

LIMITED IN-PERSON ATTENDANCE PERMITTED

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

*Additionally, to ensure the meeting otherwise remains open to the public, we will continue to broadcast it live on the County's YouTube channel, which can be found via the County's website at Oconeesc.com. Further, the public may call in and listen by dialing **888-475-4499 OR 877-853-5257** and entering meeting ID # **861 3088 7829**. And, individuals parked in close proximity to Council Chambers may listen to the meeting on FM 92.3.*



UPDATED AGENDA

OCONEE COUNTY COUNCIL MEETING

February 2, 2021

6:00 PM

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

Call to Order

Public Comment Session

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

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

Council Member Comments

Moment of Silence

Invocation by County Council Chaplain

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

Approval of Minutes

- January 19, 2021 Special Minutes
- January 19, 2021 Regular Minutes

Administrator Comments

Attorney Comments

Public Hearings for the Following Ordinances

If you would like to be heard during either of the public hearings, please contact Clerk to Council Katie Smith at ksmith@oconeesc.com or 864-718-1023 so that she may coordinate your participation by telephone.

Ordinance 2020-24 "AN ORDINANCE AMENDING CHAPTER 32 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND

COUNCIL MEMBERS

John Elliott, Chair, District I

Paul Cain, Vice-Chair, District III

Julian Davis, III, Chair Pro Tem, District IV

Matthew Durham, District II

Glenn Hart, District V

PARTICULARS ONLY, REGARDING THE REMOVAL OF “*DISTANCE REQUIREMENTS*” CURRENTLY FOUND AT SECTION 32-181 OF THE OCONEE COUNTY CODE OF ORDINANCES.”

General Government matter

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.”

General Government matter

Third Reading of the Following Ordinances

Ordinance 2020-24 *[see caption above]*

Ordinance 2020-25 *[see caption above]*

Second Reading of the Following Ordinances

Ordinance 2021-04 “AN ORDINANCE REQUIRING INDIVIDUALS TO WEAR FACE COVERINGS IN CERTAIN FACILITIES OWNED OR OPERATED BY OCONEE COUNTY (SUNSET PROVISION INCLUDED), AND OTHER MATTERS RELATED THERETO.”

General Government matter

Ordinance 2021-05 “AN ORDINANCE AMENDING CHAPTER 32 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING THE ESTABLISHMENT OF LAKE CORRIDOR SIGNAGE STANDARDS, AND OTHER MATTERS RELATED THERETO.”

Forwarded from the Planning & Economic Development Committee

~~**Ordinance 2021-06** “AN ORDINANCE AMENDING CHAPTER 32 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING THE ESTABLISHMENT OF TRAFFIC CORRIDOR DESIGN STANDARDS, AND OTHER MATTERS RELATED THERETO.”~~

~~*Forwarded from the Planning & Economic Development Committee*~~

First Reading of the Following Ordinances

[None Scheduled]

First & Final Reading for the Following Resolutions

Resolution 2021-01 “A RESOLUTION DECLARING OCONEE COUNTY, SOUTH CAROLINA TO BE A SANCTUARY COUNTY FOR THE UNBORN AND URGING THE CITIZENS OF OCONEE COUNTY TO PROMOTE AND DEFEND THE INALIENABLE RIGHT TO LIFE AND THE INHERENT DIGNITY OF ALL HUMAN BEINGS, BORN AND PRE-BORN, FROM FERTILIZATION TO NATURAL DEATH.”

Introduced by Council member Matthew Durham, District II

COUNCIL MEMBERS

John Elliott, Chair, District I

Paul Cain, Vice-Chair, District III

Julian Davis, III, Chair Pro Tem, District IV

Matthew Durham, District II

Glenn Hart, District V

Discussion Regarding Action Items

Council consideration and approval of grant submission for the Agricultural Advisory Board [AAB] to apply for the SNAP-Ed Local Food Policy Council Development and Expansion Grant Program

The SNAP-Ed Local Food Policy Council Development and Expansion Grant Program will provide funding for newly forming Food Policy Councils (FPC) to accelerate their development and existing FPC to expand their capacity to identify and advance policy, systems, and environmental change strategies for improving healthy food access and ensuring food equity. The grants are intended to fund staff time to carry out the following activities in order to support FPC formation, development, and operations.

It is staff's recommendation that Council approve the grant submission for the Agricultural Advisory Board [AAB] to apply for the SNAP-Ed Local Food Policy Council Development and Expansion Grant Program.

Board & Commission Appointments

The Board & Commission seats listed below are co-terminus with Council District seats and will require [in the 1st quarter of 2021] appointment and/or reappointment as follows:

Aeronautics Commission

District V: 1 questionnaire on file for this seat

Agricultural Advisory Board

District II: 2 questionnaires on file for this seat

District III: 1 questionnaire on file for this seat

At-Large: 1 questionnaire on file for this seat

Arts & Historical Commission

District II: No questionnaire on file for this seat

Board of Zoning Appeals

District V: No questionnaire on file for this seat

At-Large: 1 questionnaire on file for this seat

Building Codes Appeal Board

5 At-Large Seats: 4 questionnaires on file; 2 requesting reappointment

Conservation Bank Board

District II: 1 questionnaire on file requesting reappointment

District IV: No questionnaire on file for this seat

District V: No questionnaire on file for this seat

At-Large: 2 questionnaires on file for this seat

Library Board

1 At-Large Seat: 2 questionnaires on file for this seat; 1 requesting reappointment

Parks, Recreation, & Tourism Commission

3 At-Large Seats: 3 questionnaires on file; 2 requesting reappointment

COUNCIL MEMBERS

John Elliott, Chair, District I

Paul Cain, Vice-Chair, District III

Julian Davis, III, Chair Pro Tem, District IV

Matthew Durham, District II

Glenn Hart, District V

Planning Commission

District V: No questionnaire on file for this seat

At-Large: 4 questionnaires on file for this seat

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 a contractual matter regarding certain real property located at the Golden Corner Commerce Park that is currently held by the Oconee Economic Alliance.

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

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

[4] Receive legal advice and discuss contractual matter related to County broadband network (“Oconee Focus”) to include discussion regarding potential/developing third-party relationships.

Adjourn

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

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

Oconee County Council, Committee, Board & Commission meeting schedules, agendas are posted at the Oconee County Administration Building & are available on the County Council Website.

COUNCIL MEMBERS

John Elliott, Chair, District I

Paul Cain, Vice-Chair, District III

Julian Davis, III, Chair Pro Tem, District IV

Matthew Durham, District II

Glenn Hart, District V

OCONEE CODE OF ORDINANCES

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

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

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

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

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

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

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

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

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

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
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 _____, 2021.

ATTEST:

Katie D. Smith
Clerk to Oconee County Council

John Elliott
Chair, Oconee County Council

First Reading: December 15, 2020
Second Reading: January 19, 2021
Third Reading: February 2, 2021
Public Hearing: February 2, 2021

**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 TD Equipment Finance (“Lender”), which has agreed to provide financing for a term of not to exceed fifteen (15) years at an interest rate not to exceed 1.58%, 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: _____
John Elliott, Chairman
Oconee County Council

ATTEST:

By: _____
Katie Smith, Clerk to Council
Oconee County Council

First Reading: December 15, 2020
Second Reading: January 19, 2021
Public Hearing: February 2, 2021
Third Reading: February 2, 2021

EXHIBIT A
FORM OF PERFORMANCE CONTRACT

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



Equipment Finance

THIS PROPOSAL IS CONFIDENTIAL AND ONLY INTENDED FOR THE RECIPIENT TO WHICH IT IS ADDRESSED

Maggie Morris

104 Mill Rd

Seneca, South Carolina 29678

Phone : 240 938 1653

Email : margaret.morris@td.com

Financing Bid

For:

Johnson Controls, Inc

On behalf of;

Oconee County, South Carolina

Dane Lindholm
 Johnson Controls, Inc
 507 East Michigan Street
 Milwaukee, WI 53201

Proposal for Tax Exempt Lease Purchase for
 Energy Performance Contract

Dear Dane:

Thank you for this opportunity to bid on your request for a Municipal Lease Purchase ("Lease") in the amount of \$3,290,347.00. TD Equipment Finance, Inc. is pleased to offer the following Lease Proposal, which is subject to the following terms and conditions:

- | | | |
|----|---------------------------------|---|
| 1. | Lessor | TD Equipment Finance, Inc., its successors and assigns |
| 2. | Lessee | Oconee County, South Carolina |
| 3. | Equipment Description | Facility Improvement Measures (FIMS) for Energy Conservation Measures (ECMS) |
| 4. | Maximum Purchase Price | \$3,290,347.00 |
| 5. | Term | <ul style="list-style-type: none"> • Commencement Date: The Lease shall commence upon Lessee's acceptance of the Equipment, but in no event later than February 5, 2021. • Lease Term: 178 months (10 month implementation, 14 year term) • Payment Amount: See amortization scheduled attached hereto and made a part hereof |
| 6. | Payment | <ul style="list-style-type: none"> • Payments Due: annual, First payment due December 1, 2021, compounded monthly • Prepayment: The Lease may be prepaid at any time in whole, but not in part, subject to a premium based on 2% of the Lease balance. |
| 7. | Tax-exempt Interest Rate | Bank Qualified - 1.58%
Non Bank Qualified – 1.58% |
| 8. | Index | The Tax-Exempt rate quoted above is fixed and will be held until February 5, 2021. If the Closing Date does not occur by February 5, 2021, the final rate will be adjusted to reflect any change in the Lessor's Cost of Funds. Thereafter the rate and payments will be fixed for the term of the Lease. |

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- | | | |
|-----|---------------------------------|--|
| 9. | Purchase Option | Lessee will purchase all, but not less than all, of the Equipment for \$1.00 |
| 10. | Structure | This Lease shall be a Lease intended as a secured transaction, to the extent allowable by law. Titles, if any, shall list Lessee as owner and Lessor as lienholder. The Lease shall be subject to, and contain a non-appropriation clause; and, the Lessor will require bona fide best efforts by Lessee to include all payments under this master "Lease" purchase in all its budget requests during each Lease term in accordance with the terms of the Lease. |
| 11. | Municipal Lease Purchase | This Lease shall be considered a "Municipal Lease Purchase" by all parties. The Lessee will represent and warrant that it is a state or a political sub-division thereof, within the meaning of Section 103(c) of the Internal Revenue Code of 1986, as amended (the "Code") and that the Lease will constitute a Tax Exempt Obligation of the Lessee as described in Section 103(a) of the Code. |
| 12. | Tax Status | This agreement is not a qualified tax - exempt obligation under Section 265 (b) (3) of the Internal Revenue Code of 1986. The interest portion of the payments under this Lease will not be includable in the gross income of the Lessor for federal income taxation purposes. The Lessee will supply at closing a tax opinion from qualified bond counsel. |
| 13. | Legal Opinion | This transaction is subject to a legal opinion which must include a statement that the Lease represents a valid and binding obligation of the Lessee. |
| 14. | Costs & Expenses | NONE |
| 15. | Insurance | Lessee shall bear all risk of loss, damage and liability to the Equipment and Lessee shall be responsible to keep the Equipment insured or self-insured in an amount and in a form acceptable to Lessor. |
| 16. | Warranties | Lessor shall Lease the Equipment to Lessee without representation or warranty on an "AS IS BASIS". However, Lessor shall assign to Lessee all warranties, guarantees and services provided by the manufacturer(s) and/or vendor(s) to the extent that they can be assigned. LESSOR SHALL NOT BE RESPONSIBLE FOR PROVIDING ANY OF THE FOREGOING. |
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17. **Lease Documents** All legal matters, and all documents to be executed in connection herewith, shall be in satisfactory form and substance to Lessor, or Lessor's counsel, as may be the case, in its sole discretion. Lessor shall verify the Equipment specifications including, but not limited to, model number, number of units, installation costs, year of manufacturing and maintenance contracts; and approve the final Equipment configuration, and acceptance of the financing.
18. **Lessor's Proposal/Financial Information** This Lease Proposal is subject to final credit review, and not, nor should it be construed as, a commitment by Lessor or any affiliate to enter into the proposed Lease transaction. In order to complete its credit due diligence, Lessee shall provide Lessor with the following:
- Three years most current audited annual financial statements, and shall be furnished annually thereafter, if not otherwise published on the Lessee's website
 - Copy of meeting minutes
 - Copy of budget and shall be furnished annually thereafter, if not otherwise published on the Lessee's website
 - Statement of essential use
 - Other supporting data as may be requested
19. **Authorization** Lessee acknowledges and agrees that Lessor may furnish all Lessee-presented information, financials, analysis, and related credit and review materials to its employees, counsel and agents, as well as its participants and/or assigns. Lessee authorizes Lessor to contact TD Bank, N.A. and other references of Lessee, and to order any and all credit checks and investigative reports, all as Lessor deems necessary in connection with the evaluation of the transaction.
20. **General** The Lease will be a "Triple Net Lease" in which the Lessee will be responsible for all expenses relating to the Equipment including, but not limited to, Equipment maintenance, insurance coverage, and all taxes (e.g. sales, use and personal property). The Lessee will carry any and all insurance coverage required by Lessor in accordance with the Lease.
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21. **Expiration** TD Equipment Finance, Inc. complies with Section 326 of the USA Patriot Act. This Act mandates that we verify certain information about the Lessee while processing any Lease request. This Lease Proposal shall expire, if not accepted by a qualified official by 5:00 pm, on December 16, 2020.

Thank you for this opportunity to present our Lease Proposal to you. If these proposed terms are acceptable to you, please sign and return it with the requested credit information. Upon receipt, we will conduct a formal credit review and seek approval for the Lease Proposal described herein. Please feel free to address any questions or comments with me. My contact information follows for your convenience.

Sincerely,



Maggie Morris
Vice President – Regional Manager
TD Equipment Finance, Inc.
104 Mill Rd
Seneca, South Carolina 29678

Enclosed.

