provided for in the Friendship Court Multi-County Park Agreement. The fee paid in lieu of *ad valorem* taxes shall be paid to the Treasurer of Anderson County. That portion of the fee allocated pursuant to the Friendship Court Multi-County Park Agreement to Oconee County shall, upon receipt by the Treasurer of Anderson County, be paid to the Treasurer of Oconee County in accordance with the terms of the Friendship Court Multi-County Park Agreement. Payments of fees in lieu of *ad valorem* taxes will be made on or before the due date for taxes for a particular year. Penalties for late payment will be at the same rate as late tax payment. Any late payment beyond said date will accrue interest at the rate of statutory judgment interest. Anderson County and Oconee County, acting by and through their respective treasurers, shall maintain all liens and rights to foreclose upon liens provided for counties in the collection of *ad valorem* taxes. Nothing herein shall be construed to prohibit Oconee County from negotiating and collecting reduced fees in lieu of taxes pursuant to Title 4, Chapter 29 or Chapter 12, or Title 12, Chapter 44 of the Code of Laws of South Carolina 1976, as amended, or any similar provision in South Carolina law.

The provisions of Section 12-2-90 of the Code of Laws of South Carolina 1976, as amended, or any successor statutes or provisions, apply to the collection and enforcement of the fee in lieu of *ad valorem* taxes.

**Section 3. Sharing of Expenses and Revenues.** Sharing of expenses and revenues of the Friendship Court Multi-County Park by Anderson County and Oconee County shall be as set forth in the Friendship Court Multi-County Park Agreement.

**Section 4. Distribution of Revenues within Anderson County.** Revenues generated from industries and businesses in Anderson County located in the Friendship Court Multi-County Park and received by Oconee County shall be retained by Oconee County.

**Section 5. Governing Laws and Regulations.** The ordinances of Anderson County, as applicable, concerning zoning, health and safety regulations, and building code requirements will apply for the entire Friendship Court Multi-County Park.

**Section 6. Law Enforcement Jurisdiction.** Jurisdiction to make arrests and exercise all authority and power within the boundaries of the Friendship Court Multi-County Park properties is vested with the Sheriff's Department of Anderson County. If any of the Friendship Court Multi-County Park properties are within the boundaries of a municipality, then jurisdiction to make arrests and exercise law enforcement jurisdiction is vested with the law enforcement officials of the municipality.

**Section 7. Conflicting Provisions.** To the extent this ordinance contains provisions that conflict with provisions contained elsewhere in the Oconee County Code or other Oconee County ordinances, the provisions contained in this ordinance supersede all other provisions and this ordinance is controlling.

**Section 8. Severability.** If any section of this ordinance is, for any reason, determined to be void or invalid by a court of competent jurisdiction, it shall not affect the validity of any other section of this ordinance which is not itself void or invalid.

**Section 9. Effectiveness.** This Ordinance shall be effective upon third and final reading.

[End of Ordinance - Signature page to follow]

Enacted and approved, in meeting duly assembled, this \_\_\_\_\_ day of \_\_\_\_\_, 2020

OCONEE COUNTY, SOUTH CAROLINA

By: \_\_\_\_\_  
Julian Davis III, Chairman  
Oconee County Council

ATTEST:

By: \_\_\_\_\_  
Katie Smith, Clerk to Council  
Oconee County Council

First Reading:        November 17, 2020  
Second Reading:     December 1, 2020  
Public Hearing:        December 15, 2020  
Third Reading:        December 15, 2020



Exhibit A  
Description of Friendship Court Property

That certain property located at 719 W. Mauldin Street, Anderson, SC, Tax Map Number 123-18-03-001-000, more particularly described as follows:

All those two certain parcels or tracts of land situate, lying and being in the State of South Carolina, County of Anderson, City of Anderson, having frontage on Mauldin Street, West End Avenue, Lee Street, Second Avenue and Third Avenue and being shown on that plat by Farmer & Simpson Engineers dated August 31, 1971 and entitled "Mauldin Street Apt's., Anderson, S. C.", Project No. 054-35076 NP SUP, which plat is of record in the Office of Clerk of Court for Anderson County in [Plat Book 71 at page 294](#). The said two tracts are intersected by and separated by Third Avenue and according to said plat, each tract may be more particularly described as follows:

1. BEGINNING at iron pin at the edge of the right-of-way at the intersection point of Lee Street and Second Avenue on the Northeastern side of such intersection, which iron pin marks the southwestern corner of this tract, thence N 7-29 W 698.1' along the right-of-way of Second Avenue to iron pin corner; thence N 34-31 E 74.7' along the right-of-way at the intersection of Second Avenue and Mauldin Street to iron pin corner; thence N 71-48 E 150.1' along the right-of-way of Mauldin Street to iron pin corner; thence S 7-20 E 778.9' along the right of way of Third Avenue to iron pin corner; thence S 81-43 W 195.5' along the right-of-way of Lee Street to iron pin of beginning corner. The afore-described tract is bound on the south by Lee Street; on the west by Second Avenue; on the north by Mauldin Street and on the east by Third Avenue.
  
2. BEGINNING at iron pin at the edge of the right-of-way at the intersection point of Lee Street and Third Avenue on the Northeastern side of such intersection, which iron pin marks the southwestern corner of this tract, thence N 7-37 W 502.9' along the right-of-way of Third Avenue to iron pin corner; thence N 77-59 E 79.2' to iron pin corner; thence S 7-33 E 85.8' to iron pin corner; thence N 51-13 E 86.8' to iron pin corner on the right-of-way for West End Avenue; thence S 38-35 E 120.0' along the right-of-way for West End Avenue to iron pin corner; thence S 51-25 W 158.7' to iron pin corner; thence S 7-33 E 70.0' to iron pin corner; thence N 84-48 E 57.3' to iron pin; thence N 84-48 E 52.0' to iron pin corner; thence S 38-35 E 60.0' to iron pin corner; thence N 51-25 E 103.5' to iron pin corner on the right-of-way of West End Avenue; thence S 38-35 E 120.0' along the right-of-way of West End Avenue to iron pin corner; thence S 51-25 W 103.5' to iron pin corner; thence N 38-35 W 44.5' to iron pin corner; thence S 8-40 E 90.5' to iron pin corner on the right-of-way of Lee Street; thence S 81-43 W 258.7' to iron pin of beginning corner. The said tract is bound on the South by Lee Street and property of Wells, on the West by Third Avenue; on the north by property of Nell Townsend Presbyterian Church; on the east by property of Nell Townsend Presbyterian Church, West End Avenue, property of Payne and property of Wells.

STATE OF SOUTH CAROLINA	)	AGREEMENT FOR DEVELOPMENT OF
	)	JOINT COUNTY INDUSTRIAL AND
	)	BUSINESS PARK TO BE KNOWN AS
COUNTY OF OCONEE	)	"ANDERSON-OCONEE MULTI-
	)	COUNTY PARK (FRIENDSHIP COURT
COUNTY OF ANDERSON	)	PARK)"

**THIS AGREEMENT** for the development of a joint county industrial and business park to be located initially in Anderson County, South Carolina, dated as of \_\_\_\_\_, 2020 is made and entered into by and between Oconee County, South Carolina and Anderson County, South Carolina, both political subdivisions of the State of South Carolina.

**RECITALS**

**WHEREAS**, Anderson County, South Carolina ("Anderson County") and Oconee County, South Carolina ("Oconee County") (collectively the "Counties") have determined that, in order to promote economic development and thus provide additional employment opportunities within both of said Counties, and to increase the tax base of the Counties, there should be established, initially in Anderson County, a Joint County Industrial and Business Park (the "Park"), which Park shall be known as the "Anderson-Oconee Multi-County Park (Friendship Court Park)" and which shall be in addition to all previous joint county industrial and business parks previously established between the Counties; and

**WHEREAS**, as a consequence of the establishment of the Park, property therein shall be exempt from *ad valorem* taxation, during the term of this Agreement, but the owners or lessees of such property shall pay annual fees during that term in an amount equal to that amount of *ad valorem* taxes for which such owner or lessee would be liable except for such exemption.

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

1. **Binding Agreement.** This Agreement serves as a written instrument setting forth the entire agreement between the parties and shall be binding on the Counties, their successors and assigns.
  
2. **Authorization.** Article VIII, Section 13(D) of the Constitution of South Carolina provides that counties may jointly develop an industrial and 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 and business park may be created.



**3. Location of the Park.**

(A) The Park consists of property located in Anderson County, as is hereinafter more specifically described in Exhibit "A", as amended from time to time by the parties. The Park shall consist initially only of property located in Anderson County and currently owned by Friendship SC Preservation, L.P. (the "Friendship Court Property"). It is specifically recognized that the Park may from time to time consist of non-contiguous properties.

(B) The boundaries of the Park may be enlarged or diminished from time to time as authorized by ordinance of Anderson County and by ordinance of the County Council of Oconee County. In the event of any enlargement or diminution of the boundaries of the Park, this Agreement shall be deemed amended and there shall be attached hereto a revised Exhibit "A," as applicable, which shall contain a legal description of the boundaries of the Park, as enlarged or diminished, together with copies of the ordinances of Anderson County and Oconee County pursuant to which such enlargement or diminution was authorized.

(C) Notwithstanding anything in subparagraphs 3(A) and 3(B) above to the contrary, in the event that a tract or site of land located in the Park is purchased and developed by a person or business enterprise whose employees, because of the nature of their employment, do not qualify for the corporate income tax credit provided in South Carolina Code of Laws, 1976, as amended, Section 12-6-3360 (the "Non-qualifying Site"), Anderson County may unilaterally remove by ordinance, the Non-qualifying Site from the Park, so long as, and to the extent that such removal does not adversely impact any financing or other incentive then in effect. Upon such removal, Anderson County shall provide notice to the Oconee County Administration office, with a copy to the Oconee County Attorney.

**4. Fee-in-Lieu of Taxes.** Property located in the Park shall be exempt from *ad valorem* taxation during the term of this Agreement. The owners or lessees of any property situated in the Park shall pay, in accordance with and during the term of this Agreement, an amount equivalent to the *ad valorem* property taxes or other in-lieu of payments that would have been due and payable but for the location of such property within the Park. Where, in this Agreement, reference is made to payment of *ad valorem* property taxes or other in-lieu of payments, such reference shall be construed, in accordance with this Paragraph 4, to mean the *ad valorem* property taxes or other in-lieu of payments that would otherwise have been due to be paid to Anderson County, after deduction of all applicable allowances, credits, deductions, and exemptions authorized or required by state law.

**5. Allocation of Park Expenses.** The Counties shall bear expenses, including, but not limited to, development, operation, maintenance and promotion of the Park in the following proportions:

With respect to property geographically located in Anderson County:

- |    |                 |      |
|----|-----------------|------|
| A. | Anderson County | 100% |
| B. | Oconee County   | 0%   |

With respect to property geographically located in Oconee County:

- |    |                 |    |
|----|-----------------|----|
| A. | Anderson County | 0% |
|----|-----------------|----|

B. Oconee County 100%

6. **Allocation of Park Revenues.** The Counties shall receive an allocation of all revenue generated by the Park through payment of fees-in-lieu of ad valorem property taxes or from any other source in the following proportions:

With respect to property geographically located in Anderson County:

A. Anderson County 99%  
B. Oconee County 1%

With respect to property geographically located in Oconee County:

A. Anderson County 1%  
B. Oconee County 99%

The percentage of Park revenues allocable to Oconee County shall be net of any allowances, credits, deductions, and exemptions authorized by State law or by Anderson County pursuant to Section 8 of this Agreement. Any payment by Anderson County to Oconee County of its allocable share of the fees-in-lieu of taxes from the Park shall be made not later than ninety (90) days from the end of the Anderson County fiscal year in which Anderson County receives such payment from the occupants of the Park. In the event that the payment made by any occupant of a Park is made under protest or is otherwise in dispute, Anderson County shall not be obligated to pay to Oconee County more than Oconee County's share of the undisputed portion thereof until thirty (30) days after the final resolution of such protest or dispute.

7. **Revenue Allocation Within Each County.** Park revenues allocable to Oconee County shall be retained by Oconee County, and Park revenues allocable to Anderson County shall be distributed to the political subdivisions and overlapping tax districts within Anderson County in the manner directed by Anderson County ordinance(s) relating thereto.

8. **Fees-in-Lieu of Taxes and Special Source Bonds or Credits Pursuant to Code of Laws of South Carolina.** It is hereby agreed that Anderson County may enter into any one or more negotiated fee-in-lieu of tax agreements with respect to property within the Park pursuant to Titles 4 or 12, South Carolina Code, 1976, as amended, or any successor or comparable statutes, and may issue special source bonds, may make special source payments or grant special source credits as provided in Section 4-1-175, South Carolina Code, 1976, as amended, or any related, successor or comparable statutes, payable in whole or in part from revenues derived by Anderson County pursuant to this Agreement or with respect to property located within the Park, and the terms of such agreements, bonds or credits shall be at the sole discretion of Anderson County.

9. **Assessed Valuation.** For the purpose of calculating the bonded indebtedness limitation of the Participating Taxing Entities of each of the Counties, and for the purpose of computing the index of taxpaying ability of any school district of either of the Counties pursuant to Section 59-20-20(3), Code of Laws of South Carolina, 1976, as amended, allocation of the assessed value of property within the Park to each County shall be identical to the percentage established for the allocation of revenue to such County pursuant to Paragraphs 6 and 7

respectively, subject, however, to the provisions of Section 4-29-68(E) of the Code of Laws of South Carolina, 1976, or any successor legislation.

10. **Records.** The Counties, parties to this Agreement, covenant and agree that, upon the request of either, the other will provide to the requesting party copies of the records of the annual tax levy and copies of the actual tax bills, for parcels of property encompassed by this Agreement, and will further provide copies of the County Treasurer's collection records for the taxes so imposed, all as such records become available in the normal course of County procedures. It is further agreed that none of the parties shall request such records from any other party more frequently than once annually, absent compelling justification to the contrary.

11. **Additional Provisions.**

(A) The applicable tax credits allowable by Section 12-6-3360 of the Code of Laws of South Carolina, 1976, as amended or any successor statute, will apply to any business enterprise locating in the Park.

(B) Any business enterprise locating in the Park shall pay a fee-in-lieu of ad valorem taxes as provided for in the Agreement, Article VIII Section 13 of the South Carolina Constitution and the Act. The user fee paid in lieu of ad valorem taxes shall be paid to the county treasurer for the County in which the premises is located. That portion of the fees from the Park premises allocated pursuant to the Agreement to Oconee County shall be paid by the Anderson County Treasurer to the Oconee County Treasurer within fifteen (15) days following the end of the Anderson County fiscal year of receipt for distribution, and such distribution shall be made in accordance with the Agreement. Payments shall be made by a business or industrial enterprise on or before the due date for taxes for a particular year. Penalties for late payment will be at the same rate and at the same times as for late tax payment. Any late payment beyond said date will accrue interest at the rate of statutory judgment interest. Anderson County, acting by and through the county tax collector for the county where the premises is located, shall maintain all liens and rights to foreclose upon liens provided for counties in the collection of ad valorem taxes.

(C) The administration, development, promotion, and operation of the Park shall be the responsibility of the county in which each premises of the Park is located. Provided, that to the extent any Park premises is owned by a private developer, the developer shall be responsible for development expenses as contained in the Agreement.

(D) In order to avoid any conflict of laws for ordinances between the Counties, the Anderson County ordinances will be the reference for such regulations or laws in connection with the Park premises. Nothing herein shall be taken to supersede any state or federal law or regulation. If any part of the Park is located within a municipality, the municipal ordinances of that municipality shall apply, in lieu of any County ordinances.

(E) The Anderson County Sheriff's Department will have initial jurisdiction to make arrests and exercise all authority and power within the boundaries of the Park premises and fire, sewer, water and EMS service will be provided by the service district or other political unit within whose jurisdiction the Park premises are located. If any part of the Park is located within a municipality, the municipal police force will also have jurisdiction to make arrests and exercise police authority and power within the boundaries of the Park premises.

12. **Severability.** In the event and to the extent (and only to the extent) that any provision or any part of a provision of this 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 Agreement

13. **Term.** This Agreement shall have a term of twenty-five (25) years from the end of the first full calendar year following execution and delivery hereof by both Counties.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

WITNESS our hands and seals as of the \_\_\_\_\_ of \_\_\_\_\_, 2020.

**ANDERSON COUNTY, SOUTH CAROLINA**

\_\_\_\_\_  
Tommy Dunn  
Chairman of County Council

(SEAL)  
ATTEST:

\_\_\_\_\_  
Rusty Burns  
County Administrator

\_\_\_\_\_  
Lacey Croegaert  
Clerk to Council

WITNESS our hands and seals as of the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**OCONEE COUNTY, SOUTH CAROLINA**

By: \_\_\_\_\_  
Amanda Brock  
County Administrator  
Oconee County, South Carolina

(SEAL)

ATTEST:

\_\_\_\_\_  
Katie Smith  
Clerk to County Council  
Oconee County, South Carolina

**EXHIBIT "A"**  
**To the Agreement for Development of**  
**Joint County Industrial and Business Park (Friendship Court Park) between**  
**Oconee County and Anderson County**  
**Dated as of \_\_\_\_\_, 2020**  
**(Anderson County Parcels)**

That certain property located at 719 W. Mauldin Street, Anderson, SC, Tax Map Number 123-18-03-001-000, more particularly described as follows:

All those two certain parcels or tracts of land situate, lying and being in the State of South Carolina, County of Anderson, City of Anderson, having frontage on Mauldin Street, West End Avenue, Lee Street, Second Avenue and Third Avenue and being shown on that plat by Farmer & Simpson Engineers dated August 31, 1971 and entitled "Mauldin Street Apt's., Anderson, S. C.", Project No. 054-35076 NP SUP, which plat is of record in the Office of Clerk of Court for Anderson County in [Plat Book 71 at page 294](#). The said two tracts are intersected by and separated by Third Avenue and according to said plat, each tract may be more particularly described as follows:

1. BEGINNING at iron pin at the edge of the right-of-way at the intersection point of Lee Street and Second Avenue on the Northeastern side of such intersection, which iron pin marks the southwestern corner of this tract, thence N 7-29 W 698.1' along the right-of-way of Second Avenue to iron pin corner; thence N 34-31 E 74.7' along the right-of-way at the intersection of Second Avenue and Mauldin Street to iron pin corner; thence N 71-48 E 150.1' along the right-of-way of Mauldin Street to iron pin corner; thence S 7-20 E 778.9' along the right of way of Third Avenue to iron pin corner; thence S 81-43 W 195.5' along the right-of-way of Lee Street to iron pin of beginning corner. The afore-described tract is bound on the south by Lee Street; on the west by Second Avenue; on the north by Mauldin Street and on the east by Third Avenue.
  
2. BEGINNING at iron pin at the edge of the right-of-way at the intersection point of Lee Street and Third Avenue on the Northeastern side of such intersection, which iron pin marks the southwestern corner of this tract, thence N 7-37 W 502.9' along the right-of-way of Third Avenue to iron pin corner; thence N 77-59 E 79.2' to iron pin corner; thence S 7-33 E 85.8' to iron pin corner; thence N 51-13 E 86.8' to iron pin corner on the right-of-way for West End Avenue; thence S 38-35 E 120.0' along the right-of-way for West End Avenue to iron pin corner; thence S 51-25 W 158.7' to iron pin corner; thence S 7-33 E 70.0' to iron pin corner; thence N 84-48 E 57.3' to iron pin; thence N 84-48 E 52.0' to iron pin corner; thence S 38-35 E 60.0' to iron pin corner; thence N 51-25 E 103.5' to iron pin corner on the right-of-way of West End Avenue; thence S 38-35 E 120.0' along the right-of-way of West End Avenue to iron pin corner; thence S 51-25 W 103.5' to iron pin corner; thence N 38-35 W 44.5' to iron pin corner; thence S 8-40 E 90.5' to iron pin corner on the right-of-way of Lee Street; thence S 81-43 W 258.7' to iron pin of beginning corner. The said tract is bound on the South by Lee Street and property of Wells, on the West by Third Avenue; on the north by property of Nell Townsend Presbyterian Church; on the east by property of Nell Townsend Presbyterian Church, West End Avenue, property of Payne and property of Wells.



**STATE OF SOUTH CAROLINA  
OCONEE COUNTY  
ORDINANCE 2020-23**

**AN ORDINANCE GRANTING CERTAIN EASEMENT RIGHTS TO THE CITY OF SENECA AT THE SENECA RAIL PARK FOR THE PURPOSE OF CONSTRUCTING, MAINTAINING, AND OPERATING PIPELINES, MANHOLES, AND RELATED ITEMS WITH THE OBJECTIVE OF CONVEYING POTABLE WATER AND/OR SANITARY SEWAGE / INDUSTRIAL WASTE; AND OTHER MATTERS RELATED THERETO.**

WHEREAS, Oconee County, a body politic and corporate and a political subdivision of the State of South Carolina (the "County"), is the owner of a parcel of property located adjacent to Shiloh Road, designated by TMS number 520-36-10-017, and commonly known as the Seneca Rail Park ("County Property"); and

WHEREAS, the City of Seneca, South Carolina, a municipal corporation ("City") wishes to acquire from the County, and the County wishes to grant to City, certain easement rights for, generally and without limitation, the construction, maintenance, and operation of pipelines, manholes, and related items for the purpose of conveying potable water, or sanitary sewage / industrial waste across, under and through certain portions of the County Property (the "Easement Rights"); and

WHEREAS, the form, terms, and provisions of the Public Utility Easement Agreement (the "Agreement") now before the Oconee County Council ("Council"), a copy of which is attached hereto as "Exhibit A," is acceptable to County Council for the purpose of giving effect to the Easement Rights; and

WHEREAS, Section 4-9-30(2) of the Code of Laws of South Carolina authorizes the County to transfer or otherwise dispose of interests in real property:

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

1. Council hereby approves the terms and conditions of the Agreement.
2. The Administrator of the County ("Administrator") shall be, and hereby is, authorized to execute and deliver the Agreement on behalf of the County in substantially the same form as attached hereto as Exhibit A, or with such changes as are not materially adverse to the County and as the Administrator shall approve, upon the advice of the County Attorney, such Administrator's approval to be deemed given by her execution of the Agreement.
3. The Administrator shall be, and hereby is, authorized to execute and deliver any and all other documents or instruments on behalf of the County related to the Easement Rights in a form and substance acceptable to the Administrator, on advice of the County Attorney.
4. Should any portion of this ordinance be deemed unconstitutional or otherwise unenforceable by any court of competent jurisdiction, such determination shall not affect the remaining terms and provisions of this ordinance, all of which are hereby

deemed separable.

