

A M E N D E D A G E N D A
OCONEE COUNTY COUNCIL MEETING
TUESDAY, AUGUST 18, 1998
3:00 PM
OCONEE COUNTY ADMINISTRATIVE OFFICES
415 S. PINE STREET
WALHALLA, SC

1. Call to Order
2. Invocation
3. Approval of Minutes
4. Discussion & Possible Action Regarding Economic Development Matter to Include Consideration and Possible Action to Approve a Resolution Authorizing the Execution and Delivery of an Inducement and Millage Rate Agreement By and Between Oconee County, SC and Milliken and Company, Whereby, Under Certain Conditions, Oconee County Will Execute a Lease Agreement or Agreements for One or More Projects Including Investments by Said Company, Whereby the Project or Projects Would be Subject to Certain Fees-in Lieu-of-Taxes, and Matters Relating Thereto – Mr. Robert Gaillard, Economic Development Director
5. Consideration & Possible Action Concerning Ordinance 98-9, “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A LEASE AGREEMENT BETWEEN OCONEE COUNTY AND MILLIKEN & COMPANY WHEREBY CERTAIN ASSETS USED IN THE MANUFACTURING PROCESS WILL BE LEASED TO MILLIKEN & COMPANY; AND OTHER MATTERS RELATING THERETO” on first reading
6. Presentation of Proposed Millage for 1998-99 Fiscal Year – Mr. Kenneth F. Williams, Auditor
7. Presentation of Recommended Changes to Ordinance 90-7, “OCONEE COUNTY BUILDING CODES ORDINANCE” – Mr. Tommy Abbott, Chairman, Planning Commission
8. Consideration of Approval of EMS Grant Request – Mr. Wayne Garland
9. Consideration of Approval of Change Order to Goldie & Associates for Installation of Methane Venting Wells for Landfill – Mr. Jack Hirst, Solid Waste Director & Ms. Marianne Dillard, Purchasing Agent
10. Old Business
11. New Business

A G E N D A

Tuesday, August 18, 1998

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12. Adjourn

Prior to the Council meeting at 3:00 pm, there will be an open meeting at 2:30 pm in Council Chambers, 415 S. Pine Street, Walhalla, SC for the public to express their concerns to Council. Anyone wishing to speak must sign in and give the subject on which they wish to speak.

The Oconee County Law Enforcement, Safety, Health, Welfare & Services Committee will meet Tuesday, September 1, 1998 at 2:00 pm in Council Chambers, 415 South Pine Street, Walhalla, SC for the purpose of discussing Ordinance 98-8 "OCONEE COUNTY ANIMAL CONTROL ADDING TO AND AMENDING CERTAIN SECTIONS OF ANIMAL CONTROL ORDINANCE 87-8 & 88-4".

MEMBERS, OCONEE COUNTY COUNCIL

Mr. Tim O. Hall, District I Mr. J. Harold Thomas, District II
Mr. Harry R. Hamilton, District III Mrs. Ann H. Hughes, District III
Mr. Charles R. "Chuck" Timms, District V

MINUTES, OCONEE COUNTY COUNCIL MEETING

The regular meeting of the Oconee County Council was held Tuesday, August 18, 1998 at 3:00 pm in Council Chambers with all Council Members and the County Attorney present.

Press:

Members of the press notified (by mail): Journal/Tribune, Keowee Courier, Westminster News, Anderson Independent, Greenville News, WGOG Radio, WSNW Radio, WCCP Radio, WPEK Radio, The Times Upstate, Northland Cablevision, WYFF TV, WSPA TV & WLOS TV.

Members of the press present: Brian Fulkerson – Journal/Tribune, Ashton Hester – Keowee Courier, Terry Cregar – Greenville News & Elissa Osebolz – Anderson Independent.

Call to Order:

The meeting was called to order by Supervisor-Chairman Orr who welcomed the guests and media.

Invocation:

The invocation was given by Mr. Thomas.

Minutes:

Mr. Hamilton made a motion, seconded by Mr. Thomas, approved 4 – 0 (Mrs. Hughes abstained by reason of being absent from the last meeting) that the minutes of the August 4, 1998 meeting be adopted as printed.

1998-99 Millage:

Upon recommendation of Mr. Kenneth F. Williams, County Auditor, Mr. Timms made a motion, seconded by Mr. Hamilton, approved 5 – 0 that the millage rate for the 1998-99 tax year be approved as follows:

County Operations:	61.3 Mills
School Operations:	111.1 Mills
Tri County Operations:	1.6 Mills

1998-99 Millage Continued:

Mr. Williams then informed Council the following millage would be necessary to meet bond payments:

1991 County Bond:	.4 Mills
1993 County Bond:	.7 Mills
Solid Waste Bond:	3.5 Mills
1991 School Bond:	6.6 Mills
1994 School Bond:	7.0 Mills
1995 School Bond:	4.5 Mills
1998 School Bond:	1.5 Mills
1996 Tri County Tec Bond:	.8 Mills

This is a total of 199.0 mills for fiscal year 1998-99. (See attached breakdown)

Executive Session:

Mr. Timms made a motion, seconded by Mr. Thomas, approved 5 – 0 that Council into executive session for the purpose of discussing a contractual matter.