- Payment amortization schedule
- TD BANK, N.A Profile

Compound Period: Monthly

Nominal Annual Rate: 1.580%

CASH FLOW DATA

Event	Date	Amount	Number	Period	End Date
1 Loan	2/5/2021	3,290,347.00	1		
2 Payment	1/1/2022	204,401.00	1		
3 Payment	1/1/2023	208,433.00	1		
4 Payment	1/1/2024	212,586.00	1		
5 Payment	1/1/2025	237,207.00	1		
6 Payment	11/1/2026	242,224.00	1		
7 Payment	1/1/2027	247,390.00	1		
8 Payment	1/1/2028	252,712.00	1		
9 Payment	1/1/2029	258,193.00	1		
10 Payment	1/1/2030	263,839.00	1		
11 Payment	1/1/2031	269,654.00	1		
12 Payment	1/1/2032	275,644.00	1		
13 Payment	1/1/2033	281,813.00	1		
14 Payment	1/1/2034	288,168.00	1		
15 Payment	1/1/2035	294,713.00	1		
16 Payment	1/1/2036	205,009.61	1		

AMORTIZATION SCHEDULE - Normal Amortization

	Date	Payment	Interest	Principal	Balance
Loan	2/5/2021				3,290,347.00
2021 Totals		0.00	0.00	0.00	
1	1/1/2022	204,401.00	47,044.12	157,356.88	3,132,990.12
2022 Totals		204,401.00	47,044.12	157,356.88	
2	1/1/2023	208,433.00	49,861.29	158,571.71	2,974,418.41
2023 Totals		208,433.00	49,861.29	158,571.71	
3	1/1/2024	212,586.00	47,337.64	165,248.36	2,809,170.05
2024 Totals		212,586.00	47,337.64	165,248.36	
4	1/1/2025	237,207.00	44,707.72	192,499.28	2,616,670.77
2025 Totals		237,207.00	44,707.72	192,499.28	
5	11/1/2026	242,224.00	76,853.37	165,370.63	2,451,300.14
2026 Totals		242,224.00	76,853.37	165,370.63	

Internal

6	1/1/2027	247,390.00	6,459.34	240,930.66	2,210,369.48
2027 Totals		247,390.00	6,459.34	240,930.66	
7	1/1/2028	252,712.00	35,177.86	217,534.14	1,992,835.34
2028 Totals		252,712.00	35,177.86	217,534.14	
8	1/1/2029	258,193.00	31,715.82	226,477.18	1,766,358.16
2029 Totals		258,193.00	31,715.82	226,477.18	
9	1/1/2030	263,839.00	28,111.45	235,727.55	1,530,630.61
2030 Totals		263,839.00	28,111.45	235,727.55	
10	1/1/2031	269,654.00	24,359.87	245,294.13	1,285,336.48
2031 Totals		269,654.00	24,359.87	245,294.13	
11	1/1/2032	275,644.00	20,456.03	255,187.97	1,030,148.51
2032 Totals		275,644.00	20,456.03	255,187.97	
12	1/1/2033	281,813.00	16,394.73	265,418.27	764,730.24
2033 Totals		281,813.00	16,394.73	265,418.27	
13	1/1/2034	288,168.00	12,170.62	275,997.38	488,732.86
2034 Totals		288,168.00	12,170.62	275,997.38	
14	1/1/2035	294,713.00	7,778.15	286,934.85	201,798.01
2035 Totals		294,713.00	7,778.15	286,934.85	
15	1/1/2036	205,009.61	3,211.60	201,798.01	0.00
2036 Totals		205,009.61	3,211.60	201,798.01	
Grand Totals		3,741,986.61	451,639.61	3,290,347.00	

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
ORDINANCE 2021-04**

AN ORDINANCE REQUIRING INDIVIDUALS TO WEAR FACE COVERINGS IN CERTAIN FACILITIES OWNED OR OPERATED BY OCONEE COUNTY (SUNSET PROVISION INCLUDED), AND OTHER MATTERS RELATED THERETO.

WHEREAS, the 2019 Novel Coronavirus (“COVID-19”) is a respiratory disease that can result in serious illness or death by the SARS-CoV-2 virus, which is a new strain of coronavirus previously unidentified in humans and which can spread from person to person;

WHEREAS, the Centers for Disease Control and Prevention (the “CDC”) has warned of the high public health threat posed by COVID-19 globally and in the United States;

WHEREAS, on January 31, 2020, the United States Department of Health and Human Services Secretary declared a public health emergency in the United States for COVID-19 under Section 391 of the Public Health Service Act;

WHEREAS, on March 13, 2020, the President of the United States declared that the COVID-19 outbreak in the United States constitutes a national emergency, which began on March 1, 2020;

WHEREAS, also on March 13, 2020, the Governor of the State of South Carolina (the “State”) issued Executive Order 2020-08, declaring a State of Emergency based on a determination that COVID-19 poses an actual or imminent public health emergency for the State;

WHEREAS, the Governor of the State has declared a continued State of Emergency by way of subsequent Executive Orders;

WHEREAS, the State continues to experience a significant number of identified new COVID-19 cases and related hospitalizations;

WHEREAS, health authorities, including the CDC, the Surgeon General of the United States, and the South Carolina Department of Health and Environmental Control have recommended the use of face coverings as a means of preventing the spread of COVID-19;

WHEREAS, S.C. Code §§ 4-9-25 and 4-9-30 grant to the County broad powers concerning health, order, safety, and the preservation thereof;

WHEREAS, the Oconee County Council has determined that it would serve the public interest and be within the County’s police powers under Home Rule and S.C. Code § 4-9-25 to require that individuals wear face coverings in certain County-owned or operated facilities (“County Facilities,” defined below); and

NOW, THEREFORE, be it ordained by the Oconee County Council as follows:

Section 1. Definitions. As used herein, the terms below shall have the following meanings:

- 1) "County 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, and which is open to the public in general and which is being used for a public purpose. County-owned or operated facilities, the use of which is governed by other authorities, such as courthouses, or which are leased to and used by third parties, are not considered County Facilities for purposes of this Ordinance.
- 2) "Face Covering" means a uniform piece of cloth, fabric, or other material that securely covers a person's nose and mouth and remains affixed in place without the use of one's hands. Face Coverings include, but are not limited to, bandanas, medical masks, cloth masks, scarves, and gaiters, provided that they are worn such that they securely cover the person's nose and mouth.

Section 2. Use of Face Coverings within County.

- 1) All employees, customers, vendors, guests, and other visitors are required to wear Face Coverings while inside the enclosed area of any County Facility; and
- 2) All persons positioned outside, but in close proximity to, County Facilities are required to wear Face Coverings when maintaining a distance of less than six (6) feet between other persons.

Section 3. Exemptions. Face Coverings shall not be required:

- 1) For those who cannot wear a Face Covering due to a medical or behavioral condition;
- 2) For those whose religious beliefs prevent them from wearing a Face Covering;
- 3) For children seven (7) years of age and under, provided that adults accompanying children age two to seven (7) shall use reasonable efforts to cause those children to wear Face Coverings while inside the enclosed area of a County Facility;
- 4) For County employees in those situations where they are not required to wear a Face Covering under written County policy;
- 5) When complying with directions of law enforcement officers or other first responders; and
- 6) For law enforcement officers, firefighters, EMS, or other first responders while engaged in a public safety matter where it is not practical to wear a Face Covering; and
- 7) Such other individual exemptions as are granted in writing, on a case-by-case basis, by the County Administrator, on the advice of the Emergency Services Director and the County Attorney, and which are consistent with the spirit of this Ordinance.

Section 4. Violations: Civil Infraction. Any person violating the provisions of this Ordinance by failing to wear a Face Covering when required shall be guilty of a civil infraction, punishable by a penalty of not less than \$25.00 and not more than \$100.00.

Section 5. Suspension of Contrary Local Provisions. During the term of this Ordinance, any other ordinance, resolution, policy, or bylaw of the County that conflicts with the provisions hereof shall be and is hereby suspended and superseded.

Section 6. Severability. Should any provision, section, paragraph, sentence, or word of this Ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences, or words of this Ordinance as hereby adopted shall remain in full force and effect.

Section 7. Expiration. This Ordinance shall expire the earlier of (1) June 30, 2021, or (2) when there is no longer a statewide emergency declaration related to the COVID-19 crisis.

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

ORDAINED in meeting, duly assembled, this _____ day of _____, 2021.

ATTEST:

Katie D. Smith
Clerk to Oconee County Council

John Elliott
Chair, Oconee County Council

First Reading: January 19, 2021
Second Reading: February 2, 2021
Third Reading: _____
Public Hearing: _____

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
ORDINANCE 2021-05**

AN ORDINANCE AMENDING CHAPTER 32 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING THE ESTABLISHMENT OF LAKE CORRIDOR SIGNAGE STANDARDS, AND OTHER MATTERS RELATED THERETO.

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

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

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

WHEREAS, County Council recognizes that there is a need to revise the law of the County to meet the changing needs of the County and that there is a need to amend Article VIII (Sign Control) of Chapter 32 of the Code of Ordinances by adding “Lake Corridors’ Signage Standards,” as reflected on Attachment A hereto;

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

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

1. Article VIII of Chapter 32 of the Code of Ordinances is hereby revised, rewritten, and amended to read as set forth in Attachment A, which is attached hereto and incorporated herein by reference. Attached hereto as Attachment B is a version of Article VIII of Chapter 32 showing the changes made to the existing ordinance; it is for illustrative purposes only, and shall not be codified.

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

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

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

5. All other terms, provisions, and parts of the Code of Ordinances not amended hereby, directly or by implication, shall remain in full force.

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

ORDAINED in meeting, duly assembled, this _____ day of _____, 2021.

ATTEST:

Katie D. Smith
Clerk to Oconee County Council

John Elliott
Chair, Oconee County Council

First Reading: January 19, 2021
Second Reading: February 2, 2021
Third Reading: _____
Public Hearing: _____

Attachment A

Ordinance 2021-05

Sec. 32-515. Title.

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

Sec. 32-516. Purpose.

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

Sec. 32-517. Authority.

This article is adopted pursuant to the provisions of S.C. Code § 4-9-25 and § 4-9-30. Personnel employed by the county as planning and zoning officials, code enforcement officers, building code officials, and personnel employed by the sheriff of the county are vested with the authority to enforce and administer signage control within the county.

Sec. 32-518. Jurisdiction and Appeals.

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

b. Appeals of staff decisions. Decisions made by the Planning director or their designee related to the issuance or denial of a sign permit may be appealed to the Oconee County Board of Zoning Appeals pursuant to the South Carolina Code of Laws and the Oconee County Code of Ordinances.

Sec. 32-519. Terms and definitions.

Except where specifically defined herein, all words used in this article shall carry their customary meanings. Where applicable, words used in the present tense include the future tense, and the singular includes the plural.

Abandoned billboard or sign means a billboard or sign which is not being maintained as required by this article, which has an obsolete advertising message or no advertising message, or one for which a permit has not been obtained or is not current. Public service signage shall not be considered abandoned under this definition.

Billboard means any advertising structure that directs persons to a different location from where the billboard is located or which is otherwise "off-premises" but makes no reference to a location.

Building mounted sign or billboard means any sign or billboard attached to, or artistically rendered upon (such as a painting), a building or canopy/awning attached to a building or structure.

Excepted billboard means a billboard falling within one of the following categories that are excepted from the county's general billboard prohibition: (1) a billboard which is visible from Interstate 85 and which is erected with the purpose of its message being read from the traveled way of Interstate 85, as determined by the Planning Director; (2) a billboard which is less than thirty-three (33) square feet in size and less than ten (10) linear feet in height; (3) a billboard erected by or for a governmental entity for a public purpose; and (4) an Existing billboard.

Existing billboard means a billboard lawfully erected within the boundaries of the county prior to the adoption of this article, as amended by Oconee County Ordinance 2020-___.

Group development means any aggregate non-residential, mixed-use, and/or multi-family development project, commonly referred to as (by way of example and not limitation) a strip mall, mall, town-center development, apartment or condominium complex, or town-home community, which is constructed on one or multiple lots of land.

Sign means any sign structure or combination of sign structure and message in the form of an outdoor sign, display, device, figure, painting, drawing, message, plaque, poster, advertising structure, advertisement, logo, symbol or other form which is designated, intended, or used to advertise or inform in relation to the premises on which it is located, any part of the message or informative contents of which is visible from the main traveled way. The term does not include official traffic control signs, official markers, or specific information panels erected, caused to be erected, or approved by the state department of transportation; signs erected by or for a governmental entity for a public purpose are also excluded from operation of this article.

Sign area means the entire face of a sign or billboard, including the advertising surface and any framing, trim, or molding, but not including the supporting structure. For non-rectangular signs or billboards, the sign area shall be equal to that of the smallest rectangle that encompasses all features of that sign or billboard. For stacked signs or billboards, the sign area shall be that of the small rectangle that encompasses all signs or billboards in the stack.

Sign permit means any permit, other than a building permit, obtained by an applicant from the county for the purpose of the construction or maintenance of a sign or billboard, or a permit obtained for any sign or billboard to be placed on public property, including a county-owned or operated right-of-way.

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

Temporary Billboard means a billboard placed in a location, or intended for a use, that is clearly not permanent in nature. A billboard with an intended use that is related to a specific event, of a definite time and limited duration, shall be deemed a Temporary billboard.

Temporary Sign means a sign placed in a location, or intended for a use, that is clearly not permanent in nature. A sign with an intended use that is related to a specific event, of a definite time and limited duration, shall be deemed a Temporary sign.

Sec. 32-520, Billboards.

1. Only Excepted billboards are authorized within the unincorporated area of the county.
2. No billboard shall be erected within one thousand and three hundred (1,300) feet of another billboard located on the same road. This distance shall be measured as the shortest route of ordinary pedestrian or vehicular travel along the public thoroughfare from the location of an existing billboard to the proposed site.
3. Maximum sign area for any billboard is six hundred and seventy-two (672) square feet.
4. No billboard shall be located along any federal, state, or county designated scenic highway or roadway.
5. Stacked billboards are permitted subject to the sign area calculation in section 32-519.
6. Billboards less than thirty-three (33) square in size feet are exempt from permitting unless illuminated or exceeding seven (7) feet in height and/or until the aggregate size of billboards is less than thirty-three (33) square feet in size exceeds thirty-three (33) square feet on a given lot. This exemption applies to internal directional or wayfinding signage.
7. Replacing any billboard for content change, repair, or other replacement, provided the square footage of the billboard does not increase, is exempt from permitting under this article.