5. All ordinances, orders, resolutions, and enactments of the 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 from and after third reading and enactment by the Oconee County Council.

**ORDAINED** in meeting, duly assembled, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**ATTEST:**

\_\_\_\_\_  
Katie D. Smith  
Clerk to Oconee County Council

\_\_\_\_\_  
Julian Davis, III  
Chair, Oconee County Council

First Reading:        December 1, 2020  
Second Reading:     December 15, 2020  
Third Reading:        \_\_\_\_\_  
Public Hearing:        \_\_\_\_\_



- (e) The easement shall not be exercised by Grantee in a manner so as to prevent or unreasonably interfere with the use and enjoyment of the Easement Premises or any other portion of Grantor's Property by Grantor, its employees, servants, agents, and invitees.
  - (f) Any rights to the Easement Premises not specifically granted to Grantee herein are reserved to Grantor its successors and assigns.
2. Subject to the "Limitations" below, Grantor reserves the right to make use of the Easement Premises in any manner that is not inconsistent with the rights herein conveyed to Grantee.

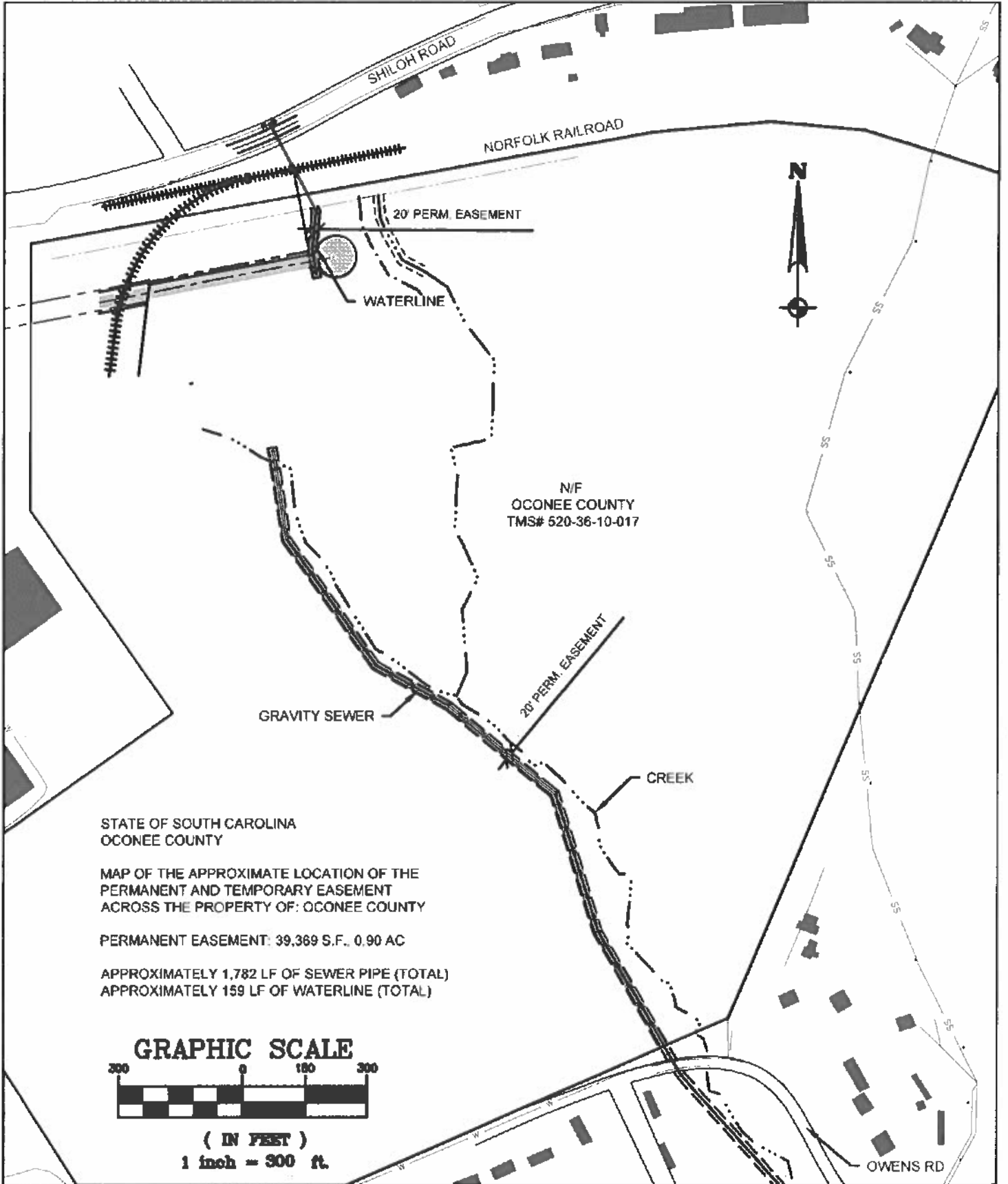
Limitations:

- (a) Grantor shall not damage or cause to be damaged any of the Infrastructure.
  - (b) No roads, pipes or other underground lines, ponds or lakes, ornamental shrubs, bushes, or trees shall be constructed by Grantor within the Easement Premises without first obtaining prior written consent of the Grantee, which consent shall not be unreasonably withheld.
  - (c) Grantor shall not excavate or fill within the Easement Premises or cause a substantial change in the topographical features of the Easement Premises as it exists on the date of these presents without first obtaining prior written consent of Grantee, which consent shall not be unreasonably withheld; any street, road, drive, or right-of-way constructed by the Grantor over, through, or across the Easement Premises shall be done at the peril of the Grantor, with the understanding that Grantee shall not be responsible for any damage done to any such street, road or drive should it become absolutely necessary to disturb the same to effect relocations, changes, renewals, substitutions, replacements or maintenance of the Infrastructure.
  - (d) The Grantor shall not place nor allow or cause to be placed within the Easement Premises any substantial amount of debris, material(s), obstruction(s) or impediment(s) without first obtaining prior written consent of the Grantee, which consent shall not be unreasonably withheld, and shall not nor do or cause to be done any act upon the Easement Premises which will impede or unreasonably interfere with Grantee's use and maintenance of same.
3. In addition to the consideration by Grantee herein to Grantor for the granting of this easement, Grantee agrees to be responsible for the repair, restoration or replacement of Grantor's Property as follows:
- (a) To replace and restore landscaping, ornamental shrubs, bushes, or trees located within Grantor's Property (including the Easement Premises), which were destroyed or damaged during the construction and/or maintenance of the Infrastructure.
  - (b) To repair or replace within Grantor's Property (including the Easement Premises) driveways, fences, sidewalks, curbing and parking areas disturbed or damaged during initial construction or maintenance of the Infrastructure.
  - (c) To replace any damages occasioned by the destruction of or injury to any growing crops located and situate on the said land occasioned by the Grantee's going upon the said land to maintain the Infrastructure, including but not limited to such destruction occurring during the exercise of the Grantee's rights of ingress and egress.
  - (d) Upon completion of construction, or upon completion of any subsequent maintenance, change, or relocation within the Easement Premises, the Grantee shall cause the area within Grantor's Property (including the Easement Premises), which was disturbed by such activity, to be restored.





**EXHIBIT A**



STATE OF SOUTH CAROLINA  
OCONEE COUNTY

MAP OF THE APPROXIMATE LOCATION OF THE  
PERMANENT AND TEMPORARY EASEMENT  
ACROSS THE PROPERTY OF: OCONEE COUNTY

PERMANENT EASEMENT: 39,369 S.F., 0.90 AC

APPROXIMATELY 1,782 LF OF SEWER PIPE (TOTAL)  
APPROXIMATELY 159 LF OF WATERLINE (TOTAL)

**GRAPHIC SCALE**



( IN FEET )  
1 inch = 300 ft.

SENECA RAIL PARK INFRASTRUCTURE  
SENECA, SC

EASEMENT EXHIBIT

GMC # CGRE190009

DATE: 11/17/2020

DRAWN BY: TNM

OWNER: OWNER: OCONEE COUNTY  
TBS #: TAX ID NO. 520-36-10-017

617 East McBea Avenue, Suite 200  
Greenville, SC 29601  
T 864.527.0460  
GMCNETWORK.COM

**GMC**



**STATE OF SOUTH CAROLINA  
COUNTY OF OCONEE  
ORDINANCE 2020-24**

AN ORDINANCE AMENDING CHAPTER 32 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING THE REMOVAL OF THE “*DISTANCE REQUIREMENTS*” CURRENTLY FOUND IN SECTION 32-181 OF THE OCONEE COUNTY CODE OF ORDINANCES.

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

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

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

**WHEREAS**, Currently Section 32-181 of the Oconee County Code of Ordinances requires that any new Group Residential Development be located at least 1,000 feet from any existing residence. The Oconee County Planning Commission recommended the removal of Section 32-181 “Distance Requirements,” in order to better accommodate needed development in the County, such as Assisted Living Facilities and Continuum-of-Care type developments. Proposed Group Residential Developments must still go before the Oconee County Board of Zoning Appeals for a special exception hearing;

**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 Chapter 32, Article V, of the Code of Ordinances by deleting Section 32-181, which established “Distance Requirements” in relation to the development of Group Residential projects; and,

**WHEREAS**, County Council has therefore determined to modify Chapter 32 of the Code of Ordinances and to affirm and preserve all other provisions of the Code of Ordinances not specifically, or by implication, amended hereby.

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

1. Section 32-181 of Chapter 32 of the Code of Ordinances, entitled “Distance Requirements,” is hereby deleted.

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

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

5. All other terms, provisions, and parts of the Code of Ordinances, and specifically, but without exception, the remainder of Chapter 32, not amended hereby, directly or by implication, shall remain in full force.

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

**ORDAINED** in meeting, duly assembled, this \_\_\_\_ day of \_\_\_\_\_, 2020.

**ATTEST:**

\_\_\_\_\_  
Katie D. Smith  
Clerk to Oconee County Council

\_\_\_\_\_  
Julian Davis, III  
Chair, Oconee County Council

First Reading:           December 15, 2020  
Second Reading:       \_\_\_\_\_  
Third Reading:         \_\_\_\_\_  
Public Hearing:         \_\_\_\_\_

**STATE OF SOUTH CAROLINA  
COUNTY OF OCONEE  
ORDINANCE 2020-25**

---

**AN ORDINANCE AUTHORIZING OCONEE COUNTY TO ENTER INTO AN ENERGY SAVINGS PERFORMANCE ARRANGEMENT, BETWEEN OCONEE COUNTY AND JOHNSON CONTROLS, INC., AND A RELATED LEASE PURCHASE ARRANGEMENT (NOT TO EXCEED \$3,400,000), BETWEEN OCONEE COUNTY AND ONE OR MORE LENDERS, EACH AS DESCRIBED IN SOUTH CAROLINA CODE ANNOTATED 11-27-110; AND OTHER RELATED MATTERS.**

**BE IT ORDAINED** by the County Council as the governing body of Oconee County, South Carolina, that the County is authorized (a) to arrange for and execute an energy savings performance agreement, performance contract, or other similar agreement, and (b) to arrange for and execute a lease purchase agreement, or other similar agreement in an amount not to exceed \$3,400,000 so as to accomplish the acquisition of the energy savings performance measures, all as more particularly provided below:

*Section 1. Findings.* The County Council finds it is in the best interest of the County to: (a) acquire and finance the purchase and installation of various energy savings performance measures and equipment (collectively, “Equipment”) as contemplated by South Carolina Code Annotated sections 48-52-650, -660, and -670 (collectively, “Energy Savings Measures”); and (b) acquire and finance the Equipment by entering into a lease purchase financing, or other similar means of financing, in an amount not to exceed \$3,400,000, which is repayable through annual appropriations from any legally available source (“Financing”), which will enable the County to acquire the Equipment, which is appropriate for the County’s functioning and to benefit from the Energy Savings Measures.

*Section 2. Approval of Energy Saving Measures and Performance Contract.* The County hereby determines to undertake the Energy Saving Measures and execute and deliver an energy savings performance agreement, performance contract, or other similar agreement with Johnson Controls, Inc. the substantially final form of which is attached to this Ordinance as Exhibit A (“Performance Contract”).

*Section 3. Approval of Financing.* The County hereby determines to undertake the Financing and execute a lease purchase agreement or other similar agreement, all as contemplated by South Carolina Code Annotated section 11-27-110, with [] (“Lender”), which has agreed to provide financing for a term of not to exceed [] years at an interest rate not to exceed []%, [bank qualified,] tax-exempt, all as more fully set forth in Lender’s term sheet, dated December 11, 2020, a copy of which is attached Exhibit B.

*Section 4. Delegation of Authority.* The County authorizes the Chair of County Council or the County Administrator, acting individually, in consultation with the County Attorney, to determine all items related to the Energy Saving Measures, the Performance Contract, and the Financing, so long as the final agreements are substantially in conformance with Exhibit A and Exhibit B, with such changes as are not materially adverse to the County.

*Section 5. Tax Covenants.* The County covenants that no use of the proceeds of the Financing shall be made which, if that use had been reasonably expected on the date of issue of the Financing, would have caused the Financing to be an “arbitrage bond,” as defined in Section 148 of the Internal Revenue Code (“Code”). If, at the time of issuance, the County does not reasonably anticipate issuing in excess of \$10,000,000 in tax exempt obligations in the then-current calendar year, the County Administrator is

authorized to designate the Financing as a “bank qualified tax-exempt obligation” within the meaning of Section 265(b)(3) of the Code.

The Equipment acquired by the net proceeds of the Financing will be owned by the County in accordance with rules governing ownership of property for federal tax income purposes.

The County shall not permit the proceeds of the Financing or any Equipment financed with the proceeds of the Financing to be used in any manner that would result (A) ten percent (10%) or more of such proceeds being considered as having been used directly or indirectly in any trade or business carried on by any natural person or in activity carried on by a person other than a natural person other than a government unit as provided in Section 141(b) of the Code or (B) five percent (5%) or more of such proceeds being considered as having been used directly or indirectly to make or finance loans to any person other than a governmental unit as provided in Section 141(c) of the Code.

The County is not party to or nor will it enter into any contracts with any person for the use or management of any Equipment provided with the proceeds of the Financing that do not conform to the guidelines set forth in Revenue Procedure 2017-13.

**Section 6. Execution Authorization.** The County authorizes the Chair of County Council, and County Administrator, each acting individually, to execute (by electronic or other means) in the name of the County, acknowledge, and deliver whatever documents, and the Clerk to County Council to attest each document and affix the County seal to each document (to the extent requested), as may be appropriate to effect the Energy Savings Measures, the Performance Contract, and the Financing, subject always to County’s intention that the Energy Savings Measures, the Performance Contract, and/or the Financing do not constitute “debt” of the County used in calculating the County’s “constitutional debt limit” as those terms are described in South Carolina Code Annotated section 11-27-10, *et seq.* The execution of a document by the County official so executing the document shall constitute conclusive evidence of the County’s approval of that document.

**Section 7. Ratification of Acts.** The County Council hereby ratifies and approves of any action heretofore or hereafter taken by the County Administrator and/or the County Attorney with respect to the approval of the Energy Saving Measures, the Performance Contract, and the Financing or otherwise to implement the intent of this Ordinance.

**Section 8. General Repealer.** All orders, resolutions, and parts thereof in conflict herewith are to the extent of that conflict hereby repealed.

**Section 9. Effective Date.** This Ordinance shall take effect and be in full force upon enactment by the County Council.

[ONE SIGNATURE PAGE AND TWO EXHIBITS FOLLOW]  
[REMAINDER OF PAGE INTENTIONALLY BLANK]

Passed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2021

OCONEE COUNTY, SOUTH CAROLINA

By: \_\_\_\_\_  
Julian Davis III, Chairman  
Oconee County Council

ATTEST:

By: \_\_\_\_\_  
Katie Smith, Clerk to Council  
Oconee County Council

First Reading: December 15, 2020  
Second Reading:  
Public Hearing:  
Third Reading:

**EXHIBIT A**  
**FORM OF PERFORMANCE CONTRACT**

**EXHIBIT B**  
**[LENDER] TERM SHEET**  
(DECEMBER 11, 2020)



**AGENDA ITEM SUMMARY  
OCONEE COUNTY, SC**

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

**ITEM TITLE OR DESCRIPTION:**

Local ATAX - Oconee County PRT - \$71,000

**BACKGROUND OR HISTORY:**

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

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

**SPECIAL CONSIDERATIONS OR CONCERNS:**

**COMPLETE THIS PORTION FOR ALL PROCUREMENT REQUESTS:**

Does this request follow Procurement Ordinance #2001-15 guidelines? No [review #2001-15 on Procurement's website]  
If no, explain briefly: NO-ATAX grants

**FINANCIAL IMPACT:**

Beginning Local ATAX balance \$479,932.24  
If all grants/projects approved/new balance will be: \$408,932.24

**COMPLETE THIS PORTION FOR ALL GRANT REQUESTS:**

Are Matching Funds Available: Yes  
If yes, who is matching and how much: Varies by grant!

**ATTACHMENTS**

Spreadsheet unanimously approved by PRT Commission on 11/19/20. Economic Impact Statement for 2021 Fishing Tournaments attached.

**STAFF RECOMMENDATION:**

Approval of ATAX grant recommendations per the attached spreadsheet.

**Reviewed By/ Initials:**

\_\_\_\_\_ County Attorney      \_\_\_\_\_ Finance      \_\_\_\_\_ Grants      \_\_\_\_\_ Procurement

**Submitted or Prepared By:**

Phil Shirley, PRT Director  
Department Head/Elected Official

**Approved for Submittal to Council:**

  
Amanda Brock, County Administrator

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

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

**Dec-20**

**Local ATAX Recommendations-December 2020**

<b>Applicant</b>	<b>Funds Requested</b>	<b>Project Description</b>	<b>Amount Eligible for ATAX</b>	<b>PRT Commission Recommendation</b>
<b><u>Internal Projects-Oconee PRT</u></b>				
2021 Interns- (One at each park)	\$15,000	Operations, marketing, maintenance, programming	\$15,000	\$15,000
Friendship Access Area	\$5,000	Operations and maintenance for additional facility	\$5,000	\$5,000
Seasonal Staff supplement	\$40,000	Chau Ram Winter operations/staffing	\$40,000	\$40,000
Fishers of Men District Championship	\$8,000	Fishing Tournament	\$8,000	\$8,000
Bass Fishing League	\$2,000	Fishing tournament	\$2,000	\$2,000
American Bass Anglers Open Series	\$1,000	Fishing tournament	\$1,000	\$1,000
		<b>Total Internal Projects</b>	<b>\$71,000</b>	<b>\$71,000</b>

## Economic Impact Statements-2021 Fishing Tournaments



<u>Tournament</u>	<u>Date</u>	<u>Host Fee</u>	<u>Location</u>	<u># of Boats</u>	<u># of Anglers</u>	<u>Total fishing days</u>	<u>Average Daily Spend</u>	<u>Economic Impact</u>
Palmetto Boat Center High School Classic	1.16.21	\$2,000.00	Keowee	150	300	1	\$225.00	\$67,500.00
Bass Fishing League (BFL)	2.6.21	\$2,000.00	Keowee	200	400	2	\$225.00	\$180,000.00
American Bass Anglers Bass Pro Open	2.13.21	\$1,000.00	Keowee	80	160	1	\$225.00	\$36,000.00
American Bass Anglers	3.20.21	\$0.00	Keowee	50	100	1	\$225.00	\$22,500.00
Skeeter Bass Challenge	4.11.21	\$0.00	Keowee	180	360	2	\$225.00	\$162,000.00
Bass Nation Tournament	5.7.21	\$0.00	Keowee	180	360	2	\$225.00	\$162,000.00
Palmetto Boat Center Open Series	Fall 2021	\$5,000.00	Keowee	225	450	3	\$225.00	\$303,750.00
Fishers of Men District Championship	Fall 2021	\$8,000.00	Keowee	80	160	5	\$225.00	\$180,000.00
<b>Totals</b>		<b>\$18,000.00</b>						<b>\$1,113,750.00</b>



**AGENDA ITEM SUMMARY  
OCONEE COUNTY, SC**

**COUNCIL MEETING DATE: December 15<sup>th</sup>, 2020  
COUNCIL MEETING TIME: 6:00 PM**

**ITEM TITLE [Brief Statement]:**

A request for Council to approve a letter of support to be sent to the Oconee County Legislative Delegation regarding the temporary reduction of certain regulatory constraints pertaining to farm-animal processing.

**BACKGROUND DESCRIPTION:**

Even in the best of times farmers and ranchers in Oconee County and throughout South Carolina face a relentless shortage of animal processing facilities that can adhere to the many state and federal regulations currently in place. The global pandemic has made the severe shortage of animal processing facilities worse by increasing the demand for fresh meat and reducing the available animal processing workforces. The Oconee County Agricultural Advisory Board recommends the County Council present to our Legislative Delegation some temporary solutions for our farmers and ranchers predicament by temporarily removing some regulatory constraints.

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

n/a

**FINANCIAL IMPACT [Brief Statement]:**

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

Approved by : \_\_\_\_\_ Finance

**COMPLETE THIS PORTION FOR ALL GRANT REQUESTS:**

Are Matching Funds Available: Yes / No

If yes, who is matching and how much:

Approved by : \_\_\_\_\_ Grants

**ATTACHMENTS**

Three letters to delegation

**STAFF RECOMMENDATION [Brief Statement]:**

Submitted or Prepared By: Adam Chapman

Approved for Submittal to Council:

Department Head/Elected Official

  
Amanda F. Brock, County Administrator

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**Oconee County  
Council Office**

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

Phone 864-718-1023  
Fax 864 718-1024

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

John Elliott,  
Chair Pro Tem  
District I

Wayne McCall  
District II

Paul A. Cain  
Vice Chair  
District III

Julian Davis, III  
Chairman  
District IV

J. Glenn Hart  
District V



December 15, 2020

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

Dear Representative Whitmire:

Nationwide, farmers are experiencing difficulty in scheduling adequate processing dates for their animals, largely related to the pandemic. As an industrious animal farming County, this rings true for many farms in Oconee, especially smaller farms. Many pastures are full of animals at their peak without processing dates. Some farmers are even booking processing dates into 2022 at this point, as that is the only availability.

As the County Council we are seeking your support in legislative action that can help remedy the situation in a two ways that will provide temporary relief to keep the wheels turning until processing facilities can catch up with the demand.

1. *Temporary exemption to USDA/SCDA labeling requirements to sell at farmer's markets for next season* - This will allow some farms to continue selling meat without the strict requirements on labeling. This does a couple things: it is quicker and easier for processors to package and label this way, possibly allowing a greater number of bookings. In addition, it allows a greater number of processors for farms to use without the requirement to use facilities that provide USDA/SCDA labeling. It still requires farmers to use a processing facility that is USDA inspected (just not labeled individual cuts).

2. *Temporary exemption for on-site animal processing for small ruminants.* Since processors have become so inundated, they have pushed off their smaller animal "days" to make more room for cow/pig processing. This has caused a significant burden to our sheep/goat farmers. Like the exemption for small poultry farms, allowing a temporary exemption for small ruminants to process and sell on the farm, as long as meat is sold directly to consumers and follows the other guidelines under the poultry exemption.

Thank you for your consideration in this important matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Julian Davis, III", is written over a blue scribble.

Julian Davis, III  
Chairman, Oconee County Council

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District IV

J. Glenn Hart  
District V



December 15, 2020

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

Dear Representative Sandifer:

Nationwide, farmers are experiencing difficulty in scheduling adequate processing dates for their animals, largely related to the pandemic. As an industrious animal farming County, this rings true for many farms in Oconee, especially smaller farms. Many pastures are full of animals at their peak without processing dates. Some farmers are even booking processing dates into 2022 at this point, as that is the only availability.

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Julian Davis, III

Chairman, Oconee County Council



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Chairman  
District IV

J. Glenn Hart  
District V



December 15, 2020

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

Dear Senator Alexander:

Nationwide, farmers are experiencing difficulty in scheduling adequate processing dates for their animals, largely related to the pandemic. As an industrious animal farming County, this rings true for many farms in Oconee, especially smaller farms. Many pastures are full of animals at their peak without processing dates. Some farmers are even booking processing dates into 2022 at this point, as that is the only availability.

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Thank you for your consideration in this important matter.

Sincerely,

  
Julian Davis, III  
Chairman, Oconee County Council



# **Oconee County Conservation Bank Application for Funding**

**Oconee County, South Carolina**

**Completed Application to be forwarded to:**

Oconee County Conservation Bank Board  
c/o Clerk to Council  
Oconee County Administrative Offices  
415 South Pine Street  
Walhalla, SC 29691

or

via email to: [ksmith@oconeesc.com](mailto:ksmith@oconeesc.com)



## SECTION I

### I. General Information:

Acquisition type:         Fee Simple         Conservation Easement

Landowner's Name        Estate of William C. Lyles

Mailing Address:        118 Massey Road

Piedmont, SC 29673

Daytime Telephones     [REDACTED]

#### **Eligible OCCB Recipient Seeking Funding**

*(See Oconee County Ordinance 2011-16, Section II, G)*

Name of Organization     Upstate Forever

Authorized Agent Name:   Chris Starker

Mailing Address:        507 Pettigru Street

Greenville, SC 29601

Daytime Telephones     ( 864 ) 2500-0500 (ext 15)

## II. Property Information

Legal Description

County: Oconee

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Tax Map # 080 - 00 - 02 - 001

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Assessor's Plat & Lot Numbers:

MapPlatB A20 and MapPlatP 9

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Deed Reference [Book & Page]

1979/272

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Current Zoning Classification

Unzoned/Control Free

---

Location on County Map (attach copy as **EXHIBIT A**)

Brief description of property including:

a. Total Acres 155.56 acres

b. Total Forested ~108 acres

c. Total Cleared / Open ~48 acres

d. Total Wetlands n/a

e. Creeks and/or Rivers Approximately 1 mile of Whetstone Creek plus an additional 2,000 linear feet of headwater streams.

Please include any surveys, USGS maps, directions, county locator map, or any other pertinent information.

**III. Miscellaneous Information:**

Who is the Party responsible for managing the land?

Name Naturaland Trust

Address: PO Box 728, Greenville, SC 29602

Telephone Number (864) 387 - 6079

Who is responsible for enforcing any conservation easements or other restrictions on this property?

Name Upstate Forever

Address: 507 Pettigru Street, Greenville, SC 29601

Telephone Number (864) 250 - 0500

**IV. Adjoining landowners.**

Adjoining landowners must be notified of this grant request by Oconee County ordinance. Please attach an affidavit that all adjoining landowners have been notified.



\_\_\_\_\_  
Signature of Eligible OCCB Recipient (Applicant)

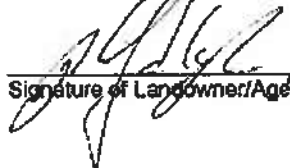
October 30, 2019  
Date

**Section II**  
**To be filled out by the landowner**

1. Has the Eligible OCCB Recipient seeking funding notified you in writing.  
(See Oconee County Ordinance 2011-16, Section VII)
- a. That interests in land purchased with trust funds result in a permanent conveyance of such interests from the landowner to the eligible trust fund.  
 yes       no
- b. That it may be in the landowner's best interests to retain independent legal counsel, appraisals, and other professional advice.  
 yes       no
2. Are there any existing liens, mortgages, or encumbrances that currently exist on this property?  
 yes       no      If yes, please explain below:

**Oconee County Conservation Bank—Landowner Inspection Consent Agreement.**

I Philip D. Lyles, as the landowner or landowner's agent agree to allow inspection, or appraisal if necessary, of the property being presented to the OCCB Board for consideration. I agree to allow authorized or designated agent or staff to inspect this property as may be required. Reasonable notice of inspection will be given.

 P.R.  
Signature of Landowner/Agent

10/31/19  
Date

**Section III**  
**To be filled out by the Eligible OCCB Recipient seeking funding (Applicant)**

Organization Name Upstate Forever

Address 507 Pettigru Street, Greenville, SC 29601

Daytime Telephones ( 864 ) 250 - 0500

Contact Person Chris Starker

Organization EIN Number: 57 - 10070433

**NOTE:** You are required to attach certification that this is a charitable not-for-profit corporation or trust authorized to do business in this state; whose principal activity is the acquisition and management of land for conservation or historic purposes and which has tax-exempt status as a public charity under the Internal Revenue Code of 1986 or Certification that the applicant is an otherwise qualified entity under Oconee County Ordinance 2011-16, Section II and Section VII.

How will you be able to complete the project and acquire the interests in the proposed lands?

Upstate Forever is working with Naturaland Trust, the SC Conservation Bank, and the Natural Resources Conservation Service to purchase the property in fee simple prior to placing it into a conservation easement.

How many total acres of lands or projects have you preserved in this State? In this County?

Upstate Forever currently holds 120 conservation easements in the Upstate totaling over 23,000 acres. 23 of those easements are in Oconee County and total almost 5,000 acres.

Briefly describe the lands your organization has preserved in this State, and then County, including their size, location and method of preservation. Note: this section need not be complied with for specific preserved lands if the privacy or proprietary interests of the owners of such preserved lands would be violated.)

Most of the protected properties are private lands managed for hunting or timber, but several are working farms, public recreation areas, or important habitat areas providing critical migration corridors or protecting rare, threatened, or endangered species, including over 100 miles of rivers and streams.

Has the Eligible OCCB Recipient notified the owner of the land that is the subject of the potential OCCB grant of the following in writing? (See Oconee County Ordinance 2011-16, Section VII)

- a. That interests in land purchased with trust funds result in a permanent conveyance of such interests in land from the landowner to the eligible trust fund recipient or it assignees.

Yes

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

**Note:** Applications not having affirmation that the notice requirement of this section has been met will not be considered for funding requests.

Does the Eligible OCCB Recipient or the landowner have a general summarized land management plan for this proposal? If so, please attach.

yes  no

Explain how the Eligible OCCB Recipient intends to enforce the easement restrictions on this proposal, if a conservation easement is proposed. Attach additional sheet if necessary.

Upstate Forever is a nationally accredited land trust under the national Land Trust Alliance. We steward our inventory of easements on an annual basis according LTA standards. If there are unpermitted uses of the property either by the landowner or by outside parties, then corrective action is pursued as stated in the easement language and according to LTA guidelines. Further, Upstate Forever can apply to Terrafirma for legal remedy if litigation is required.

Does the Eligible OCCB Recipient agree that OCCB funds may only be used for the acquisition of interests in land including closing costs and not for management, planning, staffing, or any costs not associated with the purchase of interests in lands?

yes       no

Does the Eligible OCCB Recipient have reasonable documentation to support this request?  
Please attach.

The proposal will not be considered without adequate substantiation of estimated Fair Market Value and a qualified and competent appraisal establishing fair market value and/or the value of the proposed easement will subsequently be required prior to closing.

(See Oconee County Ordinance 2011-16, Section VII, B, f)

yes       no

What is the amount of support sought for this proposal?

\$ 66,100.00

Explain how this proposal will satisfy the Criteria listed in Sections Four and Five of the ensuing pages. (Please attach a narrative of what your intended plans are and how you plan to accomplish them.)

*Chris Stalker*

Signature of Authorized Agent for Eligible OCCB Recipient (Applicant)

*Katherine Hotel*

Notary Signature

My commission expires: 10/29/2025



**Section IV**  
**Conservation Criteria**  
**Oconee County Ordinance 2011-16, Section VI**  
**Information to be considered in filling out the application**

1. Does the property contain or adjoin wetlands? Yes  No

If yes, please attach certification by USACOE or NRCS.

2. Does the property contain or adjoin a USGS Blue Line Stream or Lake?  
Yes, approximately 1 mile of Whetstone Creek and 2,600 linear feet of a tributary stream. See map.  
If yes, please provide USGS topographic map showing such stream or lake in relation to property.

3. Does the property contain or adjoin Water Classified as either (i) Outstanding Natural Resource Water (ii) Outstanding Resource Water or (iii) Trout Water, by South Carolina DHEC.

Yes, Whetstone Creek is classified by SCDHEC as Trout Natural. See DHEC Watershed description.  
If yes, please provide evidence of such classification by SC DHEC.

4. Does the property currently contain threatened or endangered species or habitat suitable for threatened or endangered species?

If yes, please provide a certification by SC DNR, NRCS, USFS or other qualified professional providing evidence of such species existence on the property or of such habitat suitability. Property does not currently contain any documented RTE species but possesses habitat suitable for reoccupation of species. See USFWS IPaC Resource List.

5. Does the property currently contain native wildlife species or habitat suitable for native wildlife species? Yes, native plant and animal species typical of mixed pine-hardwood forests, riparian buffer zones, and agrarian pastures and fields found in this area.  
If yes, please provide substantial evidence (e.g. Statement from a qualified agency or professional, etc.) of such species existence on the property of such habitat suitability.

6. Does the property currently contain special or concentrated biodiversity? No.

If yes, please provide substantial evidence (e.g. Statement from a qualified agency or professional, etc.) of such biodiversity on the property.

7. Does the property currently contain a unique geological feature, such as a mountain, rock outcropping, waterfall or other similar feature? No.

If yes, please provide substantial evidence (e.g. Statement from a qualified agency or professional, etc.) of such geological feature on the property.



8. Does the property share a boundary with other Protected Land? For purposes of this question, "Protected Land" includes any land or byway substantially protected from development or designated as scenic or protected through any federal, state, or local act.

(a) If yes, what percentage of a boundary is shared with such Protected Land?

1%-25%

26%-50%

Greater than 50%

(b) If yes, please describe the Protected Land and present a legible map showing such Protected Land in relation to the property.

Property shares approximately 1,000 linear feet of boundary with the Sumter National Forest. See map.  
9. Does the property contain any of the following pre-historic or historic features or designations?

(a) Listing on the National Historic Register? If yes, please provide a letter or other evidence from the Department of the Interior demonstrating such listing.

(b) Eligible for listing on the National Historic Register? If yes, please provide a letter or other evidence from the SC State Historic Preservation Office demonstrating such eligibility.

(c) Contains historic or pre-historic structures? If yes, please provide evidence in the form of photographs and statement of a qualified agency or professional describing the structure(s) on the property.

(d) Contains a site of historic or pre-historic significance? If yes, please provide evidence in the form of photographs and statement of a qualified agency or professional describing the site(s) on the property.

10. The Ecochee settlement of the Cherokee Indians was once located on the property near Whetstone Creek. Does the property contain fifty percent (50%) or greater surface area of soils classified as Prime or Important by the State of South Carolina?

Approximately 40% of the soils on the property are classified as Prime or important by the State of SC.

(a) If yes, what percentage of the property contains soils classified as Prime or Important by the State of South Carolina?

50%-60%

61%-75%

Greater than 75 %

(b) If yes, please provide a legible soil overlay map showing such Prime or Important soil types upon the property.

**11. Has the property been Actively Farmed as defined under one of the following qualifications?**

**Landowner has farm records established with USDA Service Center Agencies, but may not have filed Schedule F.**

- (a) The landowner has filed IRS Form Schedule F in the previous two tax years? If yes, please provide evidence of such tax filings and a notarized statement affirming that such farming activities pertained to the property referred to in this application;**
- (b) The landowner has filed IRS Form Schedule F in seven of the last ten years? If yes, please provide evidence of such tax filings and a notarized statement affirming that such farming activities pertained to the property referred to in this application; or**
- (c) The landowner can produce documentation demonstrating that the landowner has produced significant agricultural products in Oconee County in the last two years? If yes, please provide such documentation and a notarized statement affirming that such farming activities pertained to the property referred to in this application.**

**12. Does the property allow public viewing: There is not an established pull-out or viewing station but views to the south and east are available from Rocky Gap Road. See map and photos.**

- (a) ...from a Federal, State or County maintained road? If yes, please provide documentation describing precise location of point along a Federal, State or County Road where property is visible. Include a photograph taken from this point.**
- (b) ...from any other public access land or waterway? If yes, please provide documentation describing precise location of point along such public access land or waterway where property is visible. Include a photograph taken from this point.**

**13. Does the property provide a Scenic View to the public or help maintain the Scenic Nature of an area in the County? For purposes of this question, a Scenic View includes mountain, river, lake, forest, pasture, agricultural and other pastoral views which are viewable by the public from a public roadway or other publically accessible area.**

**The property preserves scenic view along Rocky Gap Road. See map and photos.**

**If yes, please provide photograph evidence to support the Scenic View, a description of the Scenic View and a description of the specific locations with map references from which the public may observe the Scenic View.**

**14. Does the proposal for the conservation project on the Property allow...**

- (a) ...Limited Access by the public to the property? For purposes of this question, Limited Access means any access which is less than access on a year round and continual basis, but allows access by the public for some limited time or seasonal period(s). There is potential for public outdoor recreation including hiking, cycling, horseback riding, and inclusion in WMA program.**

If yes, please provide documentation supporting such Limited Access, including any formal agreements with agencies or groups authorized to use the property, a description of the use(s) permitted and the times or seasons when the property will be accessible by the public.

(b) ... Unlimited Access by the public to the property? For purposes of this question, Unlimited Access means any access which provides the public access to the property on a year round and continual basis and, additionally, requires that such access is (or will be) communicated to the public.

If yes, please provide documentation supporting such Unlimited Access, including any formal agreements with agencies or groups authorized to use the property, a description of the use(s) permitted and the times or seasons when the property will be accessible by the public. In addition, please provide evidence that the Unlimited Access is (or will be) reasonably communicated to Oconee County citizens.

15. Is the property located in any one or more of the following locations? If yes, for each such location please provide an aerial map and supporting documentation which demonstrates such location in relation to the relevant municipality or other land.

The Property is adjacent to and shares a border with the Sumter national Forest.

- (a) Is the property located within or adjacent to land of the United States Forest Service, a South Carolina State Forest, a State Park, a County Park or a Park of Municipality located in Oconee County, South Carolina?
- (b) Is the property located within 1 mile of a municipality?
- (c) Is the property located from 2-5 miles of a municipality?
- (d) Is the property located greater than 5 miles from a municipality?

The Property is at least 14 miles from Walhalla.

16. What is the approximate size (in acres) of the property? Please provide documentation to support the stated acreage, including survey(s), tax information, deeds or other similar documentation.

According to oconee County online property records, the Property is 155.56 acres.

**Section V - Financial Criteria**  
**Oconee County Ordinance 2011-16 Section VI**  
**Information to be considered in filling out the application**

1. (a) What is the Total Market Value of the proposed conservation project? \$661,000  
*(Total Market Value for a fee simple project is the total fair market value of the property as supported by a current appraisal. Total Market Value for a conservation easement project is the value of the conservation easement as determined under the methods prescribed in IRS Treasury Regulations 1.170A-14(h) as supported by a current appraisal.)*

(b) What is the amount of the grant requested from the OCCB? \$66,100

Based on the figures above, what is the total percentage of funding requested for the project from the OCCB. *(Divide Sum (b) by Sum (a) to Find Percentage)?* 10%

2. Please list and describe any other grants, contributions or gifts from any non-governmental agencies, groups, entities or individuals which will support the proposed conservation project? Upstate Forever will contribute \$170,000 through the NRCS Agricultural Conservation Easement Program plus \$20,000 through the Pete & Sally Smith Foundation to cover due diligence fees. Naturaland Trust will provide an additional \$85,000 through the SC Conservation Bank.  
 For any listed grant, contribution or gift, please provide evidence or a written pledge of such support from the relevant non-governmental party.

3. How does the proposal present a unique value opportunity in that it protects land at a reasonable cost? Parcel:

           is available at a low cost per acre

  X   is available from a willing seller at a reasonable price

4. How does the proposal leverage OCCB funds by including funding or in-kind assets or services from other governmental sources? Funding from the OCCB will provide needed matching funds required for other grant programs, including the NRCS ACEP program and the SCCB, a combined \$275,000 value. Have matching funds of any kind or services-in-kind been applied for or received?

Please explain and described the in-kind services or amount of financial support applied for or r received. Please also provide written documentation to support such application or receipt of such support.

5. Please describe any other financial advantage of the proposed conservation project which helps ensure that the project represents a good use of limited OCCB funds and/or provides a good return on investment for the citizens of Oconee County?

Please explain any other such financial advantage and provide documentation to support your answer to this question.

At a ratio of 1:4, the \$661,000 contribution from the OCCB for this project not only protects 155 acres of prime farmland and forest, but also helps ensure better water quality in the Chattooga River Watershed.



## Whetstone Creek Preserve The Estate of William C. Lyles

Upstate Forever and Naturaland Trust are working with the Estate of William C. Lyles to protect 155.56 acres of farm and forest land on Whetstone Creek, a tributary of the Chattooga National Wild and Scenic River and a key parcel in the agricultural community with approximately 40% prime soils. While the property is currently on the market, the Estate includes conservation-minded members who are willing to work with the conservation community while we work to secure funding to purchase the property. With the support of the SC Conservation Bank, the Oconee County Conservation Bank, and additional assistance through NRCS's Agricultural Conservation Easement Program, and the Pete and Sally Smith Foundation, this this multi-pronged partnership will leverage several funding sources to sufficiently secure a fee-simple purchase.

The resulting protected property will accomplish many goals. First, the **Whetstone Creek Preserve** was recently designated a conservation priority by the US Forest Service in the Sumter National Forest, which will provide future access to the Chattooga River Corridor while facilitating better forest management practices. Second, protection of this tract will help eliminate a major source of pollution into the Chattooga River Watershed by reducing sediment, turbidity, bacteria, and nutrients from entering the Creek from overland storm water runoff. Third, approximately 40% of the property possesses prime soils or soils of statewide importance, thereby protecting the potential to continue agricultural production and its contribution to the local agricultural community. Finally, the Ecochee settlement of the Eastern Band of the Cherokee was likely once located on the property near Whetstone Creek. Although no archaeological surveys have been conducted yet, protecting this property will allow for future exploration of the Cherokee relationship to the area.

The Whetstone Creek Preserve is located in the Mountain Rest community of Oconee County near the County/State boundary and within the Chattooga River Watershed. The Preserve contains or abuts approximately one mile of Whetstone Creek and an additional 2,000 linear feet of headwater streams, all of which drain to the Chattooga River. About 2/3 of the property is forested with the remaining cleared and used for pasture or cropland.

The Whetstone Creek sub-watershed produces the largest amount of input to the Chattooga River, both in terms of flow and pollution. For nearly 20 years Whetstone Creek has been listed on the State's 303d list of impaired waters due to aquatic life and biological impairments. This



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project will help alleviate some of the pressures to watershed health stemming from land management practices by removing cattle from the streams and re-establishing healthy riparian buffers.

In addition, the Whetstone Creek Preserve is adjacent to the Sumter National Forest, sharing about 1,000 linear feet of property boundary. In a recent inventory of land prioritized for conservation, the USFS identified several parcels for protection based on many criteria. These identified lands all improve water quality, benefit both native species and some rare, threatened, or endangered species, improve recreational opportunities, and help the USFS better manage their lands by removing key inholdings.

Funding from the Oconee County Conservation Bank will be placed in escrow with funds provided by the SC Conservation Bank and the USDA's Agricultural Conservation Easement program (ACEP), which will be used by Naturaland Trust to purchase the property and place it into a conservation easement held by Upstate Forever. At a ratio of 1:4, the contribution from the OCCB represents a significant opportunity to leverage available funding to protecting important land resources in Oconee County.

While the full market value of the property was appraised at \$661,000, the value of the conservation easement is estimated at \$340,000. Upstate Forever is currently the only non-profit organization in SC enrolled in the Natural Resources Conservation Service's Regional Conservation Partnership Program, which allows us to provide supplemental funding to qualified projects through the Agricultural Conservation Easement Program, and would support the acquisition with 50% of the *easement* value only, or \$170,000. Naturaland Trust has applied to and been approved for a grant from the SC Conservation Bank, which will contribute additional funding. However, we need the OCCB to help cover the shortfall by contributing 10% of the conservation value for this project, which is \$66,100. In addition, Upstate Forever has secured an additional \$20,000 of funding to help cover the cost of due diligence and the stewardship endowment for the conservation easement.