8. This ordinance does not apply to temporary billboards.

Sec. 32-521. General provisions applicable to signs – (monument, pole, and similar signs):

1. The following provisions apply to all signs unless a special provision contained in this article clearly indicates otherwise:
2. Number. One sign is authorized for each one hundred (100) linear feet of road frontage.
3. Size. The maximum allowable sign area per sign is seventy-five (75) square feet.
4. Height. The maximum allowable height of a sign is twenty (20) feet.
5. Setbacks. All signs shall be setback five (5) feet from the front property line and (10) ten feet from the side and rear property lines. No portion of a sign may extend into a right-of-way, over a property line, or over a drive or road. Setbacks are measured from the right-of-way if the right-of-way projects over the property line.
6. Building mounted signs. Building mounted signs are not subject to the numerical limits above; however, the maximum size of any one building mounted sign is one hundred and fifty (150) square feet, and the total sign area per building may not exceed two hundred (200) square feet. Additionally, roof mounted signs must be approved as a special exception by the Oconee County Board of Zoning Appeals.
7. Illumination.
 - i. Signs shall be top-lighted, with the light source facing downward, or internally illuminated.
 - ii. No sign shall be erected, or any existing sign operated, where illumination is of such intensity or brilliance as to cause glare or impair the vision of any driver of any motor vehicle or which otherwise interferes with any driver's operation of a motor vehicle.
 - iii. No sign shall be erected, or any existing sign operated, where illumination is not shielded to prevent light from being directed at any portion of a traveled right-of-way.
 - iv. No sign shall be erected, or any existing sign operated, where illumination is not shielded to prevent light from being directed at a residential property.
 - v. No sign's light source shall be located so that it may be seen from residential property.
8. Automatic changeable message devices. Not permitted.
9. Moving / rotating signage. Not permitted.
10. Window signs. Window signs shall be static and shall not flash, blink, or scroll. There is no limit on the number or type of windows signs. Window signs do not count towards the total number of square footage of building mounted signage. Window signs shall be legible only from the premises on which they are located.
11. Signs and billboards on public property. Any sign or billboard installed or placed on public property, including county-owned or operated rights-of-way, except in conformance with the requirements of this article and expressly permitted by the appropriate governing authority, shall be deemed illegal and shall be subject to removal. In addition to other remedies hereunder, the county shall have the right to recover the cost of removal and disposal of such sign or billboard from the owner or the person who placed it.
12. Sculptural and nonplanar signs. The surface area of a spherical, free form, sculptural, or other nonplanar sign may be equal to the applicable amount of square footage permitted.

13. Corner lots and double frontage properties. Each frontage is allowed the specified amount of ground signage indicated in this section 32-521.

14. Signs exempt from permitting:

- i. Signs less than thirty-three (33) square feet in size are exempt from permitting unless illuminated or exceeding seven (7) feet in height and/or until the aggregate size of signage under thirty-three (33) square feet on a lot totals the permitted size of a single sign, as established herein. This exemption applies to internal directional or wayfinding signage.
- ii. Replacing any sign face for content change, repair, or other replacement, provided the square footage of the sign face does not increase.

15. This ordinance does not apply to temporary signs.

Sec. 32-522. Special provisions applicable to residential subdivision entrance signage.

- 1. Each residential subdivision entrance is allowed two (2) subdivision entrance signs. Such signs shall be located outside of rights-of-way and shall not encroach into any corner sight visibility triangle.
- 2. Subdivision entrance signs may be internally or externally illuminated.
- 3. Subdivision entrance signs shall not exceed seventy-five (75) square feet; shall be designed as a monument or ground sign; and shall not exceed twenty (20) feet in height. Such signs may, however, be incorporated into a wall, fence, or other structure that also shall not exceed twenty (20) feet in height. Such structures shall be located at least fifteen (15) feet from rights-of-way and shall be subject to all applicable building codes and permitting.

Sec. 32-523. Special provisions applicable group development signage.

- 1. Group development signage shall not be considered a billboard if located within the project area as determined by the Planning Director.
- 2. Individual businesses and developments within Group developments will not be permitted to construct their own ground signage along public right-of-ways.
- 3. Group development ground signs (monument, pole, and similar Signs):

Maximum number of ground signs in relation to road frontage	Maximum number of individual signs per ground sign	Total sign area, combined, per ground sign	Maximum height
Up to two hundred (200) linear feet of road frontage - two (2) ground Signs permitted	Five (5)	One hundred (100) square feet	Twenty (20) feet
More than two hundred (200) linear feet – three (3) ground Signs permitted	Ten (10)	Two hundred (200) square feet	Twenty (20) feet

4. Setbacks. All signs shall be setback five (5) feet from the front property line and ten (10) feet from the side and rear property lines. No portion of the sign may extend into the right-of-way,

over a property line, or over a drive or road. Setbacks are measured from the right-of-way if the right-of-way projects over the property line.

5. Group development building mounted signs: canopy, marquee, wall, and similar signs.

- a. Number of signs limited to two (2) per business.
- b. Maximum square footage is limited to one hundred and fifty (150) square feet per sign.
- c. Lighting, if any, shall be internal or downward facing.

Sec. 32-524 - Lake Corridors' signage standards.

1. Jurisdiction. The regulations set forth in this section shall be applicable to developments within the unincorporated areas of the county along the following corridors with on-premise signage ("lake corridor signs") visible from the following corridors:

- a. South Carolina Highway 130 from the City of Seneca municipal boundary to the Town of Salem municipal boundary;
- b. South Carolina Highway 183 from South Carolina Highway 188 to the Pickens County-line;
- c. South Carolina Highway 188.

These provisions are in addition to and supplement the remainder of the Sign Control Ordinance of Oconee County, South Carolina. To the extent there is a conflict between a provision in this section and the remaining provisions of the Sign Control Ordinance of Oconee County, South Carolina, the terms of this section apply.

2. General provisions applicable to lake corridor signs. The following provisions apply to all lake corridor signs unless a special provision contained in this section clearly indicates otherwise:

- a. Height. The maximum allowable height of a free-standing sign, such as monument, pole, or other is seven (7) feet.
- b. Setbacks. All signs shall be setback five (5) feet from any right-of-way(s) or front lot line, whichever is greater, and (10) ten feet from the side and rear lot lines. No portion of a sign may extend into a right-of-way, over a lot line, or over a public or private right-of-way.
- c. Quantity. One (1) free-standing sign and one (1) building-mounted sign per lot unless otherwise indicated in this article.
- d. Area of free-standing signs. Up to thirty-three (33) square feet.
- e. Area of building-mounted signs. Area permitted is twenty-five (25) percent of the total building façade that is facing a public or private right-of-way, and the sign must be installed flush with the building and project no more than twenty-four (24) inches.
- f. Canopy & awning signs. Businesses with awnings over windows and/or doors may include signage information on the awnings in addition to the otherwise permitted sign types.

g. Illumination:

- i. Signs shall be top-lighted, with the light source facing downward, or internally illuminated.
- ii. No sign shall be erected where illumination is of such intensity or brilliance as to cause glare or impair the vision of any driver of any motor vehicle or which otherwise interferes with any driver's operation of a motor vehicle.
- iii. No sign shall be erected, or any existing sign operated, where illumination is not shielded to prevent light from being directed at any portion of a traveled right-of-way.
- iv. No sign shall be erected, or any existing sign operated, where illumination is not shielded to prevent light from being directed at a residential lot.
- v. No sign's light source shall be located so that it may be seen from residential lot.

h. Automatic changeable message devices. Not permitted.

i. Moving/rotating signage. Not permitted.

j. Window signs. Window signs shall have a static message and shall not flash, blink, or scroll. There is no limit on the number or type of windows signs. Window signs do not count towards the total number of square footage of building-mounted signage. Window signs shall be legible only from the premises on which they are located.

k. Signs on public property. Any sign installed or placed on public property, including county-owned or operated rights-of-way, except in conformance with the requirements of this section and expressly permitted by the appropriate governing authority, shall be deemed illegal and shall be subject to removal. In addition to other remedies hereunder, the county shall have the right to recover the cost of removal and disposal of such sign from the owner or the person who placed it.

l. Sculptural and nonplanar signs. The surface area of a spherical, free form, sculptural, or other nonplanar sign may be equal to the applicable amount of square footage permitted.

m. Corner lots and double frontage properties adjacent to a public or private right-of-way. Each frontage is allowed the specified amount of ground signage indicated in Sec. 32-524.2(c).

3. Special provisions applicable to group development signage.

- a. Group development signage shall not be considered a billboard if located within the project area as determined by the Planning Director or their designee
- b. Individual businesses and developments within Group developments will not be permitted to construct their own free-standing signage along public or private right-of-ways.
- c. All group development signage shall adhere to the following standards:

- i. Height. The maximum allowable height of a free-standing sign, such as monument, pole, or other is seven (7) feet.
- ii. Setbacks. All signs shall be setback five (5) feet from any right-of-way(s) or front lot line, whichever is greater, and (10) ten feet from the side and rear lot lines. No portion of a sign may extend into a right-of-way, over a lot line or over a public or private right-of-way.
- iii. Quantity and area of free-standing signs. Lots with 1-3 businesses may have 1-3 signs totaling no more than thirty-three (33) square feet, when combined, on one sign structure. Lots with four or more businesses, the sign size may be increased by two (2) sq. ft. for each number of businesses over three (3).
- iv. Area of building-mounted signs. Area permitted is twenty-five (25) percent of the building's total façades facing a public or private right-of-way and must be installed flush with the building and project no more than 24 inches.
- v. Canopy and awning signs. Businesses with awnings over windows and/or doors may include signage information on the awnings in addition to the two otherwise permitted sign types.
- vi. Illumination:
 - a. Signs shall be top-lighted, with the light source facing downward, or internally illuminated.
 - b. No sign shall be erected where illumination is of such intensity or brilliance as to cause glare or impair the vision of any driver of any motor vehicle or which otherwise interferes with any driver's operation of a motor vehicle.
 - c. No sign shall be erected, or any existing sign operated, where illumination is not shielded to prevent light from being directed at any portion of a traveled right-of-way.
 - d. No sign shall be erected, or any existing sign operated, where illumination is not shielded to prevent light from being directed at a residential lot.
 - e. No sign's light source shall be located so that it may be seen from residential lot.
- vii. Automatic changeable message devices. Not permitted.
- viii. Moving/rotating signage. Not permitted.
- ix. Window signs. Window signs shall have a static message and shall not flash, blink, or scroll. There is no limit on the number or type of windows signs. Window signs do not count towards the total number of square footage of building-mounted signage. Window signs shall be legible only from the premises on which they are located.
- x. Signs on public property. Any sign installed or placed on public property, including county-owned or operated rights-of-way, except in conformance with the requirements of this article and expressly permitted by the appropriate governing authority, shall be deemed illegal and shall be subject to removal. In addition to other remedies hereunder, the county shall have the

right to recover the cost of removal and disposal of such sign from the owner or the person who placed it.

- xi. Sculptural and nonplanar signs. The surface area of a spherical, free form, sculptural, or other nonplanar sign may be equal to the applicable amount of square footage permitted.
- xii. Corner lots and double frontage properties adjacent to a public or private right-of-way. Each frontage is allowed the specified amount of free-standing and building mounted signage indicated in this Sec 32-524.3(c)iii.

4. Residential subdivisions.

a. Special provisions applicable to residential subdivision entrance signage.

- i. Each residential subdivision entrance is allowed two (2) subdivision entrance signs. Such signs shall be located outside of right-of-ways and shall not encroach into any corner sight visibility triangle.
- ii. Square footage of each sign may not exceed thirty-three (33) square feet

5. Exempt signs.

a. The following signage, which is exempt from obtaining a land-use permit under this section, must nonetheless follow all General Provisions in Sec. 32-524.2.

- i. Miscellaneous signs. A sign which does not directly call attention to the place, product, institution, business, organization, activity or service available on the premises. Examples include, "no trespassing/hunting/soliciting," and memberships in associations, cooperatives, fraternal organizations or the like.

And; that are less than less than thirty-three (33) square feet in size and less than seven (7) feet in height and/or until the aggregate size of signage under thirty-three (33) square feet on a lot totals the permitted size of a single sign, as established herein.

- ii. Temporary signs such as, but not limited to, the following and as defined in Sec. 32-519:

- Construction
- Political
- Special event
- Real estate
- Seasonal farm and forestry products
- Garage and yard sale

And; that are less than thirty-three (33) square feet in size and less than seven (7) feet in height and/or until the aggregate size of signage under thirty-three (33) square feet on a lot totals the permitted size of a single sign, as established herein.

- iii. Replacing any sign face for content change, repair, or other replacement, provided the square footage of the sign face does not change and the dimensions or location of the support structure of the signage does not change.

- iv. No exempt sign shall be placed in any public right-of-way.
- v. No exempt sign shall create an unsafe environment for vehicular or pedestrian travel.
- vi. Signage required by local, state or federal regulations for life-safety purposes are exempt.
- vii. Internal directional or wayfinding signage that are less than thirty-three (33) square feet in size and less than seven (7) feet in height and/or until the aggregate size of signage under thirty-three (33) square feet on a lot totals the permitted size of a single sign, as established herein.