Once the easement is in place and ownership is transferred to Naturaland Trust, the Trust will remove any access for animals getting into Whetstone, increase riparian buffers, and continue leasing the farmland for hay production or a sustainable low impact farmer. Eventually, they will also make the forested section available to hikers who visit Sumter National Forest.















**Parcel Information**

**Parcel ID** 080-00-02-001  
**Tax ID** 4239  
**Neighborhood** CHATTOOGA TWP  
**Property Address** Rocky Gap Rd  
**Legal Description** MapPlatB A20 MapPlatP 9 LYLES EST  
(Note: Not to be used on legal documents)  
**Acreage** 155.56  
**Class** Unclassified Farm  
**Tax District/Area** 004  
**Legal Residence** No

[View Map](#)

**Owner Information**

**Primary Owner**  
 Lyles William C  
 118 Massey Rd  
 Piedmont, SC 29673

**Land Information**

Land Type	Soil ID	Actual Front	Acreage	Effect. Front	Effect. Depth	Prod Factor	Depth Factor	Meas Sq Ft
75 AG LAND 20.0001 AND UP AC			154.560			1.00	1.00	6,732,634
71 AGRICULTURAL HOMESITE			1.000			1.00	1.00	43,560

**Valuation Record**

Assessment Year		12/31/2016	12/31/2013	12/31/2010	12/31/2010	12/31/2010
Reason for Change		2015 REVAL	AG.APPROVED	Reval	Reval	Reval
<b>VALUATION</b>	Land	\$473,680	\$488,680	\$488,680	\$488,680	\$488,680
(Taxable Market Value)	Improvements	\$0	\$0	\$0	\$0	\$0
	<b>Total</b>	<b>\$473,680</b>	<b>\$488,680</b>	<b>\$488,680</b>	<b>\$488,680</b>	<b>\$488,680</b>

**Sales Information**

Sale Date	Sale Price	Deed Book / Page	Grantor	Grantee
8/9/2013	\$0	1979 / 272	LYLES WILLIAM C & ELIZABETH S	LYLES WILLIAM C
7/9/1988	\$0	542 / 233	LYLES WILLIAM C & ELIZABETH S	LYLES WILLIAM C & ELIZABETH S

**Recent Sales In Area**

From:

To:



1500

Feet

### Generate Owner List by Radius

Distance:

100  
Feet ▼

Show address of:  Owner  Property

Download format:

Address labels (5160) ▼

### Additional mailing label options:

Show parcel id on label

Skip labels:

0

No data available for the following modules: Residential Dwellings, Improvements, Sketches.



Last Data Upload: 4/8/2019, 1:07:08 AM

Version 2.2.10

079-00-01-013  
HOLCOMB FRED E  
175 HOLCOMBE DR  
MOUNTAIN REST, SC 29664

080-00-01-001  
BRYSON FAMILY OF HIGHLANDS LLC  
555 N 5TH ST  
HIGHLANDS, NC 28741

080-00-02-001  
LYLES WILLIAM C  
118 MASSEY RD  
PIEDMONT, SC 29673

080-00-02-004  
BRYSON FAMILY OF HIGHLANDS LLC  
555 N 5TH ST  
HIGHLANDS, NC 28741

091-00-02-001  
MOXLEY CHARLES A  
10200 HIGHLANDS HIGHWAY  
MOUNTAIN REST, SC 29664

091-00-02-010  
RAMEY ROBERT L JR & BETTY RAMEY F  
107 JAMLETTE DR  
WALHALLA, SC 29691

091-00-02-014  
MASSEY RONALD  
891 ROCKY GAP FARM RD  
MOUNTAIN REST, SC 29664

091-00-02-018  
NULL CHRISTIANE & MATTHEW B COCHF  
850 ROCKY GAP FARM RD  
MOUNTAIN REST, SC 29664

343-00-01-002  
U S A % DEPT OF AGRICULTURE  
1371 PEACHTREE NE SUITE 600  
ATLANTA, GA 30319



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Affidavit

I hereby attest and affirm as follows:

- 1. I am the Land Conservation Manager of Upstate Forever, the eligible recipient and applicant for a grant for the Oconee County Conservation Bank to acquire a conservation easement on the tracts described in the application submitted herewith.
2. I have delivered written notification of the application to the owners of all properties that adjoin the tracts that are the subject to the application.
3. I have delivered written notification of the application to the owner of the property subject to the application and notified the landowner:
a. that interests in land purchased with trust funds results in a permanent conveyance of such interests in land from the landowner to the eligible trust fund recipient or its assignees, and
b. it may be in the landowner's interest to retain independent legal counsel, appraisals and other professional advice.

Chris Starker
Chris Starker

Sworn to before me this 31 day of October, 2019

Notary Signature: Katherine P. Hottel
Notary Public for South Carolina

My commission expires: 10/29/2025





# Official Zoning Map

## OCONEE COUNTY, SC



Whetstone Creek Preserve



Paul Cain, Chair  
Oconee County Council

Elizabeth C. Hahn, Clerk  
Oconee County Council

In Reading: September 18, 2007  
Public Hearing: April 13, 2008  
2nd Reading: September 17, 2008  
Public Hearing: October 21, 2008  
3rd Reading: November 4, 2008

Revised Editions:  
May 11, 2012  
August 14, 2012  
October 16, 2012  
January 22, 2013  
May 7, 2013  
August 26, 2013  
November 3, 2013  
January 7, 2014  
May 20, 2014  
September 16, 2014  
May 5, 2015  
November 3, 2015  
November 11, 2016



1-85  
Overlay

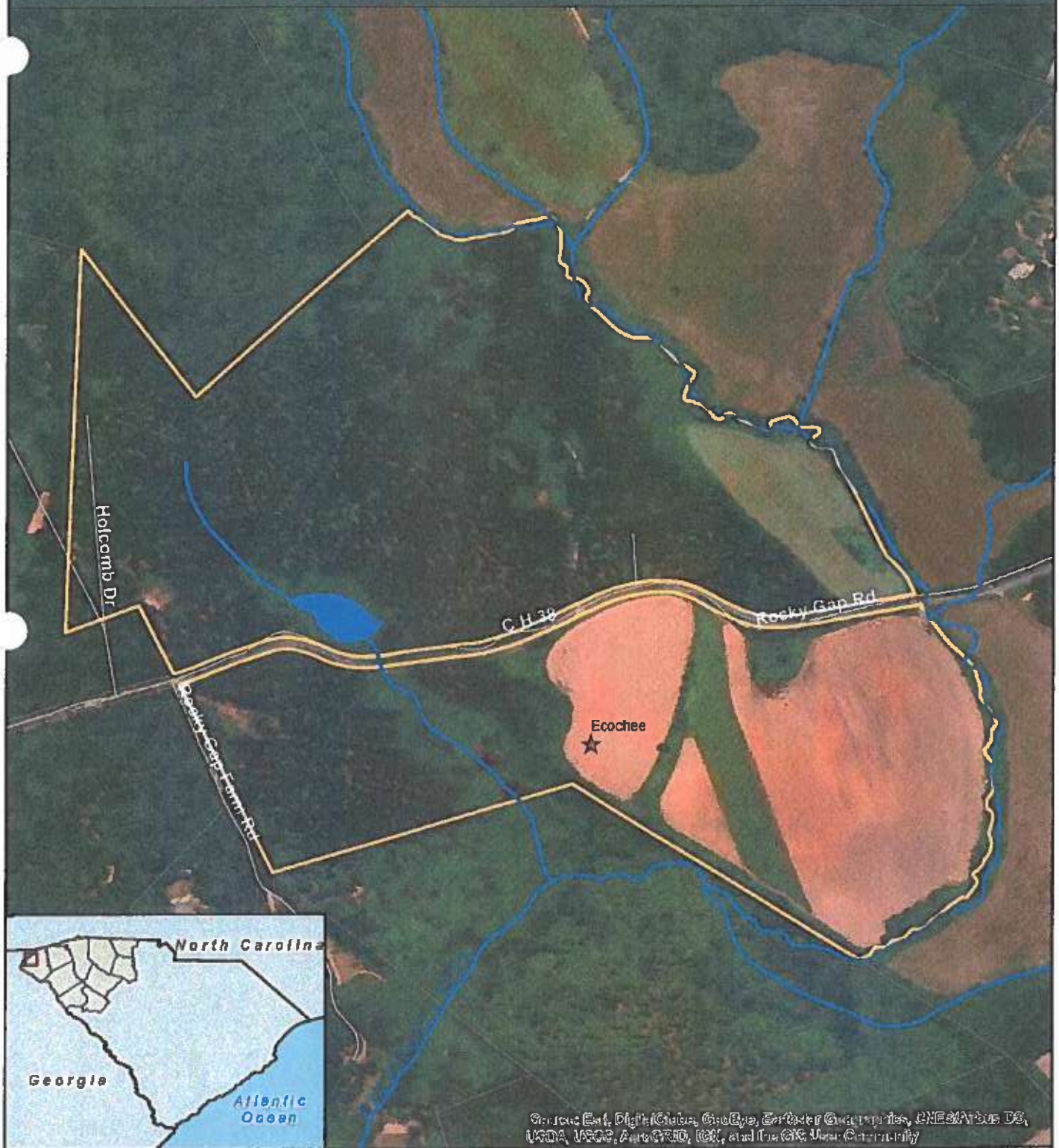
See 1-85 Overlay Inset

LEGEND			
<b>BASE ZONING DISTRICTS</b>			
<b>1-85 OVERLAY</b>			





# Lyles Farm (Whetstone Creek Preserve)



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

## Legend

-  Conservation Easement Boundary
-  Cherokee Village Site



**DISCLAIMER:**  
This map is not a land survey and is for general reference purposes only. Upstate Forever makes no warranty or representation as to the accuracy of this map and disclaims all responsibility for any costs or damages that may arise from its use.

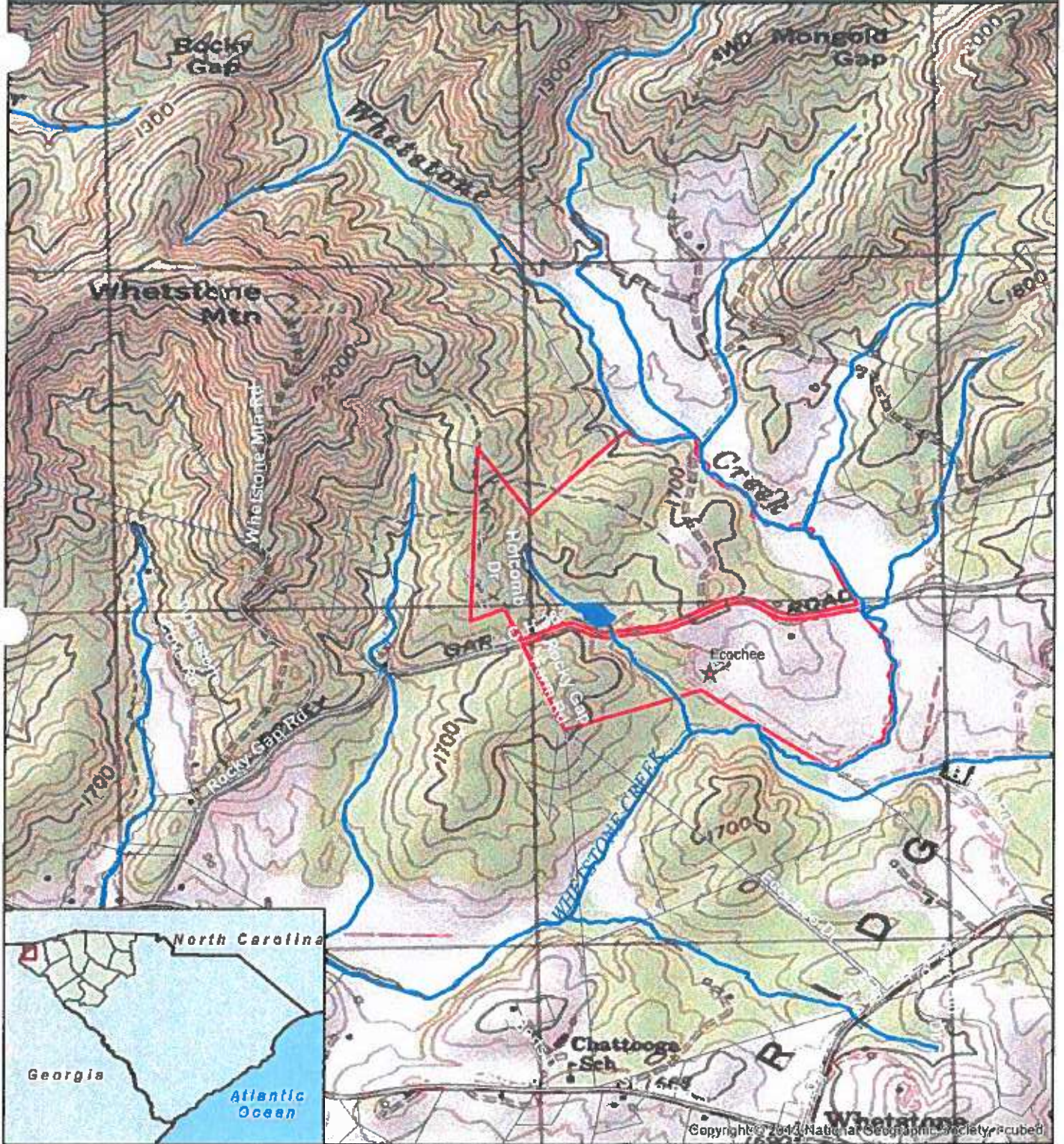
CBS 8 April 2019



**UPSTATE  
FOREVER**



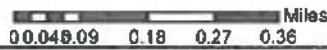
# Lyles Farm (Whetstone Creek Preserve)



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## Legend

- Conservation Easement Boundary
- ★ Cherokee Village Site



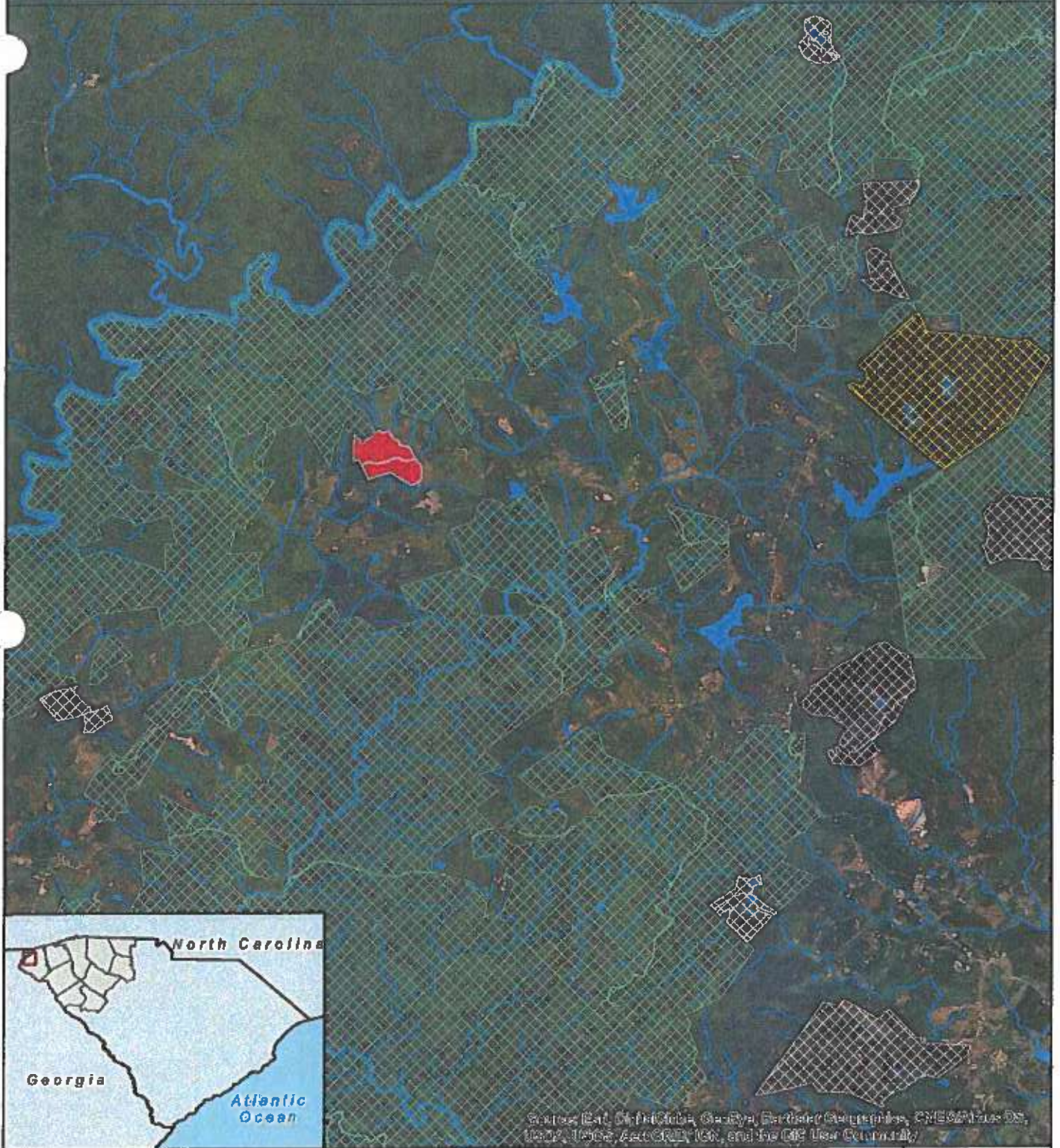
**DISCLAIMER:**  
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CBS 8 April 2019









# Lyles Farm (Whetstone Creek Preserve)



Source: Ed. Whitcomb, Georgia, Eastern Geographics, CRESMA Inc. DS, USGS, USDA, Aerial, IGN, and the GIS User Community

## Legend

-  UF Conservation Easements
-  SC PRT
-  US Forest Service
-  Lyles - Whetstone Creek Preserve



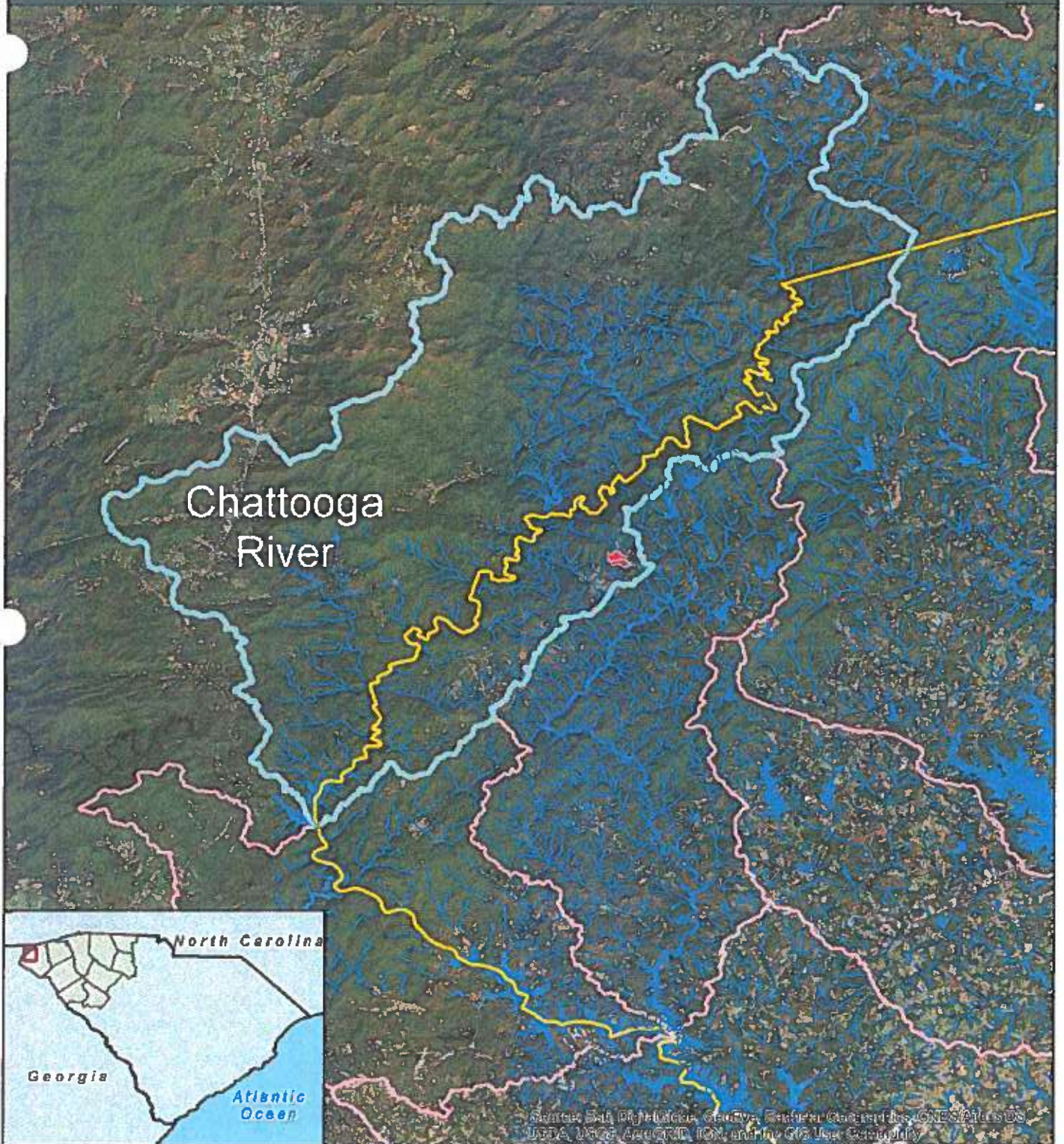
**DISCLAIMER:**  
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CBS 8 April 2019









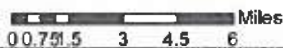
# Lyles Farm (Whetstone Creek Preserve)



Source: Esri, DigitalGlobe, GeoEye, Earthstar OpenStreetMap contributors, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

## Legend

-  Chattooga River Watershed
-  Conservation Easement
-  HUC-10 Watersheds
-  State\_of\_SC



**DISCLAIMER:**  
This map is not a land survey and is for general reference purposes only. Upstate Forever makes no warranty or representation as to the accuracy of this map and disclaims all responsibility for any costs or damages that may arise from its use.

CBS 8 April 2019





**03060102-02**  
**(Chattooga River)**

**General Description**

Watershed 03060102-02 consists primarily of the Chattooga River and its tributaries from its origin to its confluence with the Tallulah River\* at the Tugaloo Dam. The South Carolina portion of watershed 03060102-02 (formerly 03060102-010 and a portion of 03060102-060) is located in Oconee County and resides in the Blue Ridge physiographic region. The Chattooga River watershed extends into North Carolina and Georgia. There are 178,648 acres in the entire watershed; 143,750 acres or 80.5% are outside of South Carolina. Land use/land cover in the South Carolina portion of the watershed includes: 87.6% forested land, 2.5% urban land, 8.9% agricultural land, 0.7% water, and 0.3% forested wetland (swamp). A map depicting this watershed is found in Appendix A, page A-30.

The Chattooga River flows across the North Carolina/South Carolina border in the northwest corner of South Carolina, flowing between the states of South Carolina and Georgia. Streams flowing into the river from the Georgia side are connoted with an asterisk. Flowing out of North Carolina, the river accepts drainage from Bad Creek, East Fork Chattooga River (Dark Branch, Jacks Creek, Slatten Branch, Indian Camp Branch), Harden Creek\*, King Creek, Lick Log Creek (Thrift Lake, Pigpen Branch), Ira Branch, Reed Creek\*, West Fork\*, Holden Branch\*, Adline Branch\*, Bynum Branch\*, and Laurel Branch\*. Further downstream, Moss Mill Creek enters the river followed by Warwomen Creek\*, Dicks Creek\*, Whetstone Creek (Tyler Branch, Swaford Branch, Harts Branch), Rock Creek\*, Buckeye Branch\*, Lick Long Creek\*, and Turpin Branch. Fall Creek (Fall Creek, North Fork Fall Creek, Stump Branch) enters the river next followed by Tilly Branch, Pole Creek\*, Reedy Branch, Stekoa Creek\*, Cliff Creek\*, Long Creek, Pinckney Branch, Daniel Creek\*, Camp Creek\*, Fishtrap Branch, and Opossum Creek (Sawhead Branch, Shoulder Bone Branch, Camp Branch). The Chattooga River then flows through Lake Tugaloo accepting drainage from Devils Branch, Bad Creek\*, and Worse Creek\* before merging with the Tallulah River\* to form the Tugaloo River. There are a total of 570.6 stream miles and 629.3 acres of lake waters within the extended watershed.

The Chattooga River and its tributaries from the North Carolina line to Opossum Creek are classified ORW with the following exceptions: the portion of East Fork Chattooga River from its confluence with Indian Camp Branch to the Chattooga River is classified TN, Whetstone Creek and Swaford Branch are classified TN, Lick Log Creek from Thrift Lake to its headwaters is classified FW, and Turpin Branch, Fall Creek, Tilly Branch, Reedy Branch, Long Creek, Pinckney Branch, Fishtrap Branch, and Opossum Creek are classified FW. The Chattooga River and its tributaries from Opossum Creek to the Tugaloo River are classified FW. Lake Tugaloo is classified IPGI. The Sumter National Forest extends across the entire watershed.

## Surface Water Quality

<u>Station #</u>	<u>Type</u>	<u>Class</u>	<u>Description</u>
SV-308	W/BIO	ORW	EAST FORK CHATTOOGA RIVER AT SC 107, 2 MI S OF STATE LINE
SV-792	BIO	ORW	EAST FORK CHATTOOGA RIVER 300 MI DOWNSTREAM OF HATCHERY OUTFALL
SV-227	INT	ORW	CHATTOOGA RIVER AT SC 28, 3.5 MI NW MT REST
SV-199	W	ORW	CHATTOOGA RIVER AT US 76
SV-359	W	TPGT	LAKE TUGALOO, FOREBAY EQUIDISTANT FROM SPILLWAY AND SHORELINE

*East Fork Chattooga River* – There are two monitoring stations along the East Fork Chattooga River. Although there were pH excursions at the upstream site (*SV-308*), aquatic life uses are fully supported based on macroinvertebrate community data. There is a significant increasing trend in five-day biochemical oxygen demand. Recreational uses are fully supported at this site. At the downstream site (*SV-792*), aquatic life uses are fully supported based on macroinvertebrate community data.

*Chattooga River* – There are two monitoring stations along the Chattooga River. Significant decreasing trends in turbidity and total phosphorus concentration at both sites suggest improving conditions for these parameters. Aquatic life and recreational uses are fully supported at the upstream site (*SV-227*); however, there are significant increasing trends in five-day biochemical oxygen demand, total nitrogen concentration, and fecal coliform bacteria concentration. Although pH excursions occurred, they were considered natural, not standards violations. Aquatic life and recreational uses are also fully supported at the downstream site (*SV-199*); however, there is a significant increasing trend in five-day biochemical oxygen demand.

*Lake Tugaloo (SV-359)* - Aquatic life uses are partially supported due to pH excursions. There are also significant increasing trends in five-day biochemical oxygen demand and total nitrogen concentration. There is a significant decreasing trend in pH. Recreational uses are fully supported.

*A fish consumption advisory has been issued by the Department for mercury and includes Lake Tugaloo within this watershed (see advisory p. 38).*

## NPDES Program

### Active NPDES Facilities

<i>RECEIVING STREAM FACILITY NAME</i>	<i>NPDES# TYPE</i>
EAST FORK CHATTOOGA RIVER SCDNR/WALHALLA FISH HATCHERY	SC0000451 MINOR INDUSTRIAL

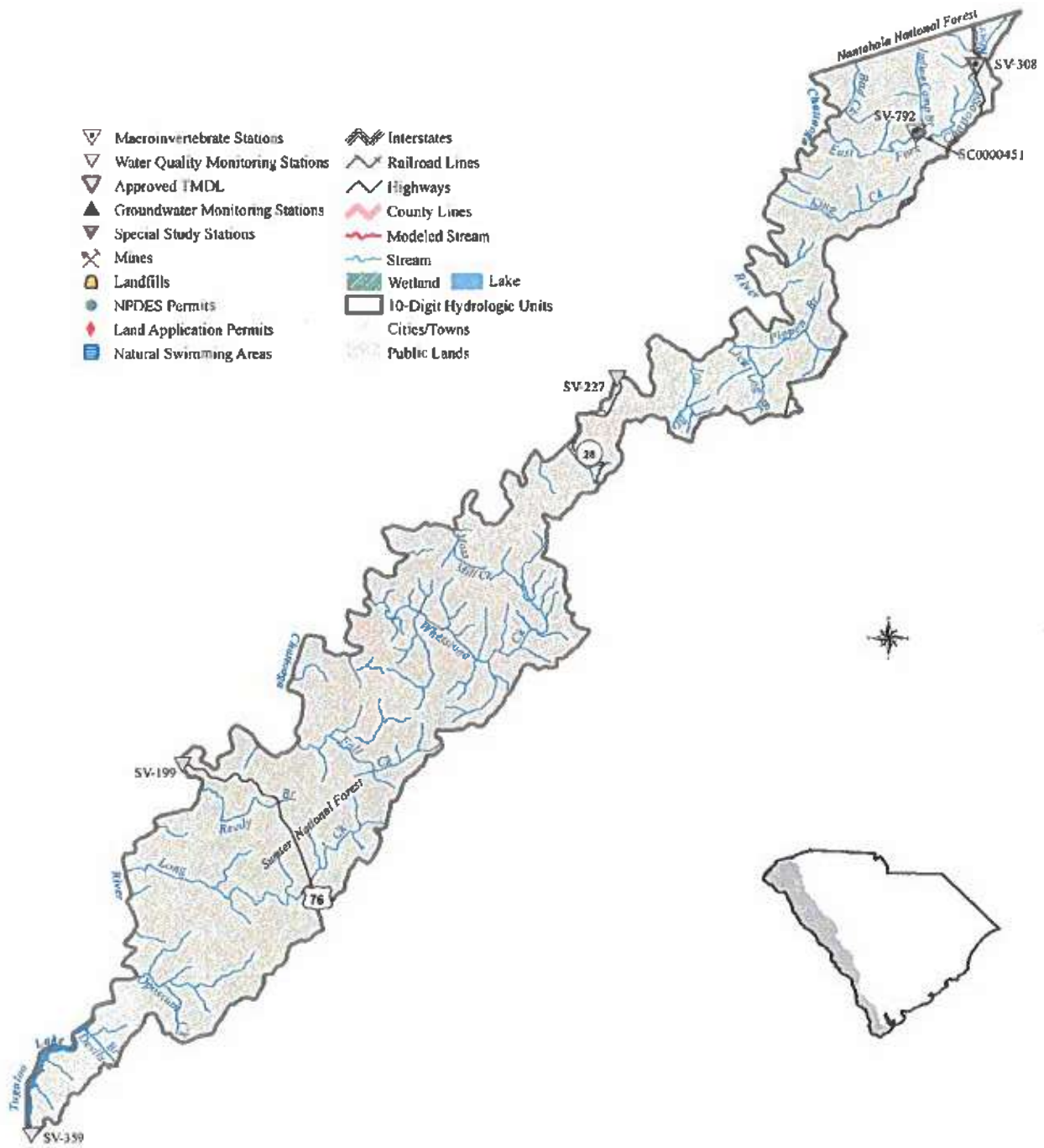
## Growth Potential

There is a low potential for growth in this watershed, which resides entirely within the Sumter National Forest. The steep slopes of this region would limit establishment of infrastructure and any serious growth.

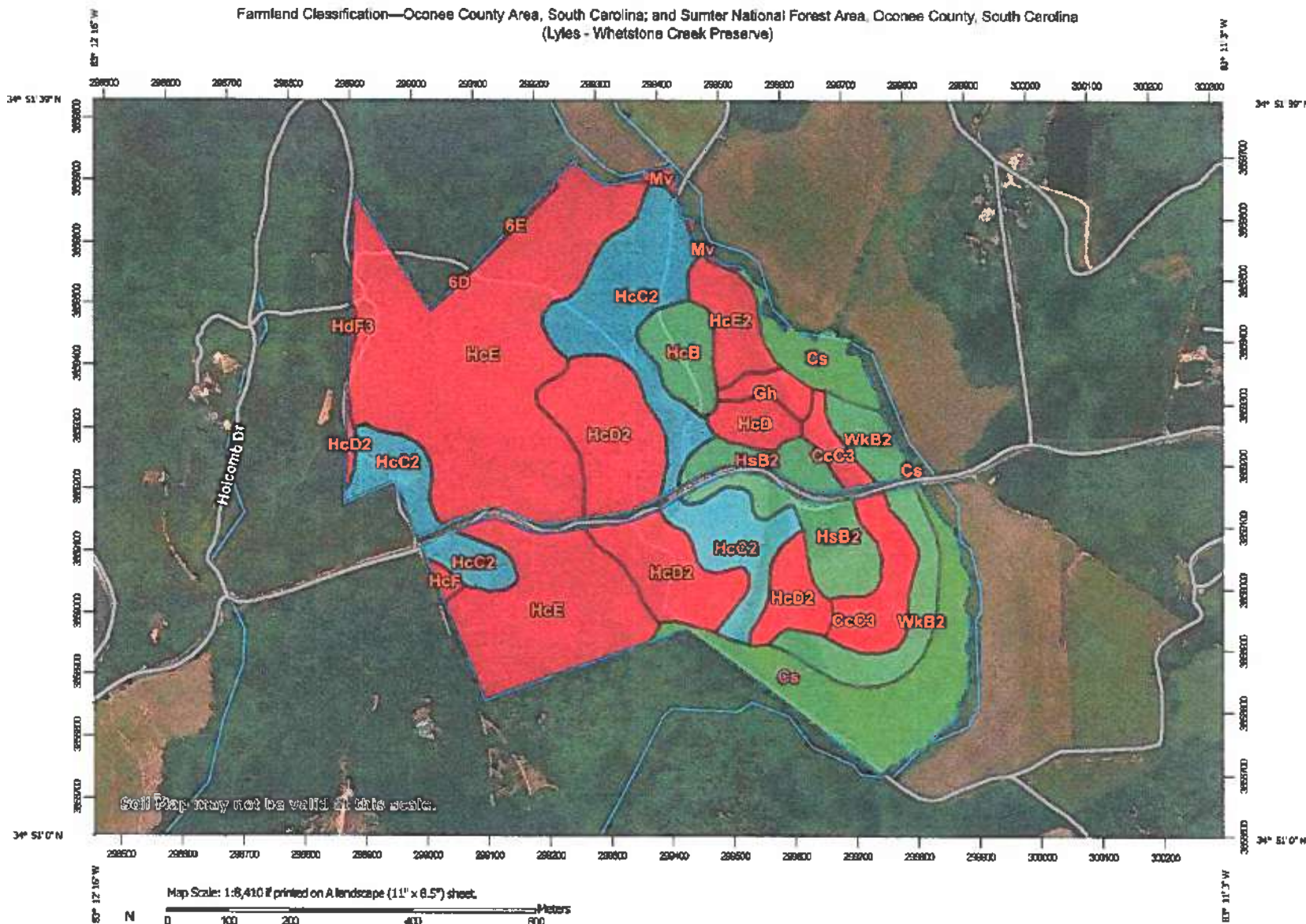
# Chattooga River Watershed

(03060102-02)

- |                                   |                           |
|-----------------------------------|---------------------------|
| Macroinvertebrate Stations        | Interstates               |
| Water Quality Monitoring Stations | Railroad Lines            |
| Approved TMDL                     | Highways                  |
| Groundwater Monitoring Stations   | County Lines              |
| Special Study Stations            | Modeled Stream            |
| Mines                             | Stream                    |
| Landfills                         | Wetland                   |
| NPDES Permits                     | Lake                      |
| Land Application Permits          | 10-Digit Hydrologic Units |
| Natural Swimming Areas            | Cities/Towns              |
|                                   | Public Lands              |

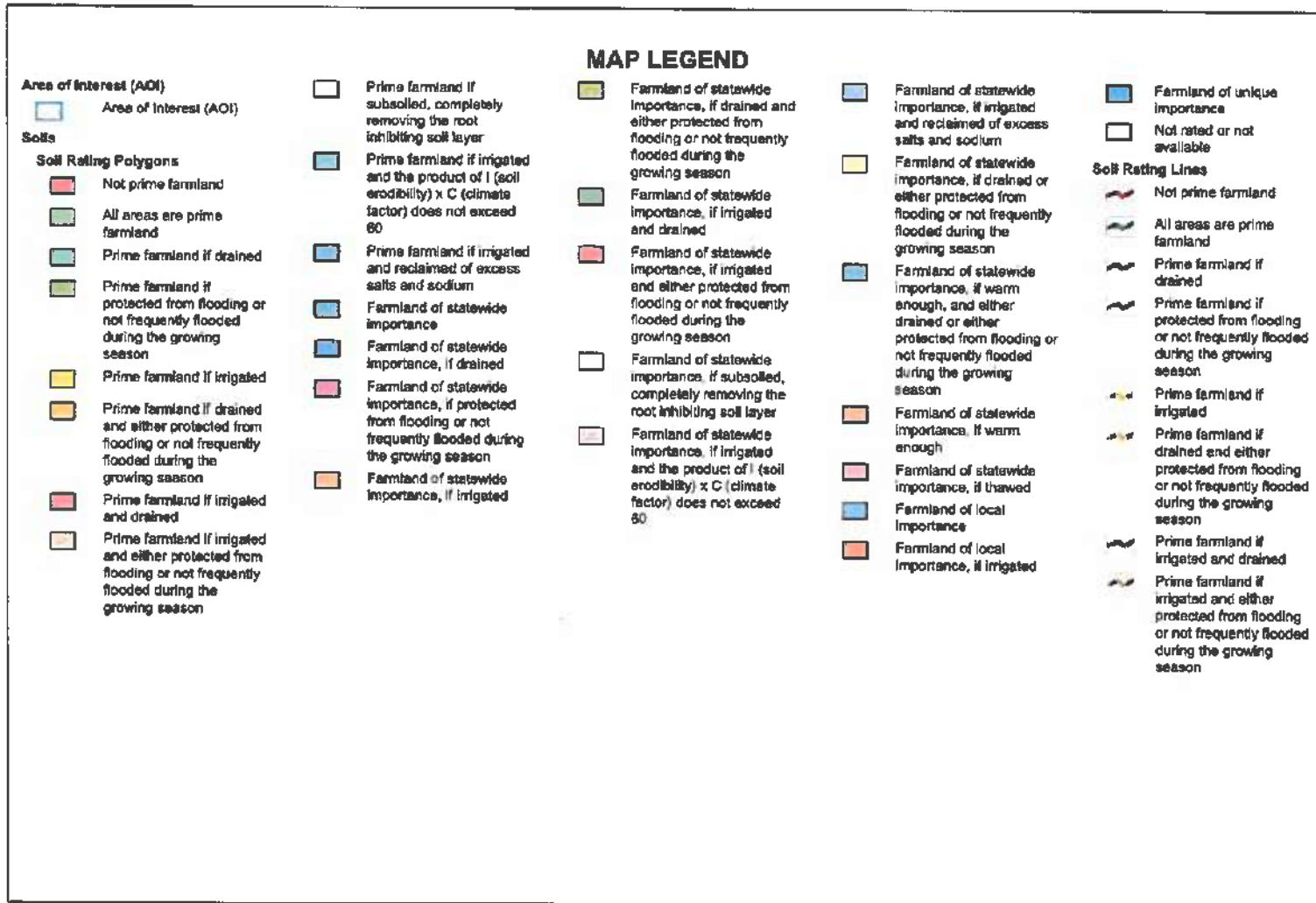


Farmland Classification—Oconee County Area, South Carolina; and Sumter National Forest Area, Oconee County, South Carolina  
(Lyles - Whetstone Creek Preserve)





Farmland Classification—Oconee County Area, South Carolina; and Sumter National Forest Area, Oconee County, South Carolina  
(Lyles - Whetstone Creek Preserve)





Farmland Classification—Oconee County Area, South Carolina; and Sumter National Forest Area, Oconee County, South Carolina  
(Lyles - Whetstone Creek Preserve)

	Prime farmland if subsolled, completely removing the root inhibiting soil layer		Farmland of statewide importance, if drained and either protected from flooding or not frequently flooded during the growing season		Farmland of statewide importance, if irrigated and reclaimed of excess salts and sodium		Farmland of unique importance		Prime farmland if subsolled, completely removing the root inhibiting soil layer
	Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 80		Farmland of statewide importance, if irrigated and drained		Farmland of statewide importance, if drained or either protected from flooding or not frequently flooded during the growing season		Not rated or not available		Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60
	Prime farmland if irrigated and reclaimed of excess salts and sodium		Farmland of statewide importance, if irrigated and either protected from flooding or not frequently flooded during the growing season		Farmland of statewide importance, if warm enough, and either drained or either protected from flooding or not frequently flooded during the growing season		<b>Soil Rating Points</b>		Prime farmland if irrigated and reclaimed of excess salts and sodium
	Farmland of statewide importance		Farmland of statewide importance, if subsolled, completely removing the root inhibiting soil layer		Farmland of statewide importance, if warm enough			Not prime farmland	Farmland of statewide importance
	Farmland of statewide importance, if drained		Farmland of statewide importance, if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60		Farmland of statewide importance, if thawed			All areas are prime farmland	Farmland of statewide importance, if drained
	Farmland of statewide importance, if protected from flooding or not frequently flooded during the growing season				Farmland of local importance			Prime farmland if drained	Farmland of statewide importance, if protected from flooding or not frequently flooded during the growing season
	Farmland of statewide importance, if irrigated				Farmland of local importance, if irrigated			Prime farmland if irrigated	Farmland of statewide importance, if irrigated
								Prime farmland if drained and either protected from flooding or not frequently flooded during the growing season	
								Prime farmland if protected from flooding or not frequently flooded during the growing season	
								Prime farmland if irrigated and drained	
								Prime farmland if irrigated and either protected from flooding or not frequently flooded during the growing season	

Farmland Classification—Oconee County Area, South Carolina; and Sumter National Forest Area, Oconee County, South Carolina  
(Lyles - Whetstone Creek Preserve)

<ul style="list-style-type: none"> <li> Farmland of statewide importance, if drained and either protected from flooding or not frequently flooded during the growing season</li> <li> Farmland of statewide importance, if irrigated and drained</li> <li> Farmland of statewide importance, if irrigated and either protected from flooding or not frequently flooded during the growing season</li> <li> Farmland of statewide importance, if subsoiled, completely removing the root inhibiting soil layer</li> <li> Farmland of statewide importance, if irrigated and the product of <math>i</math> (soil erodibility) <math>\times</math> <math>C</math> (climate factor) does not exceed 60</li> </ul>	<ul style="list-style-type: none"> <li> Farmland of statewide importance, if irrigated and reclaimed of excess salts and sodium</li> <li> Farmland of statewide importance, if drained or either protected from flooding or not frequently flooded during the growing season</li> <li> Farmland of statewide importance, if warm enough, and either drained or either protected from flooding or not frequently flooded during the growing season</li> <li> Farmland of statewide importance, if warm enough</li> <li> Farmland of statewide importance, if thawed</li> <li> Farmland of local importance</li> <li> Farmland of local importance, if irrigated</li> </ul>	<ul style="list-style-type: none"> <li> Farmland of unique importance</li> <li> Not rated or not available</li> </ul> <p><b>Water Features</b></p> <ul style="list-style-type: none"> <li> Streams and Canals</li> </ul> <p><b>Transportation</b></p> <ul style="list-style-type: none"> <li> Rails</li> <li> Interstate Highways</li> <li> US Routes</li> <li> Major Roads</li> <li> Local Roads</li> </ul> <p><b>Background</b></p> <ul style="list-style-type: none"> <li> Aerial Photography</li> </ul>	<p>The soil surveys that comprise your AOI were mapped at scales ranging from 1:20,000 to 1:24,000.</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p><b>Warning: Soil Map may not be valid at this scale.</b></p> <p>Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.</p> </div> <p>Please rely on the bar scale on each map sheet for map measurements.</p> <p>Source of Map: Natural Resources Conservation Service Web Soil Survey URL: Coordinate System: Web Mercator (EPSG:3857)</p> <p>Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.</p> <p>This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.</p> <p>Soil Survey Area: Oconee County Area, South Carolina Survey Area Data: Version 18, Sep 15, 2018</p> <p>Soil Survey Area: Sumter National Forest Area, Oconee County, South Carolina Survey Area Data: Version 14, Sep 15, 2018</p> <p>Your area of interest (AOI) includes more than one soil survey area. These survey areas may have been mapped at different scales, with a different land use in mind, at different times, or at different levels of detail. This may result in map unit symbols, soil properties, and interpretations that do not completely agree across soil survey area boundaries.</p> <p>Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.</p> <p>Date(s) aerial images were photographed: Jun 7, 2016—Mar 15, 2017</p> <p>The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.</p>
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## Farmland Classification