6. Prohibited signs

The following signs are expressly prohibited, unless otherwise stated in this section:

- a. Animated and Moving Signs. A sign or other display with either kinetic or illusionary motion powered by natural, manual, mechanical, electrical or other means, including but not limited to flags having commercial messages, and all pennants, banners, streamers, propellers, and discs, as well as flashing signs, signs with illuminated elements that are used to simulate the impression of motion, and searchlights.
- b. Flashing and Message Signs. Any signs that include lights or messages which change flash, blink or turn on and off intermittently, but specifically excluding time and temperature signs which display no other text or images.
- c. Glaring Signs. Signs with light sources or which reflect brightness in a manner which constitutes a hazard or nuisance. This includes signs with fluorescent text, graphics or background, as well as holographic signs.
- d. Obstructive Signs. A sign or other advertising device erected or maintained at any road intersection in a manner so as to obstruct free and clear vision of the intersection.
- e. Posters and Handbills. Any signs affixed to any structures, trees or other natural vegetation, rocks or poles.
- f. Signs of any type or size are not permitted on public utility poles, public lighting poles, or other similar structures.
- g. Roof mounted signs.
- h. Simulated traffic signs and obstructions. Any sign which may be confused with, or obstruct the view of, any authorized traffic sign or signal, obstruct the sight-distance triangle at any road intersection or extend into the public right-of-way.
- i. Banners spanning county roadways are prohibited. Banners spanning state roadways require permission from the South Carolina Department of Transportation and issuance of a highway occupancy permit.

j. Street rights-of-way. No sign or advertising device, including projecting signs, shall be located in or project over any road right-of-way nor be located within the clear sight triangle of any intersection. Exceptions include public signs or signs erected by a governmental agency.

k. Lights or other devices used on a temporary basis on parcels on which carnivals, fairs, or other similar temporary activities are held.

l. Vehicle signs. Any sign displayed on a parked trailer or other vehicle where the primary purpose of the vehicle is to advertise a product, service business, or other activity. This section shall permit the use of business logos, identification or advertising on vehicles primarily and actively used for business purposes.

m. A-frame/wheeled signs. Any portable "A" frame or similar portable sign is prohibited except on a temporary basis not to exceed seventy-two (72) consecutive hours not more than once per year.

n. Sign emissions. No sign which emits smoke, visible vapors, particles, sound or odor shall be permitted.

o. Mirrors. No mirrors or mirror devices shall be used as part of any sign

Sec. 32-525. Abandoned billboards and signs.

An abandoned billboard or sign, as defined by this article, shall be removed by the owner thereof or the owner of the property upon which the billboard or sign is located within forty-five (45) days of notification by the county that the billboard or sign is deemed abandoned. The billboard or sign owner and/or the property owner may appeal the county's designation of the billboard or sign as abandoned to the magistrate's court of the county during the forty-five (45) day period to remove the billboard or sign. If the property owner files a timely appeal, the time period for removing the billboard or sign shall be tolled until the magistrate's court renders a decision. In the event that an abandoned billboard or sign is removed, the billboard or sign owner and/or the property owner shall have the right to replace it in the same location with a new billboard or sign of the same size and height for a period of six (6) months from the date of removal.

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

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

Sec. 32-527. Maintenance requirements.

All signage subject to this article must be structurally safe and maintained in a good state of repair which includes, but is not limited to, the following:

1. The sign area must be maintained free of peeling, chipping, rusting, wearing and fading so as to be fully legible at all times.
2. All parts of the sign, including the cutouts, extensions, border, trim, and sign structure must be maintained in a safe manner, free from rusting, rotting, breaking and other deterioration.
3. The sign face must not have any vegetation growing upon it or touching or clinging to it.

Sec. 32-528. Fees.

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

Sec. 32-529. Permits.

Upon satisfactory completion of all requirements set forth in this article, the owner/agent shall be issued a land use permit by the planning director or his/her designee for construction of the billboard or sign. The land use permit shall be valid for six (6) months from the date of issue; the owner/agent may be granted a one-time six (6) month extension, provided a written request is submitted to the planning director no later than seven (7) working days prior to the original expiration date. Request for extension shall include documentation of efforts to obtain other necessary permits and permissions needed to begin construction, specifically noting the reason for the extension request. Extensions shall be granted only to those projects that were delayed through no fault of the owner/agent of the billboard or sign. The land use permit issued by the planning director shall in no way be construed to be a building permit needed to begin construction of a sign. No building permit, or other county-issued permits, certification or approval, shall be issued for a billboard or sign prior to the issuance of the land use permit. Replacing any billboard or sign face with no change in sign area, structure, or use of electricity does not require a permit.

Sec. 32-530. Penalties.

Any person or entity violating the regulations set forth in this article is guilty of a misdemeanor and may be fined up to five hundred and 00/100 dollars (\$500.00) or imprisoned for thirty (30) days or both.

Secs. 32-531 - 32-600. Reserved.

Oconee County, South Carolina



Attachment B

highlights proposed changes

Attachment B

Ordinance 2021-05

(Highlights denote new or changed language.)

Sec. 32-515. Title.

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

Sec. 32-516. Purpose.

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

Sec. 32-517. Authority.

This article is adopted pursuant to the provisions of S.C. Code § 4-9-25 and § 4-9-30. Personnel employed by the county as planning and zoning officials, code enforcement officers, building code officials, and personnel employed by the sheriff of the county are vested with the authority to enforce and administer signage control within the county.

Sec. 32-518. Jurisdiction and Appeals.

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

b. Appeals of staff decisions. Decisions made by the Planning director or their designee related to the issuance or denial of a sign permit may be appealed to the Oconee County Board of Zoning Appeals pursuant to the South Carolina Code of Laws and the Oconee County Code of Ordinances.

Sec. 32-519. Terms and definitions.

Except where specifically defined herein, all words used in this article shall carry their customary meanings. Where applicable, words used in the present tense include the future tense, and the singular includes the plural.

Abandoned billboard or sign means a billboard or sign which is not being maintained as required by this article, which has an obsolete advertising message or no advertising message, or one for which a permit has not been obtained or is not current. Public service signage shall not be considered abandoned under this definition.

Billboard means any advertising structure that directs persons to a different location from where the billboard is located or which is otherwise "off-premises" but makes no reference to a location.

Building mounted sign or billboard means any sign or billboard attached to, or artistically rendered upon (such as a painting), a building or canopy/awning attached to a building or structure.

Excepted billboard means a billboard falling within one of the following categories that are excepted from the county’s general billboard prohibition: (1) a billboard which is visible from Interstate 85 and which is erected with the purpose of its message being read from the traveled way of Interstate 85, as determined by the Planning Director; (2) a billboard which is less than thirty-three (33) square feet in size and less than ten (10) linear feet in height; (3) a billboard erected by or for a governmental entity for a public purpose; and (4) an Existing billboard.

Existing billboard means a billboard lawfully erected within the boundaries of the county prior to the adoption of this article, as amended by Oconee County Ordinance 2020-___.

Group development means any aggregate non-residential, mixed-use, and/or multi-family development project, commonly referred to as (by way of example and not limitation) a strip mall, mall, town-center development, apartment or condominium complex, or town-home community, which is constructed on one or multiple lots of land.

Sign means any sign structure or combination of sign structure and message in the form of an outdoor sign, display, device, figure, painting, drawing, message, plaque, poster, advertising structure, advertisement, logo, symbol or other form which is designated, intended, or used to advertise or inform in relation to the premises on which it is located, any part of the message or informative contents of which is visible from the main traveled way. The term does not include official traffic control signs, official markers, or specific information panels erected, caused to be erected, or approved by the state department of transportation; signs erected by or for a governmental entity for a public purpose are also excluded from operation of this article.

Sign area means the entire face of a sign or billboard, including the advertising surface and any framing, trim, or molding, but not including the supporting structure. For non-rectangular signs or billboards, the sign area shall be equal to that of the smallest rectangle that encompasses all features of that sign or billboard. For stacked signs or billboards, the sign area shall be that of the small rectangle that encompasses all signs or billboards in the stack.

Sign permit means any permit, other than a building permit, obtained by an applicant from the county for the purpose of the construction or maintenance of a sign or billboard, or a permit obtained for any sign or billboard to be placed on public property, including a county-owned or operated right-of-way.

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

Temporary Billboard means a billboard placed in a location, or intended for a use, that is clearly not permanent in nature. A billboard with an intended use that is related to a specific event, of a definite time and limited duration, shall be deemed a Temporary billboard.

Temporary Sign means a sign placed in a location, or intended for a use, that is clearly not permanent in nature. A sign with an intended use that is related to a specific event, of a definite time and limited duration, shall be deemed a Temporary sign.

Sec. 32-520. Billboards.

1. Only Excepted billboards are authorized within the unincorporated area of the county.
2. No billboard shall be erected within one thousand and three hundred (1,300) feet of another billboard located on the same road. This distance shall be measured as the shortest route of ordinary pedestrian or vehicular travel along the public thoroughfare from the location of an existing billboard to the proposed site.
3. Maximum sign area for any billboard is six hundred and seventy-two (672) square feet.
4. No billboard shall be located along any federal, state, or county designated scenic highway or roadway.
5. Stacked billboards are permitted subject to the sign area calculation in section 32-519.
6. Billboards less than thirty-three (33) square in size feet are exempt from permitting unless illuminated or exceeding seven (7) feet in height and/or until the aggregate size of billboards is less than thirty-three (33) square feet in size exceeds thirty-three (33) square feet on a given lot. This exemption applies to internal directional or wayfinding signage.

7. Replacing any billboard for content change, repair, or other replacement, provided the square footage of the billboard does not increase, is exempt from permitting under this article.
8. This ordinance does not apply to temporary billboards.

Sec. 32-521. General provisions applicable to signs – (monument, pole, and similar signs):

1. The following provisions apply to all signs unless a special provision contained in this article clearly indicates otherwise:
2. Number. One sign is authorized for each one hundred (100) linear feet of road frontage.
3. Size. The maximum allowable sign area per sign is seventy-five (75) square feet.
4. Height. The maximum allowable height of a sign is twenty (20) feet.
5. Setbacks. All signs shall be setback five (5) feet from the front property line and (10) ten feet from the side and rear property lines. No portion of a sign may extend into a right-of-way, over a property line, or over a drive or road. Setbacks are measured from the right-of-way if the right-of-way projects over the property line.
6. Building mounted signs. Building mounted signs are not subject to the numerical limits above; however, the maximum size of any one building mounted sign is one hundred and fifty (150) square feet, and the total sign area per building may not exceed two hundred (200) square feet. Additionally, roof mounted signs must be approved as a special exception by the Oconee County Board of Zoning Appeals.
7. Illumination.
 - i. Signs shall be top-lighted, with the light source facing downward, or internally illuminated.
 - ii. No sign shall be erected, or any existing sign operated, where illumination is of such intensity or brilliance as to cause glare or impair the vision of any driver of any motor vehicle or which otherwise interferes with any driver's operation of a motor vehicle.
 - iii. No sign shall be erected, or any existing sign operated, where illumination is not shielded to prevent light from being directed at any portion of a traveled right-of-way.
 - iv. No sign shall be erected, or any existing sign operated, where illumination is not shielded to prevent light from being directed at a residential property.
 - v. No sign's light source shall be located so that it may be seen from residential property.
8. Automatic changeable message devices. Not permitted.
9. Moving / rotating signage. Not permitted.
10. Window signs. Window signs shall be static and shall not flash, blink, or scroll. There is no limit on the number or type of window signs. Window signs do not count towards the total number of square footage of building mounted signage. Window signs shall be legible only from the premises on which they are located.
11. Signs and billboards on public property. Any sign or billboard installed or placed on public property, including county-owned or operated rights-of-way, except in conformance with the requirements of this article and expressly permitted by the appropriate governing authority, shall be deemed illegal and shall be subject to removal. In addition to other remedies hereunder, the county shall have the right to recover the cost of removal and disposal of such sign or billboard from the owner or the person who placed it.

12. Sculptural and nonplanar signs. The surface area of a spherical, free form, sculptural, or other nonplanar sign may be equal to the applicable amount of square footage permitted.
13. Corner lots and double frontage properties. Each frontage is allowed the specified amount of ground signage indicated in this section 32-521.
14. Signs exempt from permitting:
 - i. Signs less than thirty-three (33) square feet in size are exempt from permitting unless illuminated or exceeding seven (7) feet in height and/or until the aggregate size of signage under thirty-three (33) square feet on a lot totals the permitted size of a single sign, as established herein. This exemption applies to internal directional or wayfinding signage.
 - ii. Replacing any sign face for content change, repair, or other replacement, provided the square footage of the sign face does not increase.
15. This ordinance does not apply to temporary signs.

Sec. 32-522. Special provisions applicable to residential subdivision entrance signage.

1. Each residential subdivision entrance is allowed two (2) subdivision entrance signs. Such signs shall be located outside of rights-of-way and shall not encroach into any corner sight visibility triangle.
2. Subdivision entrance signs may be internally or externally illuminated.
3. Subdivision entrance signs shall not exceed seventy-five (75) square feet; shall be designed as a monument or ground sign; and shall not exceed twenty (20) feet in height. Such signs may, however, be incorporated into a wall, fence, or other structure that also shall not exceed twenty (20) feet in height. Such structures shall be located at least fifteen (15) feet from rights-of-way and shall be subject to all applicable building codes and permitting.

Sec. 32-523. Special provisions applicable group development signage.

1. Group development signage shall not be considered a billboard if located within the project area as determined by the Planning Director.
2. Individual businesses and developments within Group developments will not be permitted to construct their own ground signage along public right-of-ways.
3. Group development ground signs (monument, pole, and similar Signs):

Maximum number of ground signs in relation to road frontage	Maximum number of individual signs per ground sign	Total sign area, combined, per ground sign	Maximum height
Up to two hundred (200) linear feet of road frontage - two (2) ground Signs permitted	Five (5)	One hundred (100) square feet	Twenty (20) feet
More than two hundred (200) linear feet – three (3) ground Signs permitted	Ten (10)	Two hundred (200) square feet	Twenty (20) feet

4. Setbacks. All signs shall be setback five (5) feet from the front property line and ten (10) feet from the side and rear property lines. No portion of the sign may extend into the right-of-way, over a property line, or over a drive or road. Setbacks are measured from the right-of-way if the right-of-way projects over the property line.
5. Group development building mounted signs: canopy, marquee, wall, and similar signs.
 - a. Number of signs limited to two (2) per business.
 - b. Maximum square footage is limited to one hundred and fifty (150) square feet per sign.
 - c. Lighting, if any, shall be internal or downward facing.

Sec. 32-524 - Lake Corridors' signage standards.

1. Jurisdiction. The regulations set forth in this section shall be applicable to developments within the unincorporated areas of the county along the following corridors with on-premise signage ("lake corridor signs") visible from the following corridors:
 - a. South Carolina Highway 130 from the City of Seneca municipal boundary to the Town of Salem municipal boundary;
 - b. South Carolina Highway 183 from South Carolina Highway 188 to the Pickens County-line;
 - c. South Carolina Highway 188.

These provisions are in addition to and supplement the remainder of the Sign Control Ordinance of Oconee County, South Carolina. To the extent there is a conflict between a provision in this section and the remaining provisions of the Sign Control Ordinance of Oconee County, South Carolina, the terms of this section apply.

2. General provisions applicable to lake corridor signs. The following provisions apply to all lake corridor signs unless a special provision contained in this section clearly indicates otherwise:
 - a. Height. The maximum allowable height of a free-standing sign, such as monument, pole, or other is seven (7) feet.
 - b. Setbacks. All signs shall be setback five (5) feet from any right-of-way(s) or front lot line, whichever is greater, and (10) ten feet from the side and rear lot lines. No portion of a sign may extend into a right-of-way, over a lot line, or over a public or private right-of-way.
 - c. Quantity. One (1) free-standing sign and one (1) building-mounted sign per lot unless otherwise indicated in this article.
 - d. Area of free-standing signs. Up to thirty-three (33) square feet.
 - e. Area of building-mounted signs. Area permitted is twenty-five (25) percent of the total building façade that is facing a public or private right-of-way, and the sign must be installed flush with the building and project no more than twenty-four (24) inches.

f. Canopy & awning signs. Businesses with awnings over windows and/or doors may include signage information on the awnings in addition to the otherwise permitted sign types.

g. Illumination:

i. Signs shall be top-lighted, with the light source facing downward, or internally illuminated.

ii. No sign shall be erected where illumination is of such intensity or brilliance as to cause glare or impair the vision of any driver of any motor vehicle or which otherwise interferes with any driver's operation of a motor vehicle.

iii. No sign shall be erected, or any existing sign operated, where illumination is not shielded to prevent light from being directed at any portion of a traveled right-of-way.

iv. No sign shall be erected, or any existing sign operated, where illumination is not shielded to prevent light from being directed at a residential lot.

v. No sign's light source shall be located so that it may be seen from residential lot.

h. Automatic changeable message devices. Not permitted.

i. Moving/rotating signage. Not permitted.

j. Window signs. Window signs shall have a static message and shall not flash, blink, or scroll. There is no limit on the number or type of windows signs. Window signs do not count towards the total number of square footage of building-mounted signage. Window signs shall be legible only from the premises on which they are located.

k. Signs on public property. Any sign installed or placed on public property, including county-owned or operated rights-of-way, except in conformance with the requirements of this section and expressly permitted by the appropriate governing authority, shall be deemed illegal and shall be subject to removal. In addition to other remedies hereunder, the county shall have the right to recover the cost of removal and disposal of such sign from the owner or the person who placed it.

l. Sculptural and nonplanar signs. The surface area of a spherical, free form, sculptural, or other nonplanar sign may be equal to the applicable amount of square footage permitted.

m. Corner lots and double frontage properties adjacent to a public or private right-of-way. Each frontage is allowed the specified amount of ground signage indicated in Sec. 32-524.2(c).

3. Special provisions applicable to group development signage.

a. Group development signage shall not be considered a billboard if located within the project area as determined by the Planning Director or their designee

b. Individual businesses and developments within Group developments will not be permitted to construct their own free-standing signage along public or private right-of-ways.

c. All group development signage shall adhere to the following standards:

- i. Height. The maximum allowable height of a free-standing sign, such as monument, pole, or other is seven (7) feet.
- ii. Setbacks. All signs shall be setback five (5) feet from any right-of-way(s) or front lot line, whichever is greater, and (10) ten feet from the side and rear lot lines. No portion of a sign may extend into a right-of-way, over a lot line or over a public or private right-of-way.
- iii. Quantity and area of free-standing signs. Lots with 1-3 businesses may have 1-3 signs totaling no more than thirty-three (33) square feet, when combined, on one sign structure. Lots with four or more businesses, the sign size may be increased by two (2) sq. ft. for each number of businesses over three (3).
- iv. Area of building-mounted signs. Area permitted is twenty-five (25) percent of the building's total façades facing a public or private right-of-way and must be installed flush with the building and project no more than 24 inches.
- v. Canopy and awning signs. Businesses with awnings over windows and/or doors may include signage information on the awnings in addition to the two otherwise permitted sign types.
- vi. Illumination:
 - a. Signs shall be top-lighted, with the light source facing downward, or internally illuminated.
 - b. No sign shall be erected where illumination is of such intensity or brilliance as to cause glare or impair the vision of any driver of any motor vehicle or which otherwise interferes with any driver's operation of a motor vehicle.
 - c. No sign shall be erected, or any existing sign operated, where illumination is not shielded to prevent light from being directed at any portion of a traveled right-of-way.
 - d. No sign shall be erected, or any existing sign operated, where illumination is not shielded to prevent light from being directed at a residential lot.
 - e. No sign's light source shall be located so that it may be seen from residential lot.
- vii. Automatic changeable message devices. Not permitted.
- viii. Moving/rotating signage. Not permitted.
- ix. Window signs. Window signs shall have a static message and shall not flash, blink, or scroll. There is no limit on the number or type of windows signs. Window signs do not count towards the total number of square footage of building-mounted signage. Window signs shall be legible only from the premises on which they are located.
- x. Signs on public property. Any sign installed or placed on public property, including county-owned or operated rights-of-way, except in conformance with the requirements of this article and expressly permitted by the appropriate governing authority, shall be deemed illegal and shall be subject

to removal. In addition to other remedies hereunder, the county shall have the right to recover the cost of removal and disposal of such sign from the owner or the person who placed it.

- xi. Sculptural and nonplanar signs. The surface area of a spherical, free form, sculptural, or other nonplanar sign may be equal to the applicable amount of square footage permitted.
- xii. Corner lots and double frontage properties adjacent to a public or private right-of-way. Each frontage is allowed the specified amount of free-standing and building mounted signage indicated in this Sec 32-524.3(c)iii.

4. Residential subdivisions.

a. Special provisions applicable to residential subdivision entrance signage.

- i. Each residential subdivision entrance is allowed two (2) subdivision entrance signs. Such signs shall be located outside of right-of-ways and shall not encroach into any corner sight visibility triangle.
- ii. Square footage of each sign may not exceed thirty-three (33) square feet

5. Exempt signs.

a. The following signage, which is exempt from obtaining a land-use permit under this section, must nonetheless follow all General Provisions in Sec. 32-524.2.

- i. Miscellaneous signs. A sign which does not directly call attention to the place, product, institution, business, organization, activity or service available on the premises. Examples include, “no trespassing/hunting/soliciting,” and memberships in associations, cooperatives, fraternal organizations or the like.

And; that are less than less than thirty-three (33) square feet in size and less than seven (7) feet in height and/or until the aggregate size of signage under thirty-three (33) square feet on a lot totals the permitted size of a single sign, as established herein.

- ii. Temporary signs such as, but not limited to, the following and as defined in Sec. 32-519:

- Construction
- Political
- Special event
- Real estate
- Seasonal farm and forestry products
- Garage and yard sale

And; that are less than thirty-three (33) square feet in size and less than seven (7) feet in height and/or until the aggregate size of signage under thirty-three (33) square feet on a lot totals the permitted size of a single sign, as established herein.

- iii. Replacing any sign face for content change, repair, or other replacement, provided the square footage of the sign face does not change and the

dimensions or location of the support structure of the signage does not change.

- iv. No exempt sign shall be placed in any public right-of-way.
- v. No exempt sign shall create an unsafe environment for vehicular or pedestrian travel.
- vi. Signage required by local, state or federal regulations for life-safety purposes are exempt.
- vii. Internal directional or wayfinding signage that are less than thirty-three (33) square feet in size and less than seven (7) feet in height and/or until the aggregate size of signage under thirty-three (33) square feet on a lot totals the permitted size of a single sign, as established herein.

6. Prohibited signs

The following signs are expressly prohibited, unless otherwise stated in this section:

a. Animated and Moving Signs. A sign or other display with either kinetic or illusionary motion powered by natural, manual, mechanical, electrical or other means, including but not limited to flags having commercial messages, and all pennants, banners, streamers, propellers, and discs, as well as flashing signs, signs with illuminated elements that are used to simulate the impression of motion, and searchlights.

b. Flashing and Message Signs. Any signs that include lights or messages which change flash, blink or turn on and off intermittently, but specifically excluding time and temperature signs which display no other text or images.

c. Glaring Signs. Signs with light sources or which reflect brightness in a manner which constitutes a hazard or nuisance. This includes signs with fluorescent text, graphics or background, as well as holographic signs.

d. Obstructive Signs. A sign or other advertising device erected or maintained at any road intersection in a manner so as to obstruct free and clear vision of the intersection.

e. Posters and Handbills. Any signs affixed to any structures, trees or other natural vegetation, rocks or poles.

f. Signs of any type or size are not permitted on public utility poles, public lighting poles, or other similar structures.

g. Roof mounted signs.

h. Simulated traffic signs and obstructions. Any sign which may be confused with, or obstruct the view of, any authorized traffic sign or signal, obstruct the sight-distance triangle at any road intersection or extend into the public right-of-way.

i. Banners spanning county roadways are prohibited. Banners spanning state roadways require permission from the South Carolina Department of Transportation and issuance of a highway occupancy permit.

j. Street rights-of-way. No sign or advertising device, including projecting signs, shall be located in or project over any road right-of-way nor be located within the clear sight triangle of any intersection. Exceptions include public signs or signs erected by a governmental agency.

k. Lights or other devices used on a temporary basis on parcels on which carnivals, fairs, or other similar temporary activities are held.

l. Vehicle signs. Any sign displayed on a parked trailer or other vehicle where the primary purpose of the vehicle is to advertise a product, service business, or other activity. This section shall permit the use of business logos, identification or advertising on vehicles primarily and actively used for business purposes.

m. A-frame/wheeled signs. Any portable "A" frame or similar portable sign is prohibited except on a temporary basis not to exceed seventy-two (72) consecutive hours not more than once per year.

n. Sign emissions. No sign which emits smoke, visible vapors, particles, sound or odor shall be permitted.

o. Mirrors. No mirrors or mirror devices shall be used as part of any sign

Sec. 32-525. Abandoned billboards and signs.

An abandoned billboard or sign, as defined by this article, shall be removed by the owner thereof or the owner of the property upon which the billboard or sign is located within forty-five (45) days of notification by the county that the billboard or sign is deemed abandoned. The billboard or sign owner and/or the property owner may appeal the county's designation of the billboard or sign as abandoned to the magistrate's court of the county during the forty-five (45) day period to remove the billboard or sign. If the property owner files a timely appeal, the time period for removing the billboard or sign shall be tolled until the magistrate's court renders a decision. In the event that an abandoned billboard or sign is removed, the billboard or sign owner and/or the property owner shall have the right to replace it in the same location with a new billboard or sign of the same size and height for a period of six (6) months from the date of removal.

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

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

Sec. 32-527. Maintenance requirements.

All signage subject to this article must be structurally safe and maintained in a good state of repair which includes, but is not limited to, the following:

1. The sign area must be maintained free of peeling, chipping, rusting, wearing and fading so as to be fully legible at all times.
2. All parts of the sign, including the cutouts, extensions, border, trim, and sign structure must be maintained in a safe manner, free from rusting, rotting, breaking and other deterioration.
3. The sign face must not have any vegetation growing upon it or touching or clinging to it.

Sec. 32-528. Fees.

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

Sec. 32-529. Permits.

Upon satisfactory completion of all requirements set forth in this article, the owner/agent shall be issued a land use permit by the planning director or his/her designee for construction of the billboard or sign. The land use permit shall be valid for six (6) months from the date of issue; the owner/agent may be granted a one-time six (6) month extension, provided a written request is submitted to the planning director no later than seven (7) working days prior to the original expiration date. Request for extension shall include documentation of efforts to obtain other necessary permits and permissions needed to begin construction, specifically noting the reason for the extension request. Extensions shall be granted only to those projects that were delayed through no fault of the owner/agent of the billboard or sign. The land use permit issued by the planning director shall in no way be construed to be a building permit needed to begin construction of a sign. No building permit, or other county-issued permits, certification or approval, shall be issued for a billboard or sign prior to the issuance of the land use permit. Replacing any billboard or sign face with no change in sign area, structure, or use of electricity does not require a permit.

Sec. 32-530. Penalties.

Any person or entity violating the regulations set forth in this article is guilty of a misdemeanor and may be fined up to five hundred and 00/100 dollars (\$500.00) or imprisoned for thirty (30) days or both.

Secs. 32-531 - 32-600. Reserved.

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
ORDINANCE 2021-06**

AN ORDINANCE AMENDING CHAPTER 32 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING THE ESTABLISHMENT OF TRAFFIC CORRIDOR DESIGN STANDARDS, AND OTHER MATTERS RELATED THERETO.

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

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

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

WHEREAS, County Council recognizes that there is a need to revise the law of the County to meet the changing needs of the County and that there is a need to amend Article VI (Land Development and Subdivision Regulations) of Chapter 32 of the Code of Ordinances, by revising Sections 32-212 (Definitions) and 32-218 (hereafter “Nonresidential, Multi-family Residential, and Mixed Use Development along Specific Corridors”), as reflected on Attachment A hereto;

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

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

1. Sections 32-212 and 32-218 of the Code of Ordinances are hereby revised, rewritten, and amended to read as set forth in Attachment A, which is attached hereto and incorporated herein by reference. Attached hereto as Attachment B is a version of Sections 32-212

and 32-218 of the Code of Ordinances showing the changes made to the existing provisions; it is for illustrative purposes only, and shall not be codified.

2. County Council hereby approves and adopts Attachment A as the applicable land use provisions of the County and directs that a public hearing thereon be undertaken by the Oconee County Planning Commission.

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

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

5. All other terms, provisions, and parts of the Code of Ordinances not amended hereby, directly or by implication, shall remain in full force.

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

ORDAINED in meeting, duly assembled, this _____ day of _____, 2021.

ATTEST:

Katie D. Smith
Clerk to Oconee County Council

John Elliott
Chair, Oconee County Council

First Reading: January 19, 2021
Second Reading: February 2, 2021
Third Reading: _____
Public Hearing: _____

Attachment A

Ordinance 2021-06

ARTICLE VI. - LAND DEVELOPMENT AND SUBDIVISION REGULATIONS

Sec. 32-212. - Definitions.

Add the following:

Mixed-use development means a development on one or more lots developed or proposed to be developed in one or more phases which includes a mixture of residential classifications (single-family, multi-family, etc.), a mixture of residential and non-residential uses, and/or a mixture of residential typologies and non-residential uses.

Sec. 32-218.