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
CcC3	Cecil clay loam, 6 to 10 percent slopes, severely eroded	Not prime farmland	6.8	4.5%
Cs	Congaree silt loam	Prime farmland if protected from flooding or not frequently flooded during the growing season	16.7	11.2%
Gh	Gullied land, hilly	Not prime farmland	1.6	1.1%
HcB	Hayesville and Cecil fine sandy loams, 2 to 6 percent slopes	All areas are prime farmland	4.0	2.6%
HcC2	Hayesville and Cecil fine sandy loams, 6 to 10 percent slopes, eroded	Farmland of statewide importance	24.5	16.3%
HcD	Hayesville and Cecil fine sandy loams, 10 to 15 percent slopes	Not prime farmland	2.4	1.6%
HcD2	Hayesville and Cecil fine sandy loams, 10 to 15 percent slopes, eroded	Not prime farmland	18.9	12.6%
HcE	Hayesville and Cecil fine sandy loams, 15 to 25 percent slopes	Not prime farmland	52.0	34.7%
HcE2	Hayesville and Cecil fine sandy loams, 15 to 25 percent slopes, eroded	Not prime farmland	4.2	2.8%
HcF	Hayesville and Cecil fine sandy loams, 25 to 45 percent slopes	Not prime farmland	0.5	0.3%
HdF3	Hayesville and Cecil loams, 15 to 45 percent slopes, severely eroded	Not prime farmland	0.2	0.1%
HsB2	Hiwassee sandy loam, 2 to 6 percent slopes, eroded	All areas are prime farmland	8.7	5.8%
Mv	Riverview-Chewacla complex, 0 to 2 percent slopes, frequently flooded	Not prime farmland	0.6	0.4%
WkB2	Wickham sandy loam, 2 to 6 percent slopes, eroded	All areas are prime farmland	8.7	5.8%

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
<b>Subtotals for Soil Survey Area</b>			149.7	99.8%
<b>Totals for Area of Interest</b>			150.0	100.0%

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
6D	Evard fine sandy loam, 15 to 25 percent slopes	Not prime farmland	0.0	0.0%
6E	Evard fine sandy loam, 25 to 50 percent slopes	Not prime farmland	0.3	0.2%
<b>Subtotals for Soil Survey Area</b>			0.3	0.2%
<b>Totals for Area of Interest</b>			150.0	100.0%

## Description

Farmland classification identifies map units as prime farmland, farmland of statewide importance, farmland of local importance, or unique farmland. It identifies the location and extent of the soils that are best suited to food, feed, fiber, forage, and oilseed crops. NRCS policy and procedures on prime and unique farmlands are published in the "Federal Register," Vol. 43, No. 21, January 31, 1978.

## Rating Options

*Aggregation Method:* No Aggregation Necessary

*Tie-break Rule:* Lower

# IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

## Location

Oconee County, South Carolina



## Local office

South Carolina Ecological Services

☎ (843) 727-4707

📠 (843) 727-4218

176 Croghan Spur Road, Suite 200  
Charleston, SC 29407-7558

<http://www.fws.gov/charleston/>

# Endangered species

**This resource list is for informational purposes only and does not constitute an analysis of project level impacts.**

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population, even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act requires Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can only be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species<sup>1</sup> and their critical habitats are managed by the [Ecological Services Program](#) of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries<sup>2</sup>).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact [NOAA Fisheries](#) for [species under their jurisdiction](#).

1. Species listed under the [Endangered Species Act](#) are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the [listing status page](#) for more information.
2. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

## Mammals

NAME

STATUS



Northern Long-eared Bat *Myotis septentrionalis* **Threatened**  
 No critical habitat has been designated for this species.  
<https://ecos.fws.gov/ecp/species/9045>

## Flowering Plants

NAME	STATUS
Persistent Trillium <i>Trillium persistens</i> No critical habitat has been designated for this species. <a href="https://ecos.fws.gov/ecp/species/3583">https://ecos.fws.gov/ecp/species/3583</a>	Endangered
Small Whorled Pogonia <i>Isotria medeoloides</i> No critical habitat has been designated for this species. <a href="https://ecos.fws.gov/ecp/species/1890">https://ecos.fws.gov/ecp/species/1890</a>	Threatened
Smooth Coneflower <i>Echinacea laevigata</i> No critical habitat has been designated for this species. <a href="https://ecos.fws.gov/ecp/species/3473">https://ecos.fws.gov/ecp/species/3473</a>	Endangered

## Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

THERE ARE NO CRITICAL HABITATS AT THIS LOCATION.

## Migratory birds

Certain birds are protected under the Migratory Bird Treaty Act<sup>1</sup> and the Bald and Golden Eagle Protection Act<sup>2</sup>.

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described [below](#).

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.

Additional information can be found using the following links:

- Birds of Conservation Concern <http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php>
- Measures for avoiding and minimizing impacts to birds <http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/>



[conservation-measures.php](#)

- Nationwide conservation measures for birds

<http://www.fws.gov/migratorybirds/pdf/management/nationwidestandardconservationmeasures.pdf>

The birds listed below are birds of particular concern either because they occur on the [USEFWS Birds of Conservation Concern](#) (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the [FAQ below](#). This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the [E-bird data mapping tool](#) (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found [below](#).

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME

BREEDING SEASON (IF A BREEDING SEASON IS INDICATED FOR A BIRD ON YOUR LIST, THE BIRD MAY BREED IN YOUR PROJECT AREA SOMETIME WITHIN THE TIMEFRAME SPECIFIED, WHICH IS A VERY LIBERAL ESTIMATE OF THE DATES INSIDE WHICH THE BIRD BREEDS ACROSS ITS ENTIRE RANGE. "BREEDS ELSEWHERE" INDICATES THAT THE BIRD DOES NOT LIKELY BREED IN YOUR PROJECT AREA.)

Prairie Warbler *Dendroica discolor*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds May 1 to Jul 31

Red-headed Woodpecker *Melanerpes erythrocephalus*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds May 10 to Sep 10

Wood Thrush *Hylocichla mustelina*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds May 10 to Aug 31

**Yellow-bellied Sapsucker** *sphyrapicus varius*

Breeds May 10 to Jul 15

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

<https://ecos.fws.gov/ecp/species/8792>

## Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

### Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is  $0.25/0.25 = 1$ ; at week 20 it is  $0.05/0.25 = 0.2$ .
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

### Breeding Season (■)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

### Survey Effort (|)

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

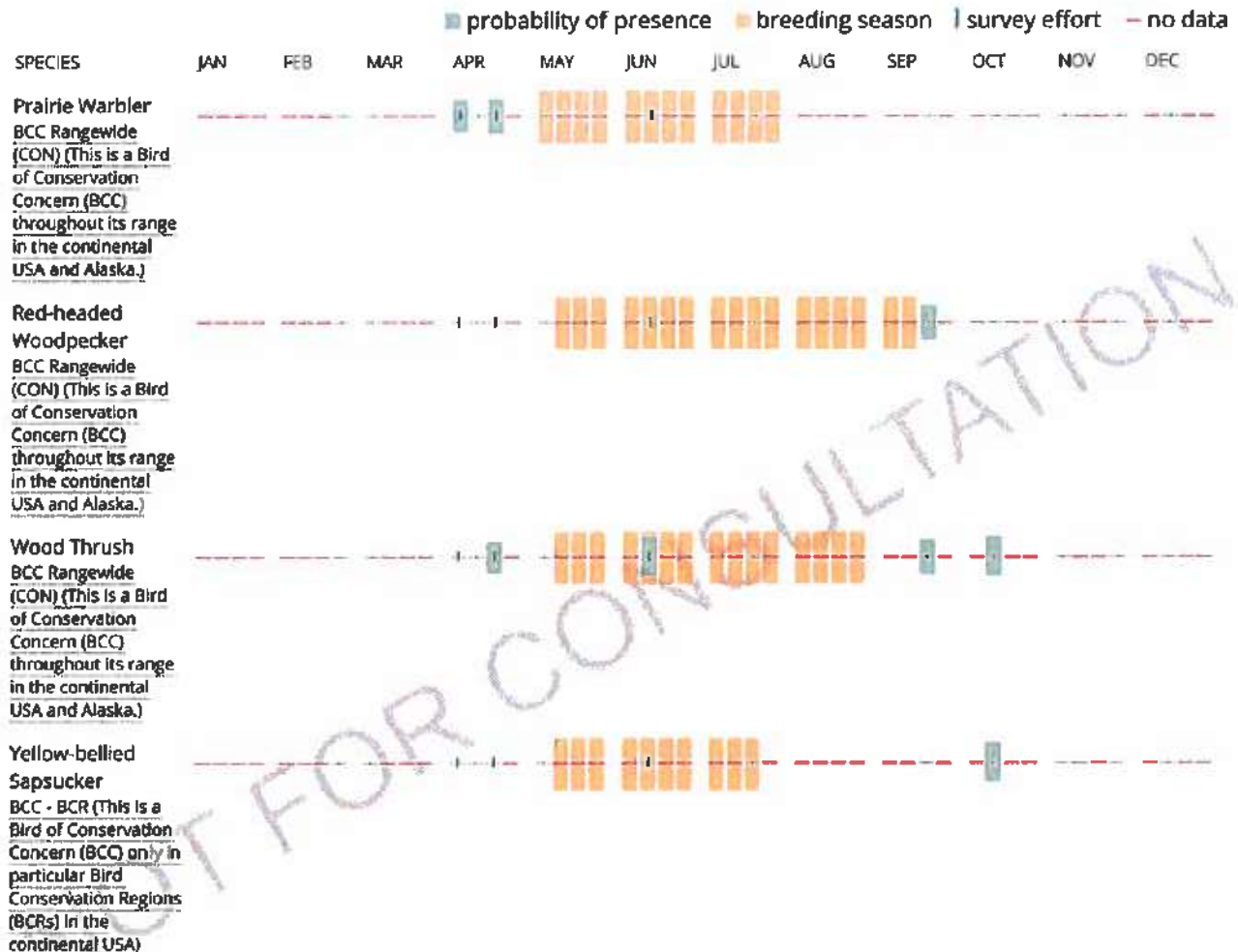
To see a bar's survey effort range, simply hover your mouse cursor over the bar.

### No Data (→)

A week is marked as having no data if there were no survey events for that week.

### Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.



Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) and/or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the migratory birds potentially occurring in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [E-bird Explore Data Tool](#).

#### What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

#### How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: [The Cornell Lab of Ornithology All About Birds Bird Guide](#), or (if you are unsuccessful in locating the bird of interest there), the [Cornell Lab of Ornithology Neotropical Birds guide](#). If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

#### What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

#### Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modelling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.



Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Splegel](#) or [Pam Loring](#).

#### What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

#### Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

## Facilities

### National Wildlife Refuge lands

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS AT THIS LOCATION.

### Fish hatcheries

THERE ARE NO FISH HATCHERIES AT THIS LOCATION.

# Wetlands in the National Wetlands Inventory

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

This location overlaps the following wetlands:

FRESHWATER FORESTED/SHRUB WETLAND

[PSS1A](#)

FRESHWATER POND

[PUBHh](#)

RIVERINE

[R3UBH](#)

[R4SBC](#)

A full description for each wetland code can be found at the [National Wetlands Inventory website](#)

## Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

## Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

## Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this



inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

NOT FOR CONSULTATION

① IRS Det. Letter

INTERNAL REVENUE SERVICE  
P. O. BOX 2508  
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: MAY 13 2003

UPSTATE FOREVER  
PO BOX 2308  
GREENVILLE, SC 29602-0000

Employer Identification Number:  
57-1070433  
DLN:  
17053088824083  
Contact Person: GARY L BOTKINS ID# 31463  
Contact Telephone Number:  
(877) 829-5500  
Our Letter Dated:  
December 1998  
Addendum Applies:  
no

Dear Applicant:

This modifies our letter of the above date in which we stated that you would be treated as an organization that is not a private foundation until the expiration of your advance ruling period.

Your exempt status under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3) is still in effect. Based on the information you submitted, we have determined that you are not a private foundation within the meaning of section 509(a) of the Code because you are an organization of the type described in section 509(a)(1) and 170(b)(1)(A)(vi).

Grantors and contributors may rely on this determination unless the Internal Revenue Service publishes notice to the contrary. However, if you lose your section 509(a)(1) status, a grantor or contributor may not rely on this determination if he or she was in part responsible for, or was aware of, the act or failure to act, or the substantial or material change on the part of the organization that resulted in your loss of such status, or if he or she acquired knowledge that the Internal Revenue Service had given notice that you would no longer be classified as a section 509(a)(1) organization.

You are required to make your annual information return, Form 990 or Form 990-EZ, available for public inspection for three years after the later of the due date of the return or the date the return is filed. You are also required to make available for public inspection your exemption application, any supporting documents, and your exemption letter. Copies of these documents are also required to be provided to any individual upon written or in person request without charge other than reasonable fees for copying and postage. You may fulfill this requirement by placing these documents on the Internet. Penalties may be imposed for failure to comply with these requirements. Additional information is available in Publication 557, Tax-Exempt Status for Your Organization, or you may call our toll free number shown above.

If we have indicated in the heading of this letter that an addendum applies, the addendum enclosed is an integral part of this letter.

Letter 1050 (00/03)



Protecting Land & Water | Advocacy | Balanced Growth

November 27, 2020

Andy Smith, Chair

Oconee County Conservation Bank

415 South Pine Street

Walhalla, SC 29691

*Submitted electronically to [smithlaw@mindspring.com](mailto:smithlaw@mindspring.com) and [ksmith@oconeesc.com](mailto:ksmith@oconeesc.com)*

Dear Chairman Smith:

May this letter serve to withdraw Upstate Forever's retraction letter dated November 17, 2020. Furthermore, and for your consideration, may this letter describe the following viable strategy to protect the Whetstone Creek Preserve property.

Please continue to consider Upstate Forever's October 31, 2019 application, approved by the Oconee County Conservation Bank Board on December 17, 2019, and the Oconee County Council on December 17, 2019, as a viable, successful request for funding. Upstate Forever wishes to maintain this award, which we accepted on February 10, 2020. This award is key to the protection of the property owned by the Estate of William C. Lyles. Please note the following updates resulting from recent progress:

- The original intent of the application included placing a conservation easement on the property. Due to changes in funding sources and priorities of Sumter National Forest, which this property adjoins, the strategy is now to have the U.S. Forest Service (USFS) ultimately own and protect the property as part of Sumter National Forest. The USFS ownership precludes the need for a conservation easement, so it is no longer a necessary mechanism for the perpetual protection of the property.
- Naturaland Trust will purchase the property and take title from the Estate of William C. Lyles utilizing a combination of its own funds and Oconee County Conservation Bank funding. Naturaland Trust will continue to own and protect the property until USFS is ready to purchase the property .
- Naturaland Trust currently has a purchase option on the property with the Estate of William C. Lyles that requires a closing by the end of this calendar year, unless an extension is negotiated with the landowner.

With this updated strategy, we request that Naturaland Trust's closing attorney, John Kehl at the Horton Law Firm located at 307 Pettigru St, Greenville, SC 29601, be the steward of Oconee County Conservation Bank funds to facilitate the closing between Naturaland Trust and the Estate of William C. Lyles.

Naturaland Trust anticipates that it will be one to two years before it can transfer the property to USFS. In the case the USFS purchase is delayed or thwarted, Naturaland Trust will hold title and rely on its own means and mission to manage ownership and ensure permanent conservation of the property in compliance with the Oconee County Conservation Bank ordinance.

Please feel free to contact Scott Park at Upstate Forever (843 472-0999 or [spark@upstateforever.org](mailto:spark@upstateforever.org)) or Mac Stone at Naturaland Trust (864-387-6079, [macstone@naturalandtrust.org](mailto:macstone@naturalandtrust.org)) with any questions.

Sincerely,



Scott Park  
Glenn Hilliard Director of Land Conservation  
Upstate Forever



Mac Stone  
Executive Director  
Naturaland Trust

Oconee County  
Conservation Bank  
Board

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

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

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

Laura Havran,  
Treasurer  
District I

Andrew Smith  
Chairman  
District II

Deryl Ryan Keese  
Secretary  
District III

Marvin Prater  
District IV

VACANT  
District V

Emily Hitchcock  
Vice-Chair  
At-Large

VACANT  
At-Large



RATIFICATION OF MODIFICATIONS TO  
GRANT APPLICATION AND GRANT APPROVAL

On December 10, 2019, the Oconee County Conservation Bank Board approved Upstate Forever's application for a grant to put a conservation easement on and transfer in fee simple the 155.56 acre Whetstone Creek Preserved from the Estate of William D. Lyles to The Naturaland Trust. The Oconee County Council subsequently approved the grant award to Upstate Forever for \$66,100.00. On February 10, 2020, Upstate Forever accepted the awards and has until February 9, 2021, to close the transaction.



As described in the grant application, the Naturaland Trust has negotiated a tentative purchase agreement with the United States Forest Service to eventually transfer the property to the USFS for inclusion in the Sumter National Forest, Andrew Pickens District. However, the USFS will not accept properties that are encumbered by a conservation easement.

The purpose of this letter is to ratify the change in plans for the permanent conservation of the property and to approve the transfer of the property without the requirement that Upstate Forever, the Naturaland Trust, and/or the Estate of William D. Lyles place a conservation easement on the property.

The Oconee County Conservation Bank Board will require that the Naturaland Trust enter into a grant agreement with the OCCB to address the contingency that the proposed transfer to the USFS does not occur and to obtain the final approval of the OCCB prior to the transfer to the USFS.

IN WITNESSETH HEREOF:

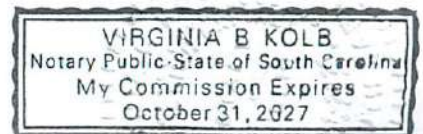
BY: UPSTATE FOREVER

  
\_\_\_\_\_  


  
\_\_\_\_\_  
SCOTT PARK, Director of Land  
Conservation

Sworn and subscribed this 10<sup>th</sup> day of December 2020.

  
\_\_\_\_\_  
Notary Public  
My Commission Expires:





Oconee County  
Conservation Bank  
Board

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

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

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

Laura Havran,  
Treasurer  
District I

Andrew Smith  
Chairman  
District II

Deryl Ryan Keese  
Secretary  
District III

Marvin Prater  
District IV

VACANT  
District V

Emily Hitchcock  
Vice-Chair  
At-Large

VACANT  
At-Large



IN WITNESSETH HEREOF:

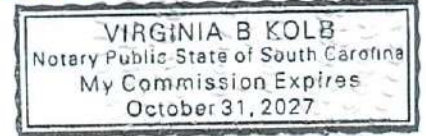
Cathy G. Gidycz  
[Signature]

BY: NATURLAND TRUST

[Signature]  
MAC STONE  
MAC STONE, Executive Director

Sworn and subscribed this 10<sup>th</sup> day of December 2020.

Virginia B. Kolb  
Notary Public  
My Commission Expires:



IN WITNESSETH HEREOF:

Wanda C. Popham  
Katie M. Brown

BY: OCONEE COUNTY  
CONSERVATION BANK

[Signature]  
JULIAN DAVIS, III, Chair

Sworn and subscribed this 4 day of January 2020.

Wendie Compton  
Notary Public  
My Commission Expires: August, 14 2030





Oconee County  
Conservation Bank  
Board

Oconee County  
Administrative Offices  
415 South Pine Street  
Walhalla, SC 29691  
Phone: 864-718-1023  
Fax: 864 718-1024

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

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Treasurer  
District I

Andrew Smith  
Chairman  
District II

Deryl Ryan Keese  
Secretary  
District III

Marvin Prater  
District IV

VACANT  
District V

Emily Hitchcock  
Vice-Chair  
At-Large

VACANT  
At-Large



IN WITNESSETH HEREOF:

BY: NATURALAND TRUST

MAC STONE, Executive Director

Sworn and subscribed this \_\_\_ day of \_\_\_\_\_ 2020.

Notary Public  
My Commission Expires:

IN WITNESSETH HEREOF:

BY: OCONEE COUNTY  
COUNCIL

Shonda C. Poppen

JULIAN DAVIS, III, Chair

Katie M. Brown

Sworn and subscribed this 4 day of January 2020.

Madin Compton

Notary Public  
My Commission Expires: August 14, 2030

IN WITNESSETH HEREOF:

BY: OCONEE COUNTY  
CONSERVATION BANK

[Signature]

ANDREW J. SMITH, Chair

Sworn and subscribed this 15 day of December 2020.

S. Bolton

Notary Public  
My Commission Expires: 2/25/30



**AGENDA ITEM SUMMARY  
OCONEE COUNTY, SC**

**COUNCIL MEETING DATE: December 15, 2020**

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

**ITEM TITLE OR DESCRIPTION:**

Oconee County Emergency Services seeks Council's ratification of their request for a grant award from the United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS), Emergency Watershed Protection (EWP) Program, which is reimbursable up to, but not to exceed \$5.2 million with a twenty-five (25%) percent local (County) match, which may be paid by cash or in-kind services, for the purpose of clearing debris from County waterways and restoring impaired watersheds.

Staff will work to cover the bulk of the local match with in-kind work. A contingency will need to be created for the remaining balance.

**BACKGROUND OR HISTORY:**

Earlier this year, Oconee County Emergency Services sent a letter of request to the USDA / NRCS for funding under the EWP Program.

The EWP Program allows communities to quickly respond to long-lasting, serious damage to land and infrastructure. Program timelines ensure quick assistance from NRCS to help communities cope with the impact of natural disasters. The program also allows NRCS to form non-traditional partnerships with sponsors to complete projects.