Restate as follows:

– Nonresidential, multi-family residential, and mixed-use development along specific corridors.

- (a) Standards. In addition to the principles and standards in this article, the applicant shall demonstrate that the design, traffic and safety, road, parcel, and block pattern proposed is specifically adapted to the uses anticipated and takes into account other uses in the vicinity. It is wholly the responsibility of the property owner to build and maintain to the standards of this article. Any new development or existing development expanding by more than 50% of its existing area will be required to adhere to the regulations of this article.

If a proposed development includes land that is partially or wholly proposed for commercial, industrial or other nonresidential purposes, multi-family residential, or a mixture of residential and non-residential uses, and has direct or indirect access to the specific corridors indicated in this article, the layout of the proposed development and/or expansion shall incorporate the provisions and facilities required by the standards set forth in this article.

This article applies, in whole or in part, to the following corridors:

S.C. Highway 11

S.C. Highway 28

S.C. Highway 59

S.C. Highway 76

S.C. Highway 123

S.C. Highway 130

S.C. Highway 183

- (b) Exemptions. Agricultural and Forestry uses as defined by the South Carolina Right to Farm Act (S.C. Code § 46-45-10, et seq.) and the South Carolina Right to Practice Forestry Act (S. C. Code § 48-23-205, et seq.).
- (c) Franchise architecture. Franchise architecture is defined as building design that is trademarked or identified with a particular franchise chain or corporation and is generic or standard in nature.

Franchises or national chains must follow the standards of this article in order to create a building that enhances the character to the corridor.

(d) **Parking.** Each development shall provide adequate off-street parking for their customers, employees, and deliveries. Parking for one development shall not interfere with the parking, operations, and/or vehicular movement of another development.

(e) **Traffic and Safety.**

(1) Applications for proposed projects to which this article applies shall provide written verification from the South Carolina Department of Transportation (SCDOT) indicating any and all traffic and safety implementation standards required of the proposed project. All infrastructure required by the SCDOT shall be implemented or constructed prior to a certificate of completion, permanent power, or certificate of occupancy being issued.

(2) Road rights-of-way and pavement shall be adequate to accommodate the type and volume of traffic anticipated to be generated.

(3) Special requirements may be imposed by the county with respect to road, curb, gutter, and sidewalk design and construction.

(4) Roads to be utilized for carrying nonresidential traffic, especially heavy-equipment, tractor-trailers or heavy-truck traffic, shall not be extended to the boundaries of adjacent residential areas.

(f) **Design Standard One.**

(1) **Applicable corridors:**

- a. S.C. Highway 11: Southern terminus to Town of West Union municipal boundary
- b. S.C. Highway 28: Northern terminus to City of Walhalla municipal boundary
- c. S.C. Highway 59: Intersection of S.C. Highway 24 to the boundary of the I-85 Overlay
- d. S.C. Highway 76: Western terminus to the City of Westminster municipal boundary
- e. S.C. Highway 123: City of Westminster municipal boundary to southern terminus
- f. S.C. Highway 130: Town of Salem municipal boundary to northern terminus
- g. S.C. Highway 183: City of Walhalla municipal boundary to S.C. Highway 188.

(2) **Building orientation and entrances:**

- a. All primary building entrances shall be accentuated through architectural treatments that enhance pedestrian orientation, such as recessed entrances, protruding entrances, canopies, porticos, overhangs, etc.
- b. Any portion of a building facade facing a public right-of-way that exceeds twenty-five (25) feet in length shall incorporate windows or architectural design elements to break up the expanse of wall and add visual diversity. Example elements include, but are not limited to windows, doors, lighting, material changes, articulated or sculptured wall surfaces or shadow lines, vertical accents, texture changes or color changes, commissioned murals by professional artists, or other architectural features.

(3) **Building materials and colors**

- a. Materials not-permitted to be incorporated into a building's facade adjacent to public or private right of ways:
 1. Painted concrete block
 2. Asphalt shingles.
- b. Materials that are encouraged to be used are:

1. Timber framing or structural elements - natural or artificial
2. Stone foundation, structure, or veneer - natural or artificial
3. Rough wooden siding - natural or artificial
4. Stucco
5. Glass – glazing and framing elements
6. Colors - Florescent and phosphorescent colors are prohibited.

(g) Design Standard Two

(1) Applicable corridors:

- a. S.C. Highway 11: Town of West Union municipal boundary to northern terminus
- b. S.C. Highway 28: City of Walhalla municipal boundary to City of Seneca municipal boundary
- c. S.C. Highway 123: City of Seneca municipal boundary to the Pickens County line
- d. S.C. Highway 123: City of Seneca municipal boundary to City of Westminster municipal boundary
- e. S.C. Highway 130: City of Seneca municipal boundary to Town of Salem municipal boundary
- f. S.C. Highway 183: Intersection of S.C. Highway 188 to Eastern terminus
- g. S.C. Highway 188: Entire length.

(2) Building orientation and entrances

All primary building entrances shall be accentuated through architectural treatments that enhance pedestrian orientation, such as recessed entrances, protruding entrances, canopies, porticos, overhangs, etc. The front façade must be broken up using columns, an entrance portico, roof overhangs, or the like to avoid the appearance of a monolithic slab.

(3) Colors. Florescent and phosphorescent colors are prohibited.

(4) Facades. Facades facing a public or private right-of-way shall incorporate the following design elements:

Design element	Minimum
Timber framing or structural elements – natural or artificial	15%
Stone foundation, structure, or veneer –natural or artificial	20%
Rough wooden siding - natural or artificial	0-65%
Stucco	0-65%
Glass	0-65%
Any other materials	0-10%

(h) Permitting and applications.

In addition to all other applicable permit submittal requirements, the following documentation is required prior to a zoning permit being issued:

- (1) Architectural drawings, renderings, or other visual representation of the proposed development meeting or exceeding the design standards of this article.
- (2) Manufacturers' detail of the materials and paints utilized to meet the façade requirements.
- (3) Any additional documentation indicating all standards of this article being met, as requested by the Planning Director or their designee.
- (4) Prior to a certificate of occupancy being conveyed, photographs of the completed project shall be submitted and a site visit made by the Planning Director or their designee to verify the standards of this article being met.

(i) Appeals

A property owner, developer, or any party materially affected by the Planning Director's decision may appeal to the Planning Commission in writing within ten working days of said decision. The commission shall schedule a hearing, conduct said hearing, and render a decision within 60 days of the date of appeal. The decision of the commission is final. The decision of the commission may be appealed to the circuit court within 30 days after the actual notice of the commission's decision.

Oconee County, South Carolina



Attachment B **highlights proposed** **changes**

Attachment B

Ordinance 2021-06

(Highlights denote new or revised language)

ARTICLE VI. - LAND DEVELOPMENT AND SUBDIVISION REGULATIONS

Sec. 32-212. - Definitions.

Add the following:

Mixed-use development means a development on one or more lots developed or proposed to be developed in one or more phases which includes a mixture of residential classifications (single-family, multi-family, etc.), a mixture of residential and non-residential uses, and/or a mixture of residential typologies and non-residential uses.

Sec. 32-218.

Current:

- Nonresidential subdivisions.

(a) *General.* If a proposed subdivision includes land that is proposed for commercial, industrial or other nonresidential purposes, the layout of the subdivision shall incorporate such provisions and facilities as required by the standards set forth in subsection (b), below.

(b) *Standards.* In addition to the principles and standards in these regulations, which are appropriate to the planning of all subdivisions, the applicant shall demonstrate to the satisfaction of the commission that the road, parcel, and block pattern proposed is specifically adapted to the uses anticipated and takes into account other uses in the vicinity. The following principles and standards shall be observed:

(1) Proposed nonresidential parcels shall be suitable in area and dimensions to the types of industrial/commercial development anticipated.

(2) Road rights-of-way and pavement shall be adequate to accommodate the type and volume of traffic anticipated to be generated.

(3) Special requirements may be imposed by the county with respect to road, curb, gutter, and sidewalk design and construction.

(4) Every effort shall be made to protect adjacent residential areas from potential nuisances from a proposed commercial or industrial subdivision, including the provision of extra depth in parcels backing up on existing or potential residential development and provisions for a permanently landscaped buffer strip when necessary.

(5) Roads carrying nonresidential traffic, especially truck traffic, shall not normally be extended to the boundaries of adjacent existing or potential residential areas.

Restate as follows:

- Nonresidential, multi-family residential, and mixed-use development along specific corridors.

- (a) **Standards.** In addition to the principles and standards in this article, the applicant shall demonstrate that the design, traffic and safety, road, parcel, and block pattern proposed is specifically adapted to the uses anticipated and takes into account other uses in the vicinity. It is wholly the responsibility of the property owner to build and maintain to the standards of this article. Any new development or existing development expanding by more than 50% of its existing area will be required to adhere to the regulations of this article.

If a proposed development includes land that is partially or wholly proposed for commercial, industrial or other nonresidential purposes, multi-family residential, or a mixture of residential and non-residential uses, and has direct or indirect access to the specific corridors indicated in this article, the layout of the proposed development and/or expansion shall incorporate the provisions and facilities required by the standards set forth in this article.

This article applies, in whole or in part, to the following corridors:

S.C. Highway 11

S.C. Highway 28

S.C. Highway 59

S.C. Highway 76

S.C. Highway 123

S.C. Highway 130

S.C. Highway 183

- (b) **Exemptions.** Agricultural and Forestry uses as defined by the South Carolina Right to Farm Act (S.C. Code § 46-45-10, et seq.) and the South Carolina Right to Practice Forestry Act (S. C. Code § 48-23-205, et seq.).
- (c) **Franchise architecture.** Franchise architecture is defined as building design that is trademarked or identified with a particular franchise chain or corporation and is generic or standard in nature. Franchises or national chains must follow the standards of this article in order to create a building that enhances the character to the corridor.
- (d) **Parking.** Each development shall provide adequate off-street parking for their customers, employees, and deliveries. Parking for one development shall not interfere with the parking, operations, and/or vehicular movement of another development.
- (e) **Traffic and Safety.**
- (1) Applications for proposed projects to which this article applies shall provide written verification from the South Carolina Department of Transportation (SCDOT) indicating any and all traffic and safety implementation standards required of the proposed project. All infrastructure required by the SCDOT shall be implemented or constructed prior to a certificate of completion, permanent power, or certificate of occupancy being issued.
 - (2) Road rights-of-way and pavement shall be adequate to accommodate the type and volume of traffic anticipated to be generated.
 - (3) Special requirements may be imposed by the county with respect to road, curb, gutter, and sidewalk design and construction.
 - (4) Roads to be utilized for carrying nonresidential traffic, especially heavy-equipment, tractor-trailers or heavy-truck traffic, shall not be extended to the boundaries of adjacent residential areas.

(f) Design Standard One.

(1) Applicable corridors:

- a. S.C. Highway 11: Southern terminus to Town of West Union municipal boundary
- b. S.C. Highway 28: Northern terminus to City of Walhalla municipal boundary
- c. S.C. Highway 59: Intersection of S.C. Highway 24 to the boundary of the I-85 Overlay
- d. S.C. Highway 76: Western terminus to the City of Westminster municipal boundary
- e. S.C. Highway 123: City of Westminster municipal boundary to southern terminus
- f. S.C. Highway 130: Town of Salem municipal boundary to northern terminus
- g. S.C. Highway 183: City of Walhalla municipal boundary to S.C. Highway 188.

(2) Building orientation and entrances:

- a. All primary building entrances shall be accentuated through architectural treatments that enhance pedestrian orientation, such as recessed entrances, protruding entrances, canopies, porticos, overhangs, etc.
- b. Any portion of a building facade facing a public right-of-way that exceeds twenty-five (25) feet in length shall incorporate windows or architectural design elements to break up the expanse of wall and add visual diversity. Example elements include, but are not limited to windows, doors, lighting, material changes, articulated or sculptured wall surfaces or shadow lines, vertical accents, texture changes or color changes, commissioned murals by professional artists, or other architectural features.

(3) Building materials and colors

- a. Materials not-permitted to be incorporated into a building's facade adjacent to public or private right of ways:
 1. Painted concrete block
 2. Asphalt shingles.
- b. Materials that are encouraged to be used are:
 1. Timber framing or structural elements - natural or artificial
 2. Stone foundation, structure, or veneer - natural or artificial
 3. Rough wooden siding - natural or artificial
 4. Stucco
 5. Glass -- glazing and framing elements
 6. Colors - Florescent and phosphorescent colors are prohibited.

(g) Design Standard Two

(1) Applicable corridors:

- a. S.C. Highway 11: Town of West Union municipal boundary to northern terminus
- b. S.C. Highway 28: City of Walhalla municipal boundary to City of Seneca municipal boundary
- c. S.C. Highway 123: City of Seneca municipal boundary to the Pickens County line
- d. S.C. Highway 123: City of Seneca municipal boundary to City of Westminster municipal boundary
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- g. S.C. Highway 188: Entire length.

(2) Building orientation and entrances

All primary building entrances shall be accentuated through architectural treatments that enhance pedestrian orientation, such as recessed entrances, protruding entrances, canopies, porticos, overhangs, etc. The front façade must be broken up using columns, an entrance portico, roof overhangs, or the like to avoid the appearance of a monolithic slab.

- (3) Colors. Florescent and phosphorescent colors are prohibited.
- (4) Facades. Facades facing a public or private right-of-way shall incorporate the following design elements:

Design element	Minimum
Timber framing or structural elements – natural or artificial	15%
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Rough wooden siding - natural or artificial	0-65%
Stucco	0-65%
Glass	0-65%
Any other materials	0-10%

(h) Permitting and applications.

In addition to all other applicable permit submittal requirements, the following documentation is required prior to a zoning permit being issued:

- (1) Architectural drawings, renderings, or other visual representation of the proposed development meeting or exceeding the design standards of this article.
- (2) Manufacturers' detail of the materials and paints utilized to meet the façade requirements.
- (3) Any additional documentation indicating all standards of this article being met, as requested by the Planning Director or their designee.
- (4) Prior to a certificate of occupancy being conveyed, photographs of the completed project shall be submitted and a site visit made by the Planning Director or their designee to verify the standards of this article being met.

(i) Appeals

A property owner, developer, or any party materially affected by the Planning Director's decision may appeal to the Planning Commission in writing within ten working days of said decision. The commission shall schedule a hearing, conduct said hearing, and render a decision within 60 days of the date of appeal. The decision of the commission is final. The decision of the commission may be appealed to the circuit court within 30 days after the actual notice of the commission's decision.

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
RESOLUTION 2021-01**

A RESOLUTION DECLARING OCONEE COUNTY, SOUTH CAROLINA TO BE A SANCTUARY COUNTY FOR THE UNBORN AND URGING THE CITIZENS OF OCONEE COUNTY TO PROMOTE AND DEFEND THE INALIENABLE RIGHT TO LIFE AND THE INHERENT DIGNITY OF ALL HUMAN BEINGS, BORN AND PRE-BORN, FROM FERTILIZATION TO NATURAL DEATH.

WHEREAS, the Declaration of Independence affirms that all men are created equal and have been endowed by the Creator with unalienable rights— chief among them the right to life— and that the protection of these rights is an affirmative duty of federal, state, and local governments; and

WHEREAS, James Madison, who is considered to be the father of the United States Constitution, wrote that "the accumulation of all powers, legislative, executive, and judiciary, in the same hands...may justly be pronounced the very definition of tyranny;" and

WHEREAS, the Supreme Court of the United States has abused its proper function of judicial review and supplanted it with the unconstitutional theory of judicial supremacy in order to legislate and impose its policy preferences upon the people; and

WHEREAS, the Fifth and Fourteenth Amendments to the United States Constitution provide for the protection of human life and liberty; and

WHEREAS, the Supreme Court of the United States in *Poelker v. Doe* (432 US 519, 1977) concluded that "the Constitution does not forbid a State or city, pursuant to democratic processes, from expressing a preference for normal childbirth" instead of abortion; and

WHEREAS, state police power derives from the Tenth Amendment to the United States Constitution, which gives states the powers "not delegated to the United States;" and

WHEREAS, the power to establish and enforce laws protecting the welfare, safety, and health of the public is a core function of the state's Tenth Amendment police power; and

WHEREAS, Article I, Section 2 of the Constitution of The State of South Carolina declares that "The privileges and immunities of citizens of this State and of the United States under this Constitution shall not be abridged, nor shall any person be deprived of life, liberty, or property without due process of law, nor shall any person be denied the equal protection of the laws."; and

WHEREAS, the council desires to express its deep concern that all human beings, from fertilization to natural death, both born and pre-born, in Oconee County should be afforded protection from acts of cruelty, and be treated humanely and with dignity.

NOW, THEREFORE, BE IT RESOLVED:

Section 1. The Oconee County Council hereby recognizes and declares the full humanity of the pre-born child and declares Oconee County, South Carolina to be a Sanctuary County, where the dignity of all human beings, from fertilization through natural death, will be defended and promoted.

Section 2. The Oconee County Council hereby resolves to enforce this resolution by all means within its power, in accordance with its responsibility as the people's elected local representatives.

Section 3. Based upon the desire to be recognized as a Sanctuary County, the Oconee County Council shall arrange for the placement of highway signs on the major corridor entrances into Oconee County (US 76, US 123, SC 11 northern entrance and interchange of SC 11 and I-85, SC 24, SC 59 at the interchange of SC 59 and I-85, SC 130, SC 183) stating "OCONEE COUNTY IS A SANCTUARY COUNTY FOR THE UNBORN"

RESOLVED this _____ day of _____, 2021, in meeting duly assembled.

ATTEST:

Katie D. Smith
Clerk to Oconee County Council

John Elliott
Chair, Oconee County Council

**AGENDA ITEM SUMMARY
OCONEE COUNTY, SC**

COUNCIL MEETING DATE: February 2, 2021
COUNCIL MEETING TIME: 6:00 PM

ITEM TITLE [Brief Statement]:

Council consideration and approval of grant submission for the Agricultural Advisory Board [AAB] to apply for the SNAP-Ed Local Food Policy Council Development and Expansion Grant Program.

BACKGROUND DESCRIPTION:

The SNAP-Ed Local Food Policy Council Development and Expansion Grant Program will provide funding for newly forming Food Policy Councils (FPC) to accelerate their development and existing FPC to expand their capacity to identify and advance policy, systems, and environmental change strategies for improving healthy food access and ensuring food equity. The grants are intended to fund staff time intended to support FPC formation, development, and operations. No matching funds required.

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

SNAP-Ed Local Food Policy Council Development and Expansion Grant Program

STAFF RECOMMENDATION [Brief Statement]:

It is staff's recommendation that Council approve the grant submission for the Agricultural Advisory Board (AAB) to apply for the SNAP-Ed Local Food Policy Council Development and Expansion Grant Program.

Submitted or Prepared By:



Adam Chapman, Planning Director

Approved for Submittal to Council:

Amanda F. Brock, County Administrator

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

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



Department of Health Promotion,
Education, and Behavior

REQUEST FOR APPLICATIONS

SNAP-Ed Local Food Policy Council Development and Expansion Grant Program

Background: The University of South Carolina SNAP-Ed Implementing Agency works with partners to change policy, systems, and environments to make healthy eating opportunities more accessible for South Carolinians living on a low-income. The team also conducts monitoring and evaluation to capture the reach and outcomes of interventions implemented through the SNAP-Ed program around the state. Many emerging and existing local food policy councils (FPCs) rely on volunteers to conduct their work. Conversations and interviews with FPCs in South Carolina have indicated that grant funding could help FPCs build capacity and accomplish council goals. In response, the University of South Carolina SNAP-Ed Implementing Agency developed the Local Food Policy Council Development and Expansion Grant Program.

Program Description: In 2021, the University of South Carolina SNAP-Ed Implementing Agency, in partnership with the South Carolina Food Policy Council, intends to award up to \$11,700 each to up to six existing or newly forming local FPCs around the state. These grants will provide funding for newly forming FPCs to accelerate their development and existing FPCs to expand their capacity to identify and advance policy, systems, and environmental change strategies for improving healthy food access and ensuring food equity. The grants are intended to fund staff time to carry out the following activities in order to support FPC formation, development, and operations:

1. Conducting Community Food Assessments and holding Community Food Gatherings¹
2. Identifying and advancing policy, systems, and environmental change strategies aimed at improving access to healthy foods and ensuring food equity
3. Engaging priority populations most impacted by food inequity and partners from diverse sectors (e.g., health care, planning, local government, law enforcement) in the FPC

Funded organizations will receive training and technical assistance from the University of South Carolina Implementing Agency Team to carry out the above activities. The funding can **only** be used on staff time to carry out the above activities. In accordance with allowable expenses for SNAP-Ed program funding, the

¹ A *Community Food Assessment* examines a range of food related issues to inform and build support for practical actions to enhance the local food system. A *Community Food Gathering* is an event in which community members meet to enjoy a meal and discuss the challenges and potential solutions associated with increasing access to healthy, culturally appropriate food within the community.

funding **cannot** be used to lead programs or lobby local, state, or federal elected officials. The funding must be expended by September 30, 2021. This will be done by invoicing the University of South Carolina on a monthly basis, with a final invoice to be submitted no later than September 30, 2021. Upon receipt of this award, every funded organization must complete documentation to be set-up as a supplier in the University of South Carolina system in order to be able to receive payments.

Eligibility: Any group interested in developing a FPC or any currently developing or established FPC in the state of South Carolina is eligible to apply. FPCs bring together diverse stakeholders from different sectors and people most impacted by food inequities to offer recommendations for changing policy, systems, and environments in order to make the food system more equitable and accessible for people on a low-income. Grant recipients must be a nonprofit organization or governmental unit and provide a signed W-9 with a federal tax ID number upon establishment of the award. If the FPC does not have such a designation, it may enlist a South Carolina-based fiduciary partner that does. The grant will not cover any fees to a fiduciary partner.

Selection Criteria: Applicant organizations will be considered based on the following criteria:

1. Demonstrated commitment to prioritize equity and inclusion in all FPC work, including recruitment of council membership reflective of the racial and ethnic diversity of their community.
2. Identification of an individual or individuals whose pay will be supported by these funds to carry out the allowable activities described above.
3. Willingness to work closely with the University of South Carolina SNAP-Ed Implementing Agency, including, but not limited to, providing details on FPC activities, membership, and the adoption of any policy, systems, or environmental change strategies due to FPC activities.

Expectations for Successful Grantees: The following are requirements of all grantees who are awarded funds:

1. Participate in monthly South Carolina Local Food Policy Council Network virtual meetings during the grant year.
2. Begin work on a Community Food Assessment and share preliminary findings with the University of South Carolina SNAP-Ed Implementing Agency Team.
3. Hold a minimum of one Community Food Gathering or carry out another process to gain direct feedback from people most impacted by food inequities during the grant year.
4. Prioritize working on the adoption of at least one policy, systems, or environmental change strategy that strengthens or expands transportation for accessing healthy foods among populations on a low-income.
5. Attend an informal virtual mid-term check-in with University of South Carolina SNAP-Ed Implementing Agency Team members.
6. Submit a brief written report on project outcomes within one month of the end of the grant.
7. Participate in an interview for project evaluation purposes toward the end of the grant.

Next Steps: If you are interested in being a candidate for this funding, please complete an interest form at the following link (<https://www.scfoodpolicy.org/local-fpc-interest-form>) by **February 10, 2021**. If you have any questions, please contact Carrie Draper, MSW, SNAP-Ed Implementing Agency Principal Investigator at draper@mailbox.sc.edu.

This project is funded through the Supplemental Nutrition Assistance Program – SNAP.

This institution is an equal opportunity provider.

SNAP-Ed is a federal nutrition assistance program that aims to ensure people living on a low-income are able to meet national dietary and physical activity guidelines while on a budget.





Boards & Commissions

Boards & Commissions	State / OC Code Reference	Reps [DX-At Large-Ex Officio]	Co-Terminus	Term Limits	4 Year Term	Meeting Date to Appoint	John Elliott	Matthew Durham	Paul Cain	Julian Davis	Glenn Hart			
							2019-2022	2021-2024	2019-2022	2021-2024	2021-2024	2019-2022	2021-24	2019-2022
							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]	Dan Suddeth [1]	Auby Perry [3]	Marion Lyles [2]	VACANT	A. Brightwell [2]	David Bryant[1]	
Ag. Advisory Board	2016-17	5 - 2 - 1	YES	n/a	YES	Jan - March	Kim Alexander [1]	Doug Hollifield [<1]	VACANT	Ashley Townsend [1]	Charlie Whiten [1]	Debbie Sewell [2]	Rex Blanton [2]	Kerrie Roach [1]
Arts & Historical Commission	2-321	5 - 2	YES	2X	YES	Jan - March	Aubrey Miller [1]	Libby Imbody [1]	Thomas Jones [<1]	Melody Davis [1]	Mike Phillips [2]	Daniel Dreher [1]	Suzette Cross [2]	
Board of Zoning Appeals	38-6-1	5 - 2	YES	2X	YES	Jan - March	Jim Codner [2]	Gwen Fowler [2]	Bill Gilster [2]	Marty McKee [3]	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]			Shelby Henderson [1]; A. Griffin [2]; Charles Holcombe [1]; Nivia Miranda [1]; Liz Kuemmerer [1]; VACANT				
Planning Commission	6-29-310 32-4	5 - 2	YES	N/A	YES	Jan - March	Mike Smith [1]	David Nix [1]	Alex Vassey [2]	Frankie Pearson [2]	Stacy Lyles [1]	Gwen McPhail [2]	Mike Johnson [3]	
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

Bold Italic TEXT denotes member ineligible for reappointment - having served or will complete serving max # of terms at the end of their current term.

SATURDAY, JANUARY 9, 2021

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LEGAL NOTICES

LEGALS

Notice of Public Hearing
There will be a public hearing at
6pm, Tuesday, February 2, 2021 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 2020-24

AN ORDINANCE AMENDING
CHAPTER 32 OF THE OCONEE
COUNTY CODE OF ORDINANCES,

LEGAL NOTICES

LEGALS

IN CERTAIN LIMITED REGARDS
AND PARTICULARS ONLY, RE-
GARDING THE REMOVAL OF "DIS-
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AN ORDINANCE AUTHORIZING
OCONEE COUNTY TO ENTER
INTO AN ENERGY SAVINGS PER-
FORMANCE ARRANGEMENT, BE-
TWEEN OCONEE COUNTY AND
JOHNSON CONTROLS, INC., AND
A RELATED LEASE PURCHASE
ARRANGEMENT (NOT TO EXCEED
\$3,400,000.00), BETWEEN OCO-
NEE COUNTY AND ONE OR MORE
LENDERS, EACH AS DESCRIBED
IN SOUTH CAROLINA CODE AN-
NOTATED 11-27-110; AND OTHER
RELATED MATTERS.

RENTALS & More

University Place, Clemson.....	4BR/2BA, Furnished.....	\$1000-\$1150
University Terrace.....	4BR/2BA, Furnished.....	\$1150-\$1300
Chadsworth Commons, Clemson.....	2BR/2BA & 2BR/2.5BA.....	\$950-\$1000
Tillman Place, Clemson.....	4BR/2BA.....	\$1200-\$1570
Village Green, Clemson.....	2BR/1.5BA, Townhouse.....	\$825-\$835
Cedarwood, Clemson.....	2BR/2BA.....	\$720-\$750
Crawford Falls, Clemson.....	3BR or 4BR.....	\$2200
Lindsay Rd., Clemson.....	1BR/1BA, Washer & Dryer.....	\$525
207 Aiken St., Central.....	2BR/1BA.....	\$675
309 Foxfire, Seneca.....	2BR/2BA.....	\$875

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Robin Valadez
Broker

Debra Boogs
Prop. Mgr.

Rebekah Brackett
Prop. Mgr.



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**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE**

OCONEE COUNTY COUNCIL

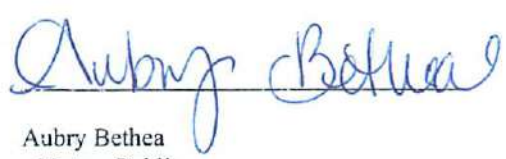
IN RE:

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 01/09/2021 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
01/09/2021



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



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Aubry Bethea
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My Commission Expires November 20, 2030



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

John Elliott
Chairman
District I

Matthew Durham
District II

Paul A. Cain
Vice Chairman
District III

Julian Davis, III
Chairman Pro Tem
District IV

J. Glenn Hart
District V



The Oconee County Council will meet in 2021 on the first and third Tuesday of each month with the following exceptions:

- April, July, & August meetings, which will be **only** on the third Tuesday of each of the three months;
- December meeting, which will be **only** the first Tuesday of the month.