Oconee County Emergency Services made its request in order to address damages caused by the April 13, 2020 EF3 tornado. The debris removal and watershed restoration is necessary to safeguard property, including valuable utility infrastructure, as well as the lives of County residents, from an imminent flooding hazard due to tree debris within Coneross Creek and other areas.

The letter received a positive response from the USDA / NRCS, and the funding process has begun. Absent an extension, the County has two hundred and twenty (220) days from when the State initially received the USDA / NRCS funding to complete its work under the program, which occurred in early November. Time is therefore of the essence.

**SPECIAL CONSIDERATIONS OR CONCERNS:**

A large portion of the debris removal projects identified by Oconee County Emergency Services lie within the City of Seneca. Because of this, Oconee County will need to work in concert with the City of Seneca in relation to access rights, the provision of in-kind services, and related matters.

This grant award is part of a Federal allocation to the State of South Carolina. It is Oconee County Emergency Service's goal to draw as much of the \$5.2 million reimbursable amount as possible over the program's timeline. There is no penalty for not completing the full scope of work, but all work toward the goal of this grant award will be reimbursed, consistent with EWP Program percentages.

All manpower and equipment costs from Oconee County Roads and Bridges, within the scope of work, will count toward the in-kind match.

**FINANCIAL IMPACT:**

**COMPLETE THIS PORTION FOR ALL GRANT REQUESTS:**

Are Matching Funds Available: a portion at this time.

If yes, who is matching and how much: \$150,000 presently available to the County from FEMA reimbursements.

**ATTACHMENTS**

Letter of Request and Appendices B, C, and D to the Sponsor's EWP Guide

*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.*

**STAFF RECOMMENDATION:**

It is staff's recommendation that Council (1) ratify the Letter of Request from Oconee County to the USDA / NRCS for grant funding under the EWP Program, (2) authorize the County Administrator to complete the application for grant funding, executing such other documents as the USDA / NRCS deems necessary to continue the County's involvement in the program (on advice of the Emergency Services Director and the County Attorney), and (3) that prior to obligating the County to local match or other expenditures greater than \$150,000 (in cash or in-kind) cumulatively for this project, this matter be brought back to Council for discussion and further action. In cash or in-kind expenditures, or agreements to expend, that do not exceed \$150,000 cumulatively are hereby approved, and shall come from FEMA reimbursements recently received, as discussed.

***SUBMITTED BY LEGAL, EMERGENCY SERVICES, GRANTS, AND ADMINISTRATION.***

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

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

**Oconee County  
Administration**

June 19, 2020

Ms. Ann English  
State Conservationist  
Natural Resources Conservation Service  
1835 Assembly St., Room 950  
Columbia, SC 29201

**Amanda F. Brock  
Administrator**

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

Phone: 864 638-4245  
Fax: 864 638-4246

E-mail:  
abrock@oconeesc.com

COUNCIL

John Elliott  
District I

Wayne McCall  
District II

Paul Cain  
District III

Julian Davis,  
Chairman  
District IV

J. Glenn Hart  
District V

Dear Ms. English:

Oconee County would like to request federal assistance under the provisions of Section 216, Public Law 516, to restore damages sustained in Oconee County by and ESF-3 tornado on April 13, 2020. This work is needed to safeguard lives and property, as well as protecting valuable utility infrastructure damage from an imminent hazard of flooding due to tree debris within Coneross Creek. This large amount of tree debris in the waterway has the potential to increase dangerous flooding.

We understand, as sponsors of an Emergency Watershed Protection (EWP) Program project, that our responsibilities will include acquiring land rights and any permits needed to construct, and if required, to operate and maintain the proposed measures. We are prepared to provide local County funds to the cost of construction work in dollars and in-kind services.

We further understand making a request for Federal Assistance does not commit the County to any cost obligations until an agreement is finalized and signed.

The names, addresses and telephone numbers of the administrative and technical contact persons in our organization are as follows:

Scott Krein, Director Emergency Management Director:  
PH#864-638-4200, [skrein@oconeesc.com](mailto:skrein@oconeesc.com), Fax #864-638-7046 or

Scott Smith, Radiological Officer:  
PH#864-638-4200, [ssmith@oconeesc.com](mailto:ssmith@oconeesc.com), Fax #864-638-7046

Please contact Scott Krein or Scott Smith for any additional information that you might need in assessing our request.

Respectfully,



Amanda F. Brock  
Oconee County Administrator



# Sponsor's EWP Guide

## Appendix B – SF-424 – Application for Federal Assistance

OMB Number: 4040-0004 Expiration Date: 8/31/2016	
<b>Application for Federal Assistance SF-424</b>	
<b>* 1. Type of Submission:</b> <input type="checkbox"/> Preapplication <input type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application	<b>* 2. Type of Application:</b> <input type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision
<b>* If Revision, select appropriate letter(s):</b> _____ <b>* Other (Specify):</b> _____	
<b>* 3. Date Received:</b> _____	<b>4. Applicant Identifier:</b> _____
<b>5a. Federal Entity Identifier:</b> _____	<b>5b. Federal Award Identifier:</b> _____
<b>State Use Only:</b>	
<b>6. Date Received by State:</b> _____	<b>7. State Application Identifier:</b> _____
<b>8. APPLICANT INFORMATION:</b>	
<b>* a. Legal Name:</b> _____	
<b>* b. Employer/Taxpayer Identification Number (EIN/TIN):</b> _____	<b>* c. Organizational DUNS:</b> _____
<b>d. Address:</b>	
<b>* Street1:</b> _____	_____
<b>Street2:</b> _____	_____
<b>* City:</b> _____	_____
<b>County/Parish:</b> _____	_____
<b>* State:</b> _____	_____
<b>Province:</b> _____	_____
<b>* Country:</b> _____	USA: UNITED STATES
<b>* Zip / Postal Code:</b> _____	_____
<b>e. Organizational Unit:</b>	
<b>Department Name:</b> _____	<b>Division Name:</b> _____
<b>f. Name and contact information of person to be contacted on matters involving this application:</b>	
<b>Prefix:</b> _____	<b>* First Name:</b> _____
<b>Middle Name:</b> _____	_____
<b>* Last Name:</b> _____	_____
<b>Suffix:</b> _____	_____
<b>Title:</b> _____	
<b>Organizational Affiliation:</b> _____	
<b>* Telephone Number:</b> _____	<b>Fax Number:</b> _____
<b>* Email:</b> _____	

# Sponsor's EWP Guide

Application for Federal Assistance SF-424	
<b>* 9. Type of Applicant 1: Select Applicant Type:</b> <input type="text"/>	
Type of Applicant 2: Select Applicant Type: <input type="text"/>	
Type of Applicant 3: Select Applicant Type: <input type="text"/>	
* Other (specify): <input type="text"/>	
<b>* 10. Name of Federal Agency:</b> <input type="text"/>	
<b>11. Catalog of Federal Domestic Assistance Number:</b> <input type="text"/>	
CFDA Title: <input type="text"/>	
<b>* 12. Funding Opportunity Number:</b> <input type="text"/>	
* Title: <input type="text"/>	
<b>13. Competition Identification Number:</b> <input type="text"/>	
Title: <input type="text"/>	
<b>14. Areas Affected by Project (Cities, Counties, States, etc.):</b> <input type="text"/> <input type="button" value="Add Attachment"/> <input type="button" value="Delete Attachment"/> <input type="button" value="View Attachment"/>	
<b>* 15. Descriptive Title of Applicant's Project:</b> <input type="text"/>	
Attach supporting documents as specified in agency instructions. <input type="button" value="Add Attachments"/> <input type="button" value="Delete Attachments"/> <input type="button" value="View Attachments"/>	



# Sponsor's EWP Guide

<b>Application for Federal Assistance SF-424</b>	
<b>16. Congressional Districts Of:</b>	
* a. Applicant <input type="text"/>	* b. Program/Project <input type="text"/>
Attach an additional list of Program/Project Congressional Districts if needed.	
<input type="text"/>	<input type="button" value="Add Attachment"/> <input type="button" value="Delete Attachment"/> <input type="button" value="View Attachment"/>
<b>17. Proposed Project:</b>	
* a. Start Date: <input type="text"/>	* b. End Date: <input type="text"/>
<b>18. Estimated Funding (\$):</b>	
* a. Federal	<input type="text"/>
* b. Applicant	<input type="text"/>
* c. State	<input type="text"/>
* d. Local	<input type="text"/>
* e. Other	<input type="text"/>
* f. Program Income	<input type="text"/>
* g. TOTAL	<input type="text"/>
<b>* 19. Is Application Subject to Review By State Under Executive Order 12372 Process?</b>	
<input type="checkbox"/> a. This application was made available to the State under the Executive Order 12372 Process for review on <input type="text"/>	
<input type="checkbox"/> b. Program is subject to E.O. 12372 but has not been selected by the State for review.	
<input type="checkbox"/> c. Program is not covered by E.O. 12372.	
<b>* 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)</b>	
<input type="checkbox"/> Yes <input type="checkbox"/> No	
If "Yes", provide explanation and attach	
<input type="text"/>	<input type="button" value="Add Attachment"/> <input type="button" value="Delete Attachment"/> <input type="button" value="View Attachment"/>
<b>21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)</b>	
<input type="checkbox"/> <b>** I AGREE</b>	
** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.	
<b>Authorized Representative:</b>	
Prefix: <input type="text"/>	* First Name: <input type="text"/>
Middle Name: <input type="text"/>	
* Last Name: <input type="text"/>	
Suffix: <input type="text"/>	
* Title: <input type="text"/>	
* Telephone Number: <input type="text"/>	Fax Number: <input type="text"/>
* Email: <input type="text"/>	
* Signature of Authorized Representative: <input type="text"/>	* Date Signed: <input type="text"/>

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# Sponsor's EWP Guide

## Appendix C – SF-424C – Budget Information – Construction Contracts

OMB Number: 4040-0008  
Expiration Date: 06/30/2014

[View Burden Statement](#)

<b>BUDGET INFORMATION - Construction Programs</b>			
COST CLASSIFICATION	a. Total Cost	b. Costs Not Allowable for Participation	c. Total Allowable Costs (Columns a-b)
1. Administrative and legal expenses	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
2. Land, structures, rights-of-way, appraisals, etc.	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
3. Relocation expenses and payments	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
4. Architectural and engineering fees	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
5. Other architectural and engineering fees	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
6. Project inspection fees	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
7. Site work	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
8. Demolition and removal	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
9. Construction	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
10. Equipment	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
11. Miscellaneous	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
12. SUBTOTAL (sum of lines 1-11)	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
13. Contingencies	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
14. SUBTOTAL	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
15. Project (program) income	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
16. TOTAL PROJECT COSTS (subtract #15 from #14)	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
FEDERAL FUNDING			
17. Federal assistance requested, calculate as follows: (Consult Federal agency for Federal percentage share.) Enter the resulting Federal share.	Enter eligible costs from line 16c Multiply X <input type="text"/> %		\$ <input type="text"/>

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# Sponsor's EWP Guide

## Appendix D – SF-424D – Assurances – Construction Contracts

OMB Approval No. 0348-0042

### ASSURANCES - CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0042), Washington, DC 20503.

**PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.**

**NOTE:** Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Awarding Agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title, or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal interest in the title of real property in accordance with awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.
4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progress reports and such other information as may be required by the assistance awarding agency or State.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
10. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

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Prescribed by OMB Circular A-102



# Sponsor's EWP Guide

<p>11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.</p> <p>12. Will comply with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.</p> <p>13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333) regarding labor standards for federally-assisted construction subagreements.</p> <p>14. Will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.</p> <p>15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the</p>	<p>National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).</p> <p>16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.</p> <p>17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).</p> <p>18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."</p> <p>19. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.</p>
SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
APPLICANT ORGANIZATION	DATE SUBMITTED
<b>SF-424D (Rev. 7-97) Back</b>	

**PROCUREMENT - AGENDA ITEM SUMMARY**  
**OCONEE COUNTY, SC**

COUNCIL MEETING DATE: December 15, 2020

**ITEM TITLE:**

**Title:** Seven (7) Chevrolet Tahoe's

**Department:** Administration / Sheriff's Office

**Amount:** \$289,966.00

**FINANCIAL IMPACT:**

Procurement was approved by Council in Fiscal Year 2020-2021 budget process.  
Funding from Capital Equipment / Vehicle Fund (325)

Finance Approval:

*Sacile Price*

Budget: \$775,233.35

Project Cost: \$289,966.00

Balance: \$485,267.35

**BACKGROUND DESCRIPTION:**

The Fiscal year 2020-2021 Capital Replacement plan includes six (6) Chevy Tahoes for the Sheriff's Office and one (1) for the Administrator.

The new vehicles will replace high-mileage vehicles or vehicles that have been involved in accidents and deemed a total loss. The high-mileage vehicles being replaced will be sold as surplus or replace older vehicles used in other County departments. The Fleet Maintenance Director also approves this purchase.

Love Chevrolet of Columbia, SC was awarded SC State Contract # 4400024875 for Chevrolet PPV SUV's. Chevrolet will not begin production of the 2021 State Contract units until January of 2021. Delivery will be 90 days or more after receipt of order. Love Chevrolet currently has a 2021 four-wheel drive Tahoe on their lot, which will replace the Administrator vehicle; they have agreed sell it to Oconee County based on State Contract pricing. Staff is requesting Council approval to purchase this vehicle off the lot.

**ATTACHMENT(S):**

1. State Contract Pricing
2. Love Chevrolet quotes
3. Pricing spreadsheet

**STAFF RECOMMENDATION:**

It is the staff's recommendation that Council approve the purchase of six (6) Chevrolet Tahoe Police Pursuit SUV's and one (1) 2021 Chevy Tahoe without the PPV package to Love Chevrolet of Columbia, SC, in the amount of \$289,966.00, based on State Contract # 4400024875.

Submitted or Prepared By: *Tronda C. Popham*  
Tronda C Popham, Procurement Director

Approved for Submittal to Council:

*Amanda F. Brock*  
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.*

**LE-8 - Law Enforcement, Pursuit Rated, Full Size Utility Vehicle, RWD  
w/4x4 Add Option, Gas**

**Contract Number:** 4400024875      **Contractor:** Love Chevrolet Co.  
**Initial Contract Term:** 11/1/2020 - 10/31/2021      **Address:** P.O. Box 8387 Columbia SC 29202  
**Contract Rollover Dates:** TBD    TBD      **Vendor #:** 7000044959  
**Order Cut Off Date:** TBD      **Contact:** Donna Casey  
**Model:** Chevrolet Tahoe CC10706 9C1      **Email:** [dcasey@loveauto.com](mailto:dcasey@loveauto.com)  
**Commodity Code:** 07105      **Telephone:** 803-407-2275  
**Delivery Days ARQ:** 150      **Fax:**

**BASE PRICE**      **\$34,478.00**

\*Click on the link above for an itemized listing of items included in the base price.

**Optional Additions**

4x2 to 4x4 (State Std. Spec)      \$3,075.00  
Interior Upgrade from Police (carpet, cloth front bucket  
seats, cloth rear seat)      \$265.00  
Center Console-Includes Safety & Alert Package      \$720.00

**Optional Deductions**

Driver-Side Mounted Spotlight      \$635.00  
Header-Mounted Switch Controlled High Intensity Map Light  
(Law Enforcement Dome Light)      \$135.00

**Delivery Information**

Distance from Dealership to SFM Delivery Point      \$9.00  
Amount of Base Price Allocated to Delivery to SFM      15  
Price Per Mile Contractor May Charge      \$1.67

[Return to Index](#)



SINCE 1961

LOVE CHEVROLET COMPANY  
100 PARKRIDGE DR  
Columbia, South Carolina 29212  
(803) 794-9004  
DON LOCKHART 803-513-5905  
[dlockhart@loveauto.com](mailto:dlockhart@loveauto.com)

2021 CHEVROLET TAHOE PPV 2WD STATE CONTRACT #4400024875

BASE PRICE

\$ 34,478.00

INCLUDES:

PPV PURSUIT RATED  
Z56 HEAVY DUTY SUSPENSION  
AUX BATTERY  
SKID PLATES  
HD 220 AMP ALTERNATOR  
HD COOLING SYSTEM  
NO LUGGAGE RACK  
5.3L GAS ENGINE  
10 SPEED AUTOMATIC TRANSMISSION  
REMOTE KEYLESS ENTRY  
POWER WINDOWS, LOCKS, MIRRORS  
TILT WHEEL AND CRUISE CONTROL  
CLIMATE CONTROL A/C  
40/20/40 BENCH FRONT SEATS-EBONY CLOTH  
VINYL 60/40 BENCH SEAT REAR  
FULL VINYL FLOOR COVERING  
DEEP TINTED GLASS  
3:42 REAR AXLE RATIO  
LIMITED SLIP DIFFERENTIAL  
AM/FM STEREO RADIO BLUETOOTH CAPABLE WITH 8" SCREEN  
20 " PAINTED STEEL WHEELS  
275/55R20SL FIREHAWK PURSUIT RATED  
REAR VISION CAMERA

NO THIRD ROW SEATING  
TRAILER HITCH AND WIRING  
ASSIST STEPS  
LEFT HAND SPOLIGHT

ADDS:

4X4 PURSUIT PACKAGE	\$3,075.00
WIRING FOR GRILLE LAMPS AND SPEAKER	\$ 89.00
WIRING FOR HORN AND SIREN CIRCUIT	\$ 53.00
WIRING FOR AUX SPEAKER	\$ 58.00

TOTAL \$37,753.00

SC IMF FEE \$500.00

SC DMV TEMP TAG TOTAL INC

**GRAND TOTAL PER VEHICLE \$38,253.00**





**SINCE 1961**

**LOVE CHEVROLET COMPANY**

**100 PARKRIDGE DR**

**Columbia, South Carolina 29212**

**(803) 794-9004**

**DON LOCKHART 803-513-5905**

**dlockhart@loveauto.com**

**2021 CHEVROLET TAHOE PPV 2Wheel Drive**

**BASED ON STATE CONTRACT #4400024875**

**BASE PRICE**

**\$34,478.00**

**INCLUDES:**

**PPV PURSUIT RATED**

**5.3LGAS ENGINE**

**10 SPEED AUTOMATIC TRANSMISSION**

**REMOTE KEYLESS ENTRY**

**POWER WINDOWS, LOCKS, MIRRORS, TILT, WHEEL AND  
CRUISE CONTROL**

**MANUAL CONTROL A/C**

**40/20/40 BENCH FRONT SEATS-EBONY VINYL**

**VINYL 60/40 BENCH SEAT REAR**

**FULL VINYL FLOOR COVERING**

**DEEP TINTED GLASS**

**3:42 REAR AXLE RATIO**

**LOCKING DIFFERENTIAL**

**AM/FM STEREO RADIO BLUETOOTH CAPABLE WITH 7" SCREEN**

**20 " PAINTED STEEL WHEELS**

**ALL SEASON TIRES PURSUIT RATED**

**REAR VISION CAMERA**

**TRAILER HITCH AND WIRING**

**ASSIST STEPS**

ADDS:

4x4 NON PURSUIT RATED PACKAGE	\$3,075.00
UPGRADE TO OFF ROAD PACKAGE	\$4,785.00

INCLUDES:

- OFF ROAD WITH MAGNETIC RIDE
- SKID PLATES
- INTEGRATED TRAILER BRAKE CONTROLLER
- BLACK SPORT ASSIST STEPS
- TRAILER HITCH AND WIRING

UPGRADE TO SIGNATURE PACKAGE:	\$17,240.00
-------------------------------	-------------

INCLUDES:

- POWER LIFTGATE
- CLIMATE TRIZONE CONTROL A/C
- KEYLESS OPEN AND START
- 3rd ROW 60/40 BENCH SEATING
- FULL CARPETING FLOOR WITH MATS
- REMOTE START
- ADAPTIVE AIR RIDE SUSPENSION
- POWER TILT AND TELESCOPIC STEERING WHEEL
- ACTIVE 2 SPEED TRANSFER CASE
- INTELLIBEAM HEADLAMPS
- REAR CROSS TRAFFIC ALERT
- FORWARD COLLISION ALERT
- LANE KEEP ASSIST
- LANE DEPARTURE WARNING
- SIDE BLIND ZONE ALERT
- AUTOMATIC EMERGENCY BRAKING
- FOLLOWING DISTANCE INDICATOR
- FRONT PEDESTRIAN BRAKING-SENSOR
- LUGGAGE RACK SIDE RAIL - PAINTED
- BLUETOOTH CAPABLE
- ALUMINUM WHEELS
- 20" ALL TERRAIN TIRES 275/60R20
- 2nd ROW BUCKET SEATING

	\$ 370.00
TOTAL	\$59,948.00
SC IMF FEE	\$500.00
SC DMV TEMP TAG TOTAL	INC
<b>GRAND TOTAL</b>	<b>\$60,448.00</b>

Chevrolet Tahoes State Contract Number 4400024875					
Description	Unit Price	Sheriff		Administration	
		Quantity	Total	Quantity	Total
2021 Chevy Tahoe PPV includes: 5.3L V8, 10 Speed Automatic Transmission, Climate Control A/C, Tilt Wheel, Cruise Control, Power Windows, Power Locks, Power Mirrors, Keyless Remote Entry, AM\FM Radio Bluetooth with 8" Screen , Front Cloth Seats, 2nd Row Vinyl Seats, Full Vinyl Floor Covering, Assist Steps, 20" Painted Steel Wheels, 275/55R20SL Pursuit Rated Tires, Rear Vision Camera, Limited Slip Differential, Trailing Hitch and Wiring, No Luggage Rack, Left Hand Spot Light, PPV Pursuit Package All Standard Equipment Included on State Contract.	\$34,478.00	6	\$206,868.00	1	\$34,478.00
<b>Options / Adds:</b>					
Exterior Color: BLACK, Interior Color: Ebony					
4x4 Pursuit Package	\$3,075.00	6	\$18,450.00	1	\$3,075.00
Wiring for Grille Lamps and Speakers	\$89.00	6	\$534.00		
Wiring for Horn / Siren Circuit	\$53.00	6	\$318.00		
Wiring for AUX Speaker	\$58.00	6	\$348.00		
Signature Package Includes: Power lift gate, Keyless Open & Start, Climate Control, 2nd row bucket seats, 3rd row bench seat, full carpet with mats, remote start, tilt steering, active 2 speed transfer case, intellibeam headlamps, rear cross traffic alert, forward collision alert, lake keep assist and departure warning, side blind zone alert, automatic emergency braking, following distance indicator, front pedestrian braking sensor, luggage rack, blue tooth, aluminum wheels, all terrain tires 275/60R20	\$17,240.00			1	\$17,240.00
2nd Row Bucket Seating	\$370.00			1	\$370.00
Off Road Package	\$4,785.00			1	\$4,785.00
Add \$500 State Sales Tax	\$500.00	6	\$3,000.00	1	\$500.00
<b>Total Per Department</b>			<b>\$229,518.00</b>		<b>\$60,448.00</b>
<b>Grand Total</b>					<b>\$289,966.00</b>



**NOTES**  
**REAL ESTATE, FACILITIES & LAND MANAGEMENT**  
**COMMITTEE MEETING**  
**December 1, 2020**

**Seneca Creek Access Area Improvements and Friendship Boat Ramp / Recreation Area Presentations**

Mr. Phil Shirley, Oconee Parks, Recreation, & Tourism Director, addressed the Committee gave a brief presentation.

Seneca Creek Access Area Improvements discussion included options to incorporate completion of paving into Phase I and funding that is available at this time.

Friendship Boat Ramp discussion included United States Army Corps of Engineers [USACE] intends to close Friendship day use area if not leased starting in the 2021 season and adding Friendship to existing 10-year lease.

Mr. Shirley noted it is staff's recommendation to add Friendship Access Area and Boat Ramp to existing 10-year lease that expires in February 2024 and utilize up to \$5,000 annually from Local ATAX for operational, maintenance, and personnel.

**Mr. Davis made a motion, seconded by Mr. Hart, approved 2 – 0, to bring Friendship Boat Ramp discussion to full Council in January 2021.**



# Boards & Commissions

Boards & Commissions	State / OC Code Reference	Reps [DX-At Large-Ex Office]	Co-Terminus	Term Limits	4 Year Term	Meeting Date to Appoint	John Elliott	Wayne McCall	Paul Cain	Julian Davis	Glenn Hart					
							2019-2022	2017-2020	2019-2022	2017-2020	2017-2020	2019-2022	2017-2020	2019-2022	2017-2020	
							District I	District II	District III	District IV	District V	At Large	At Large	Ex-Officio		
Aeronautics Commission	2-262	5 - 2	YES	n/a	YES	Jan - March	Randy Renz [3]	David Bryant [1]	Auby Perry [3]	Marion Lyles [1]	VACANT	A. Brightwell [2]	Michael Gray [<1]			
Ag. Advisory Board	2016-17	5 - 2 - 1	YES	n/a	YES	Jan - March	Kim Alexander [1]	Doug Hollifield [<1]	Sandra Gray [2]	VACANT	Amanda Callahan	Debbie Sewell [2]	Rex Blanton [1]	Kerrie Roach [1]		
Arts & Historical Commission	2-321	5 - 2	YES	2X	YES	Jan - March	Aubrey Miller [1]	Libby Imbody [1]	Thomas Jones [<1]	VACANT	Mike Phillips	Daniel Dreher [1]	Suzette Cross [1]			
Board of Zoning Appeals	38-6-1	5 - 2	YES	2X	YES	Jan - March	Jim Codner [2]	Gwen Fowler [1]	Bill Gilster [2]	Marty McKee [<2]	VACANT	John Eagar [1]	Charles Morgan [<1]			
Building Codes Appeal Board		0-7	YES	2X	YES	Jan - March	Matt Rochester [2] Kenneth Owen [1]; Kevin Knight [1]; John Sandifer [1]			Joshua Lusk [1]; Osceola Gilbert [1] ; VACANT						
Conservation Bank Board	2-381	Appointed by Category Preferred		2X	YES	Jan - March	Laura Havran [1]	Andrew Smith [1]	D. Ryan Keese [1]	Marvin Prater [2]	VACANT	Emily Hitchcock [1]	VACANT			
Destination Oconee Action Committee																
PRT Commission [members up for reappointment due to initial stagger]	6-4-25 2-381	Appointed by Industry		2X	YES	Jan - March	Shane Smith [1]; Andrew Conkey [1]; Kevin Evans [1]			Trey Barnett [1], Riley Johnson [1], Gregory Coutu [1]			Alex Butterbaugh [1]			
Scenic Highway Committee	26-151	0 - 2	YES	2X	YES	Jan - March						Scott Lusk [1]	Stanley Powell [1]			
Library Board	4-9-35 / 18 1	0 - 9	YES	2X	YES	Jan - March	Clifton Powell [<1, 1/7/2020]; Diane Smathers [1, 1/19]; Katherine Smith [1, 1/19]			B. Brackett [1/17][1]; A. Griffin [1/17][1]; K. Holleman [1/17][2]; A. Suddeth [1/17][2]; C. Morrison [1/17][1]; VACANT						
Planning Commission	6-29-310 32-4	5 - 2	YES	N/A	YES	Jan - March	Mike Smith [1]	Andrew Gramling [1]	Alex Vassey [2]	Frankie Pearson [1]	Stacy Lyles [1]	Gwen McPhail [2]	Mike Johnson [2]			
Anderson-Oconee Behavioral Health Services Commission	2-291	0 - 7	YES	2X	3 yr	N/A	Steve Jenkins [1], Harold Alley [1], Louie Holleman [1], Wanda Long [1], Priscilla Taylor [1], Joan Black [1], Jere DuBois [1]								BHS contacts Council w/ recommendations when seats open	
Capital Project Advisory Committee (end 1.17)																
Oconee Business Education Partnership	N/A	N/A	NO	N/A	NO	January	Mr. Julian Davis, District IV									
Oconee Economic Alliance	N/A	N/A	NO	N/A	NO	January	Mr. Paul Cain, Council; Ms. Amanda Brock, County Administrator; Mr. Sammy Dickson									
Ten At The Top [TATT]				NO	NO	January	Mr. Dave Eldridge									
ACOG BOD				N/A	NO	January	Council Rep: Mr. John Elliott [yearly]; 2 yr terms Citizen Rep: Mr. Julian Davis, Minority Rep: Marta Wahlen									
Worklink Board						N/A	Worklink contacts Council w/ recommendations when seats open [Current: B. Dobbins]									
[ # ] - denotes term. [<2] denotes a member who has served one term and less than one half of an additional term making them eligible for one additional appointment.																
[SHADING = reappointment requested - questionnaire on file] Denotes individual who DOES NOT WISH TO BE REAPPOINTED																
<b>Bold italics TEXT denotes member ineligible for reappointment - having served or will complete serving max # of terms at the end of their current term.</b>																



## Oconee County Council

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

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

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

John Elliott  
Chair Pro Tem  
District I

Wayne McCall  
District II

Paul A. Cain  
Vice Chair  
District III

Julian Davis, III  
Chairman  
District IV

J. Glenn Hart  
District V



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

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

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

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

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

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

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

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

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

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

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

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

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

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#### LEGAL NOTICES

#### LEGALS

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

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

**PUBLISHER'S AFFIDAVIT**

**STATE OF SOUTH CAROLINA  
COUNTY OF OCONEE**

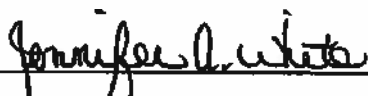
**OCONEE COUNTY COUNCIL**

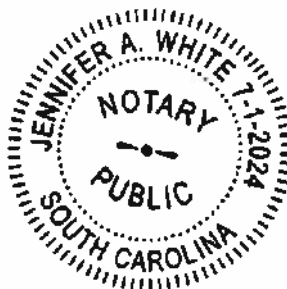
**IN RE: NOTICE OF MEETING SCHEDULE AND EXCEPTIONS FOR 2020**

**BEFORE ME** the undersigned, a Notary Public for the State and County above named, This day personally came before me, Hal Welch, who being first duly sworn according to law, says that he is the General Manager of **THE JOURNAL**, a newspaper published Tuesday through Saturday in Seneca, SC and distributed in Oconee County, Pickens County and the Pendleton area of Anderson County and the notice (of which the annexed is a true copy) was inserted in said papers on 01/10/2020 and the rate charged therefore is not in excess of the regular rates charged private individuals for similar insertions.

  
\_\_\_\_\_  
Hal Welch  
General Manager

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

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





Beam 11' 6", Draft 27". Weight 10,000 lbs. fuel cap. 180 gal., water cap. 40 gal., 2 sleeping areas (private), dining area, cooking (refrigerator, stove & microwave) Bathroom (shower & head), AC & heat. Too many items to list here. Total specifications and all items included with boat sale are detailed in package. If interested Call Al @ 843-290-9812 for full set of pictures and comprehensive list of all boat information which we will mail to you. Boat currently docked at Lake Hartwell, GA. Marina. You can stay at Marina if desired. Full boat services are available. Boat is ready to go! Trailer not included.

**TRANSPORTATION**

**MOTORCYCLES**

**2012 HARLEY DAVIDSON FLTRX, Road Glide Custom, Chrome Yellow. Complete Stage 4 Engine Build. All Accessories, 39K, \$15,900. (864)557-9798**



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

**Warren & Son Motorcycles, LLC**

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



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

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

**LEGALS**

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

Online auction of storage unit  
Q22 April Myers

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

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

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

All Meetings are being live streamed. Click here to be directed to the City of Clemson YouTube channel. Citizens are encouraged to not attend the meeting in person but to submit comments to staff. No later than 5:00 p.m. Wednesday, September 16, 2020 you can email Jacob Peabody at [jpeabody@cityofclemson.org](mailto:jpeabody@cityofclemson.org) to express your concerns or ask questions. 2020-V-02. Applicant Judith Fairry of 218 Strawberry Lane, Clemson SC, is requesting approval for a Variance from Table 18-304 Lot Width and Section 15-30.3(f) of Land Development Regulations. This Variance, if approved, would allow the applicant to subdivide her lot into three lots.

**Public Notice**

The Oconee County Council meetings scheduled for 8pm, or otherwise advertised, for the remainder of 2020, will have changes to the Public Comment Session and/or the Public Hearings as indicated below. Due to the Novel Coronavirus pandemic and the ongoing state of emergency, in-person attendance at this Council meeting by members of the general public will be limited. Attendance will be limited to twenty percent of the stated maximum occupancy, which equates to thirty-four (34) persons (including Council members, other elected officials, and staff). Attendees will be required to sit in designated seats, appropriately spaced. In-person attendance will be allowed on a "first-come" basis. Please contact Katie Smith, Clerk to Council at [ksmith@oconeesc.com](mailto:ksmith@oconeesc.com) or 864-718-1023 regarding the following:

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

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

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

**Cleaning, INC.**



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**Gas Lines & Logs Installation**  
**Wood Stoves & Gas Appliances Install**

\*\*\*\*\*  
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- Painting
- Gutters Inst. & Clean
- Siding

864-784-1148  
[cesars.progcs@gmail.com](mailto:cesars.progcs@gmail.com)

**PUBLISHER'S AFFIDAVIT**

**STATE OF SOUTH CAROLINA  
COUNTY OF OCONEE**

**OCONEE COUNTY COUNCIL**

**IN RE: Public Notice Oconee County Council Meetings**

**BEFORE ME** the undersigned, a Notary Public for the State and County above named, This day personally came before me, Hal Welch, who being first duly sworn according to law, says that he is the General Manager of **THE JOURNAL**, a newspaper published Tuesday through Saturday in Seneca, SC and distributed in **Oconee County, Pickens County** and the Pendleton area of **Anderson County** and the notice (of which the annexed is a true copy) was inserted in said papers on 09/03/2020 and the rate charged therefore is not in excess of the regular rates charged private individuals for similar insertions.



Hal Welch  
General Manager

Subscribed and sworn to before me this  
09/03/2020



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





## Katie Smith

---

**From:** Katie Smith  
**Sent:** Friday, November 20, 2020 10:52 AM  
**To:** 'classadmgr@upstatetoday.com'  
**Subject:** RE: Classified Ad# 31084 Confirmation

Looks good; thanks!

*Katie D. Smith*  
Clerk to Council  
415 South Pine Street  
Walhalla, SC 29691  
864-718-1023  
864-718-1024 [fax]

**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).

This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential, proprietary, and/or privileged information protected by law. If you are not the intended recipient, you may not read, use, copy, or distribute this e-mail message or its attachments. If you believe you have received this e-mail message in error, please contact the sender by reply e-mail or telephone immediately and destroy all copies of the original message.



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**From:** classadmgr@upstatetoday.com [mailto:classadmgr@upstatetoday.com]  
**Sent:** Friday, November 20, 2020 10:47 AM  
**To:** Katie Smith <ksmith@oconeesc.com>  
**Subject:** Classified Ad# 31084 Confirmation

**CAUTION:** This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

Good Morning, Katie! Attached is second legal ad Please confirm the billing information, the ad context and the run date before 3pm please! Thanks Aubry Bethea

# Oconee Publishing

## dba THE JOURNAL

Classified Advertising

OCONEE COUNTY COUNCIL  
415 S PINE ST  
WALHALLA, SC 29691

Acct#:63488  
Ad#:31084  
Phone#:864-718-1023  
Date:11/20/2020

Salesperson: ABETHEA      Classification: Legals      Ad Size: 1.0 x 4.30

### Advertisement Information:

Description	Start	Stop	Ins.	Cost/Day	Total
The Journal	11/21/2020	11/21/2020	1	63.55	63.55

### Payment Information:

Date: 11/20/2020      Order#: 31084      Type: BILLED ACCOUNT

Total Amount: 63.55

Amount Due: 63.55

### Comments:

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

Ad Copy

**Notice of Public Hearing**

There will be a public hearing at 6pm, Tuesday, December 15, 2020 in Oconee County Council Chambers located at 415 South Pine Street, Walhalla, SC 29691 for the following ordinance:

**STATE OF SOUTH  
CAROLINA OCONEE  
COUNTY: Ordinance 2020-21**

AN ORDINANCE AUTHORIZING AND APPROVING (1) THE DEVELOPMENT OF A NEW JOINT COUNTY INDUSTRIAL AND BUSINESS PARK (FRIENDSHIP COURT PROPERTY) PURSUANT TO SECTION 4-1-170 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, IN CONJUNCTION WITH ANDERSON COUNTY (THE "PARK") SUCH PARK TO BE GEOGRAPHICALLY LOCATED IN ANDERSON COUNTY AND TO INCLUDE THE AFOREMENTIONED PROJECT; (2) THE EXECUTION AND DELIVERY OF A WRITTEN PARK AGREEMENT WITH ANDERSON COUNTY AS TO THE REQUIREMENT OF PAYMENTS OF FEE IN LIEU OF AD VALOREM TAXES WITH RESPECT TO PARK PROPERTY AND THE SHARING OF THE REVENUES AND EXPENSES OF THE PARK; (3) THE DISTRIBUTION OF REVENUES FROM THE PARK TO THE COUNTIES AND RELEVANT TAXING ENTITIES; AND (4) OTHER MATTERS RELATED THERETO.



REAL ESTATE SALES

HOUSES

**PUBLISHERS NOTICE**  
 ALL real estate advertising in this newspaper is subject to Federal Fair Housing Act of 1968 which makes it illegal to advertise "any preference, limitations or discrimination" based on race, color, religion, sex, handicap, familial status or national origin, or intention to make any such preference, limitation or discrimination. This newspaper will not knowingly accept any advertising for real estate which is in violation of the law. Our readers are hereby informed that all dwellings advertised in this newspaper are available on an equal opportunity basis.

BUSINESS PROPERTY

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 ALL real estate advertising in this newspaper is subject to Federal Fair Housing Act of 1968 which makes it illegal to advertise "any preference, limitations or discrimination" based on race, color, religion, sex, handicap, familial status or national origin, or intention to make any such preference, limitation or discrimination. This newspaper will not knowingly accept any advertising for real estate which is in violation of the law. Our readers are hereby informed that all dwellings advertised in this newspaper are available on an equal opportunity basis.

LEGAL NOTICES

LEGALS

**Notice of Public Hearing**  
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STATE OF SOUTH CAROLINA OCONEE COUNTY: Ordinance 2020-21

AN ORDINANCE AUTHORIZING AND APPROVING (1) THE DEVELOPMENT OF A NEW JOINT COUNTY INDUSTRIAL AND BUSINESS PARK (FRIENDSHIP COURT PROPERTY) PURSUANT TO SEC-

LEGAL NOTICES

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The City of Seneca is accepting grant applications for the use of Hospitality Tax monies. Approximately \$10,000 in funding is available. The deadline to apply is Wednesday, November 25, 2020, at 5:00 pm at the Seneca City Hall. These funds are available for tourism, related projects, programs, events and promotions. Applicants must propose to use funds for the promotion of tourism in Seneca. Applications are available on the city's website: [www.seneca.sc.us](http://www.seneca.sc.us) and at the Seneca City Hall located at 221 E N 1st Street, Seneca, SC 29678. For more information or an application, please contact City Hall at 864-885-2700.

The Oconee County Planning and Economic Development Committee will hold a meeting at 5pm, Tuesday, December 15, 2020 in Council Chambers located at 415 South Pine Street, Walhalla, SC 29691

Clip & Go  
**YARD SALES**

**Small Estate Sale**  
 8am - Until \*  
 Friday and Saturday  
 440 N Port Bass Dr., Fairplay  
 Knickknack, holiday decor,  
 kitchen, households  
 AND MORE!!!  
 Stop on by!

Experienced • Local • Family Owned

**Carolina Home**  
 Real Estate Inc.

CELEBRATING 17 YEARS!

Sales • Marketing • Rentals • Property Management

Carolina Commercial Real Estate Inc. Carolina Home Property Management

SERVICE

CARPET CLEANING

HOME IMPROVEMENT

**STEAM MASTER** BEST

Carpet & Upholstery  
 Cleaning, INC.



Serving Oconee County  
 Veteran & Family Owned And Operated

(864)  
**557-0380**

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Now Is The Perfect Time!

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- One-story Homes
- Porches & Decks
- Siding & Brick
- And More!

Call For FREE Estimates

HAM **Grime Fighter**

Jaxon Ham: 864-903-4040

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**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 11/21/2020 and the rate charged therefore is not in excess of the regular rates charged private individuals for similar insertions.



Hal Welch  
General Manager

Subscribed and sworn to before me this  
11/21/2020



Aubry Bethea  
Notary Public  
State of South Carolina  
My Commission Expires November 20, 2030







December 15, 2020

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

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

**PLEASE PRINT**

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



# PUBLIC HEARING SIGN IN SHEET

OCONEE COUNTY COUNCIL MEETING

DATE: December 15, 2020 6:00 p.m.

**Ordinance 2020-21** "AN ORDINANCE AUTHORIZING AND APPROVING (1) THE DEVELOPMENT OF A NEW JOINT COUNTY INDUSTRIAL AND BUSINESS PARK (FRIENDSHIP COURT PROPERTY) PURSUANT TO SECTION 4-1-170 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, IN CONJUNCTION WITH ANDERSON COUNTY (THE "PARK") SUCH PARK TO BE GEOGRAPHICALLY LOCATED IN ANDERSON COUNTY AND TO INCLUDE THE AFOREMENTIONED PROJECT; (2) THE EXECUTION AND DELIVERY OF A WRITTEN PARK AGREEMENT WITH ANDERSON COUNTY AS TO THE REQUIREMENT OF PAYMENTS OF FEE IN LIEU OF *AD VALOREM* TAXES WITH RESPECT TO PARK PROPERTY AND THE SHARING OF THE REVENUES AND EXPENSES OF THE PARK; (3) THE DISTRIBUTION OF REVENUES FROM THE PARK TO THE COUNTIES AND RELEVANT TAXING ENTITIES; AND (4) OTHER MATTERS RELATED THERETO."

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

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

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

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

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

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

**Please PRINT your name**

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## Hillbilly Day July, 4 Mountain Rest, S.C. 29664

Mountain Rest Community Club

PO Box 24

Mountain Rest, SC 29664

7 December 2020

Mr. Wayne McCall

Friend of the Mountain Rest Community

Retiring County Council member

Dear Wayne,

The Board and members of the Mountain Rest Community Club simply want to say an inadequate THANK YOU for the innumerable gestures and gifts you personally have extended to our community over the years. The Hillbilly Pavilion stands strong today, proudly displaying the roof support that you and your crane erected. We are reminded of the 2013 *Journal* article that described only a patch of your philanthropy:

### *The Quiet Benefactor*

*"Invisible" and "anonymous" are how he would prefer to be described. County Councilman and gentleman Wayne McCall does not know this article is being written about him. However, the citizens of Oconee County need to know what this humble benefactor has done in a specific area since he took office in January 2009.*

*Every month—EVERY month—he has signed his county councilman paycheck over (\$8000 a year) to pay the delinquent property taxes of seniors who would lose their homes otherwise. As of January of this year (2013), 42 homes have been saved due to mostly Mr. McCall's huge act of generosity over the 4 ½ years.*

*His endorsed paychecks go to the Salem United Methodist Church who set up the fund R.E.S.T. (Relief Effort for Senior Taxes." Pastor Tim Whited works closely with the Oconee tax office to provide monetary help to seniors whose property could be seized if they had no way to pay the delinquent taxes. Pastor Whited said 85% of the fund is due to Mr. McCall's generosity, as well as other citizens and organizations who hear about the fund and send in donations.*

*One lady whose home was saved sent a \$10.00 check several months later, to help save someone else's home. Are you familiar with the story of the widow's mite?*

*Another grandmother died without a will, and there were 7-8 family members still living in the house. The taxes were delinquent, and the case was going to court. R.E.S.T. stepped in, paid the taxes, and the family was able to stay in their home.*

*There are 42 stories (note: this was written in 2013) behind the 42 houses that our councilman's paycheck has saved. In October more homes belonging to seniors could go on the block for failure to pay delinquent taxes, but Mr. McCall's \$8000 a year salary continues to go directly toward paying some of those taxes. We need more men like Wayne McCall.*

-----

Wayne, you are a prize and a champion. Oconee County will miss you. The Mountain Rest community will miss your voice on the county council. But we know you will continue to pour your heart into modestly helping others.

Thank you from the Board of the Mountain Rest Community Club:

*Si Ambrose*

*Mark Call*

*Helen Green*

*Reate Ventura*

*Frank Ventura*

*Sally Jovanis*