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

Oconee County Council will also hold a Planning Retreat beginning at 9:00 a.m. on Friday, February 19, 2021 in Council Chambers to establish short and long term goals.

Oconee County Council will also meet on Tuesday, January 4, 2022 in Council Chambers at which point they will establish their 2022 Council and Committee meeting schedules.

Oconee County Council will also hold a Budget workshop on Friday, March 19, 2021 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 2021 prior to County Council meetings on the following dates/times in Council Chambers located at 415 South Pine Street, Walhalla, South Carolina unless otherwise advertised.

The Law Enforcement, Public Safety, Health, & Welfare Committee at 4:30 p.m. on the following dates: February 16, April 20, July 20, & September 21, 2021.

The Transportation Committee at 4:30 p.m. on the following dates: February 16, April 20, July 20, & September 21, 2021.

The Real Estate, Facilities, & Land Management Committee at 4:30 p.m. on the following dates: March 16, May 18, August 17, & October 19, 2021.

The Planning & Economic Development Committee at 4:30 p.m. on the following dates: March 16, May 18, August 17, & October 19, 2021.

The Budget, Finance, & Administration Committee at 9:00 a.m. on the following dates: February 19 [Strategic Planning Retreat] & March 19 [Budget Workshop] and 5:00 p.m. on the following dates: April 13 & May 4, 2021.

FRIDAY, JANUARY 8, 2021

Public Notice

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COUNTY OF OCONEE

OCONEE COUNTY COUNCIL

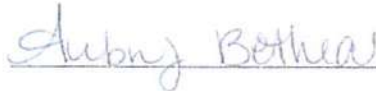
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Hal Welch
General Manager

Subscribed and sworn to before me this
01/08/2021



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





Public Comment

SIGN IN SHEET

6:00 PM

February 2, 2021

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	Jody Gawlin	Resolution on Sanctuary for Unborn
2	Kathy Crain	sanctuary of the unborn
3	Abby Perrin	Sanctuary of the unborn
4	Liz Kummerer	" " "
5	Madeleine Fischer	" " "
6	TERRY KEALIE	SIGNAGE
7	Hayden Laye	Sanctuary of Unborn
8	Feler Barnes	Signage - masks
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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.

use other side if necessary

Katie Smith

From: Anne and Dave Perrin <adperrin1@gmail.com>
Sent: Monday, February 1, 2021 6:53 PM
To: Katie Smith
Subject: RESOLUTION 2021-01

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.

Comment for the record:

I oppose councilman's Matthew Durham's proposal to have Oconee County declared a sanctuary for the unborn, with accompanying highway signage.

I've had a 40 year career in the tourism industry in Oconee County, introducing over 450,000 visitors to the natural beauty of our home. Many of those visitors would choose to take their money elsewhere if they felt personally affronted by the highway signage. The signs risk being interpreted as: keep out if you don't share our beliefs.

Surely council members can understand our county is not insular and see the potential harm this could cause our economy. Our county is composed of many great and well-meaning people, like councilman Durham, but with a diversity of views. Let's make sure the welcome mat is out for all. Doing so will make Oconee countians lives better through increased tax revenues from visitors, lessening the tax burden on our residents.

Thank you for your consideration.
Dave Perrin
Mountain Rest, SC.

Katie Smith

From: Cina Smith <frogopolis@mindspring.com>
Sent: Tuesday, February 2, 2021 10:44 AM
To: Katie Smith
Subject: Citizen statement against Unborn Sanctuary resolution

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.

Katie Smith,

RE: Citizen statement for Oconee County Commission meeting 2/3/21

If possible, I would like to have my following brief statement , which is against the Unborn Sanctuary Resolution, read at tonight's meeting during the citizen comments period.

As a former health care provider, I believe the proposed Unborn Sanctuary Resolution would raise certain legal issues for Oconee County. Currently in South Carolina, it is a woman's legal right to see her medical provider in order to be prescribed the abortion pill or the morning after pill. It is also the provider's legal right to prescribe these pills. This resolution would have NO legal standing to prevent women from using abortion pills in the county. This would create some complex legal issues for the county.

Cina Smith, retired Nurse Practitioner

Katie Smith

From: Alice Wald <waldam@att.net>
Sent: Tuesday, February 2, 2021 12:39 PM
To: Katie Smith
Subject: Resolution 2021-01 Declaring Oconee a sanctuary for the unborn...

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.

Dear Oconee County Council Members;

I am writing to express my **Disapproval for Resolution 2021-01 declaring Oconee a sanctuary county for the unborn...**

First and foremost, separation of church (religion) and State is the law of the land and is not being observed in this proposed resolution. Clearly, Oconee County Council needs to vote "no" on this resolution and not be swayed by your colleague's religious leanings which have no place in County government.

Thank you for maintaining the separation of church and state by voting "no" on this resolution.

Sincerely,

Alice M. Wald
98 Mountain View Drive
Walhalla, SC 29691

Katie Smith

From: Rod Stipe <rod.stipe@gmail.com>
Sent: Tuesday, February 2, 2021 2:13 PM
To: Katie Smith
Subject: Opposition to declaring Oconee County a sanctuary for the unborn

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.

Comment for the record:

I oppose councilman's Matthew Durham proposal to declare Oconee County a sanctuary for the unborn with accompanying signage.

One of Councilman Durham's core beliefs is not to infringe on the personal liberty of individuals. This declaration implies that women do not have a right to their own choices when it comes to their health care. The time and expense of debating this declaration do not seem well spent during this pandemic. Could not our time and money be better spent by ensuring that all citizens who choose may be vaccinated and protected from the virus?

Sincerely,
Sara Stipe
Mountain Rest, SC

I would like to let the county council know of my concern over the following segment of Resolution 2021-01.

“WHEREAS, the Supreme Court of the United States has abused its proper function of judicial review and supplanted it with the unconstitutional theory of judicial supremacy in order to legislate and impose its policy preferences upon the people;”

I fear that Rep. Durham’s criticism of the Supreme Court suggests that he does not support the checks and balances that are integral to the function of our democracy. He states that the Supreme Court has imposed its policy preferences on the people. This is strange to me, because Resolution 2021-01 itself feels like an attempt by a county representative to impose a religiously motivated political preference upon me.

Christa Wilson

Katie Smith

From: donbettina@aol.com
Sent: Tuesday, February 2, 2021 2:51 PM
To: Katie Smith
Subject: Resolution: Sanctuary for the Unborn

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.

I encourage the county council not to pass the resolution making the county a sanctuary for the unborn. This is an issue that the county should not be involved with but rather belongs to the state and federal governments. Oconee County is becoming a progressive county in which businesses and industries are seeking to locate. This resolution is a step backwards and will only discourage those businesses and industries from locating in Oconee County. This resolution is not in best interests of our county.

Don George
Mountain Rest, SC

Katie Smith

From: donbettina@aol.com
Sent: Tuesday, February 2, 2021 2:31 PM
To: Katie Smith
Cc: donbettina@aol.com
Subject: Objections to Councilman Durham's Resolution

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.

The choice of abortion should not lie in politics but with a woman, her doctor and her God.

None of us have walked in the shoes of the woman making that difficult decision nor know her circumstances. What if she loses her job because she is sick due to a difficult pregnancy and cannot provide for her children already here? What if her job provides no paid maternity leave? What if there is no childcare available? What if her job does not pay well enough to provide for this child? Don't you suppose that if the necessary support was there, that she might not be faced with such a heart wrenching decision?

This resolution should not be passed. The focus should instead be providing the much needed lifeline to those who find themselves in extremely trying situations.

Another angle to consider:

As the United States moves toward a more centrist outlook we must frame our county, Oconee, to reflect that if we want to attract business and tourism dollars. Any view that is to either extreme does not present the county in the necessary light for business to locate here, retirees to relocate here, and tourists to visit here. The middle ground is the best for all. This resolution is not centrist. It is way too far to one side of the spectrum.

Sincerely,
Bettina George
Mountain Rest, SC

Katie Smith

From: Alice Wald <waldam@att.net>
Sent: Tuesday, February 2, 2021 11:29 AM
To: Katie Smith
Subject: Face Covering Ordinance

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.

Dear Oconee County Council Members:

I am writing to express my **Approval of the Ordinance requiring face coverings in County facilities**. As I see it, this action is for the benefit and well being of the citizens of our County and needs to be approved. The latest scientific information from the CDC continues to indicate that the wearing of face coverings decreases the spread of the COVID virus. And as you are aware, the more people who have COVID the more opportunities the virus has to mutate into even more contagious forms.

With appreciation for your vote of approval on this matter.

Sincerely,

Alice M. Wald
98 Mountain View Drive
Walhalla, SC 29691

Katie Smith

From: Patty Warner <warnerpat47@me.com>
Sent: Tuesday, February 2, 2021 4:52 PM
To: Katie Smith
Subject: Tonight's meeting

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.

Dear Ms. Smith,

I am very opposed to the resolution declaring Oconee County a "Sanctuary for the Unborn." And I am particularly opposed to using any tax dollars to create signs to that affect.

This is a serious matter that should not be discussed at a time when people cannot attend meetings. It is simply a grandstanding effort on the part of newly elected Matthew Durham to create an issue over abortion for his own selfish reasons.

We do not need signs calling ourselves a "sanctuary for the unborn". This issue is a serious issue and he is making it into a joke. I'm seeing 5 MEN who CANNOT and will NEVER have to carry another being inside of their body.

It is not the job of county council to take on this issue. He is simply craving attention and making a mockery out the job. Money should NOT be spent on signs. OUR tax payer money should be spent on serious things like schools and infrastructure.

Sincerely,
Patty Warner

Katie Smith

From: Mary Collins <lunaticapparel@yahoo.com>
Sent: Tuesday, February 2, 2021 5:02 PM
To: Council Clerk Info
Subject: Council meeting Tuesday 02/02/2021

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.

Is it possible for you to read comments from interested parties who are unable to attend County Council meetings due to Covid restrictions?

If so, I would like to comment on the meeting tonight, regarding the proposed resolution making Oconee a "Sanctuary for the Unborn".

There is much our county council could do to better the lives of its citizens. This resolution is an utter waste of time in helping anyone. And to even consider spending scarce resources on Highway signage announcing such absurdity is a dereliction of duty.

I request this be Tabled at this time so Council can conduct business that will benefit the good citizens of Oconee County.

Thank you,

Mary Collins
920 Chattooga Ridge Rd
Mountain Rest 29664
864-903-2327

Mary Collins
Lunaticapparel@yahoo.com

Presentation to Oconee Council February 2, 2021

Face Coverings and Signage Ordinances

Peter Barnes, President

Keowee Subdivision Association, Inc

The Board of Directors of the Keowee Subdivision Association (KSA) having reviewed Ordinances 2021-04 and 2021-05 regarding the wearing of Face Coverings during this deadly Corona -19 Virus Pandemic (2021-04), and the detailed requirements for Signage (2021-005) in the county both applauds the County Council for taking these important steps and strongly endorses the adoption of these ordinances.

The wearing of Face Coverings has been unambiguously proven by medical science to greatly reduce the spread of air born viruses. The action taken by the county regarding Face Coverings and the SC commitment to increasing vaccinations will more rapidly permit the county and the State to return to pre-pandemic norms.

The detailed description (11-pages) of the Signage Ordinance, in particular, is clearly stated and unambiguous in its details which will lead to attractive signage in the county.

Good Evening County Council Members and Citizens of Oconee County~

My name is Liz Kuemmerer

I am here tonight to represent myself. I am a 57 year old woman. I've had 2 miscarriages and 1 full term pregnancy~thus my son, who is now 17 years old at WHS.

My life intention is to help create life all around me. I feel most humans want life to promote itself. There is no us vs. them in this situation. This situation calls for compassion, equity and a genuine love for each other as human beings. We meet at the table to find common ground.

With that in mind, my body is my temple. It holds my spirit. My soul. My purpose while I am here on Earth right now. How I adorn it; how I create it; how I express it; how I am responsible for it~ everything about it is my choice. That's how it is for everyone. That's free will.

Should I get pregnant, how I handle that is between me and my partner. Although I appreciate others wanting to help me in this decision, ultimately, it's not theirs to make or impose upon me.

Now if my partner and I decide to have our baby, and we are able to carry it to full term, then I am receptive to help. Because that's when I/we truly need it. Anyone who has birthed a human being knows this. That's when support, compassion, understanding and love are necessary to help human beings grow and flourish.

I feel God knows all this and is taking notes. These personal decisions are between myself, my partner and God only.

I feel that if those who are concerned about human life and are truly are concerned about human life, should be respectful of other human beings. They do not have power over anyone else except themselves.

I find this move by Matthew Durham to be incredibly selfish and full of bravado. A political divisive move propagated by our former president. Let's grow ~~up~~ move on and tackle real world issues.

Thank you.

^
+ more specifically
Oconee county!



**PUBLIC HEARING
SIGN IN SHEET**
OCONEE COUNTY COUNCIL MEETING
DATE: February 2, 2021 6:00 p.m.

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."

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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[Handwritten signature: J. D. [unclear]]



**PUBLIC HEARING
SIGN IN SHEET
OCONEE COUNTY COUNCIL MEETING
DATE: February 2, 2021 6:00 p.m.**

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."

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.

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2021 STRATEGIC PLANNING



Priorities identified by County Council members will be utilized to establish the 2021 Strategic Plan.

COUNTY COUNCIL DISTRICT _____

COUNCIL PRIORITIES

EXPECTED IMPACT

COUNCIL PRIORITIES	EXPECTED IMPACT
1.	
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OCONEE COUNTY MISSION

It is the mission of Oconee County to provide our current and future citizens and visitors with quality services while protecting our communities, heritage, environment and natural resources, in an ever-changing world.

OCONEE COUNTY VISION

Oconee County – A diverse, growing, safe, vibrant community guided by rural traditions and shaped by natural beauty; where employment, education and recreation offer a rich quality of life for all generations, both today and tomorrow.