Open Session:

Resolution 98-13:

Mr. Hamilton made a motion, seconded by Mr. Timms, approved 5 – 0 that Resolution 98-13, "A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN INDUCEMENT AND MILLAGE RATE AGREEMENT BY AND BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND MILLIKEN & COMPANY, WHEREBY UNDER CERTAIN CONDITIONS, OCONEE COUNTY WILL EXECUTE A LEASE AGREEMENT OR AGREEMENTS FOR ONE OR MORE PROJECTS INVOLVING NOT LESS THAN FIVE MILLION DOLLARS (\$5,000,000) INVESTMENT, WHEREBY THE PROJECT OR PROJECTS WOULD BE SUBJECT

TO CERTAIN FEES-IN-LIEU-OF-TAXES, AND PROVIDING FOR RELATED MATTERS” to include the changes requested by the county’s bond counsel be adopted on first and final reading. The approval of the resolution also included the INDUCEMENT AND MILLAGE RATE AGREEMENT including the changes recommended by the county’s bond counsel and Milliken & Company paying all fees and costs including attorneys’ fees.

Ordinance 98-9:

Mr. Hamilton made a motion, seconded by Mr. Thomas, approved 5 – 0 that Ordinance 98-9, “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A LEASE AGREEMENT BETWEEN OCONEE COUNTY AND MILLIKEN & COMPANY WHEREBY CERTAIN ASSETS USED IN THE MANUFACTURING PROCESS WILL BE LEASED TO MILLIKEN & COMPANY; AND OTHER MATTERS RELATING THEREOF” be adopted on first reading in title only.

Ordinance 98-10:

Mr. Tommy Abbott, Chairman, Planning Commission, presented Ordinance 98-10, “OCONEE COUNTY BUILDING CODE ORDINANCE” to Council. This Ordinance would repeal Ordinance 90-7, the existing BUILDING CODES ORDINANCE.

After a brief discussion, Mrs. Hughes made a motion, seconded by Mr. Hall, approved 5 – 0 that first reading of this ordinance be tabled until Council had time to review the ordinance.

EMS Grant:

Mr. Thomas made a motion, seconded by Mr. Hamilton, approved 5 – 0 that the attached EMS Grant application in the amount of \$19,348 state funds with a local match of \$2,604 for basic life support equipment, advanced life support equipment, computers and printers be adopted. (See attached application)

Solid Waste (Methane Remediation):

Upon recommendation of Mr. Jack Hirst, Solid Waste Director, & Ms. Marianne Dillard, Purchasing Agent, Mr. Timms made a motion, seconded by Mr. Hall, approved 4 – 1 (Mrs. Hughes voting against) that the attached change order in the amount of \$35,418.85 for the remediation of methane gas at the Five Forks Landfill be adopted. (See attached proposal)

Long Creek Site:

To Mr. Hall's inquiry regarding an alternative plan on a temporary basis for disposal of solid waste in the Long Creek area, Mr. Hirst, Solid Waste Director responded that he would be happy to discuss it with his supervisor. Mr. Orr, informed Council he was not in favor of any "band-aid" approach to this problem as anything done on a temporary basis would be taken away September 1, 1998 as that is when Pickens County has to close their landfill and we will no longer be able to dispose municipal waste there.

Mr. Cain, County Attorney, informed Council it would be wise to obtain title insurance on the 5.17 acre tract of land which we had obtained an option on as a site for a manned center in the Long Creek area.

Computers:

Mr. Hall asked that a representative of Smith Data address Council regarding the county computer system being ready for the year 2000.

Newry Committee:

To Mr. Hamilton's inquiry, Mr. Cain, Council Attorney, stated he would try to have Council a written opinion before the next Council Meeting.

Home Grant:

Mr. Thomas made a motion, seconded by Mrs. Hughes, approved 5 – 0 that the county continue with the Home Grant.

Meet With School District:

Mr. Timms made a motion, seconded by Mr. Hamilton, defeated 3 – 2 (Mr. Hall abstaining, Mr. Timms & Mr. Hamilton voting in the affirmative, Mrs. Hughes & Mr. Thomas voting against, Mr. Orr broke the tie by voting against) that meetings be scheduled with the school district to discuss technology for the schools.

Personnel:

Mr. Timms made a motion seconded by Mr. Thomas, approved 5 – 0 that the Personnel & Intergovernmental Committee meet to discuss a Planner and a Grants Coordinator for the county.

Rock Crusher Employee:

Mr. Thomas made a motion, seconded by Mr. Hamilton, approved 5 – 0 that approximately \$25,000 be taken from contingency for the purpose of hiring an equipment operator II for the Rock Crusher.

Solid Waste Appointment:

Mr. Hamilton made a motion, seconded by Mrs. Hughes, approved 5 – 0 that Mr. Mark Krabbe be appointed to represent the City of Seneca on the Solid Waste Commission.

Use of County Parks:

Mr. Hall made a motion, seconded by Mrs. Hughes that the county adopt a policy that would exclude any non profit organization from using the county parks free of charge.

Mr. Hall made a motion, seconded by Mrs. Hughes, approved 3 – 2 (Mr. Timms & Mr. Hamilton voting against) to amend the motion to include the previous motion to let the Boy Scouts use High Falls Park in October.

The motion, as amended was then adopted 3 – 2 (Mr. Timms & Mr. Hamilton voting against).

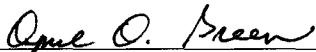
Worker's Compensation:

Mr. Cain, County Attorney, informed Council that the contract with the SC Association of Counties for worker's compensation was not negotiable and he would advise that Mr. Orr sign it as we have been paying them premiums for our coverage.

Adjourn:

Adjourn: 6:05 pm

Submitted By:


Opal O. Green
Council Clerk

Oconee County Auditor

KENNETH F. WILLIAMS
208 Booker Drive
County Court House
Walhalla, South Carolina 29691
Telephone (864) 638-4158
Fax (864) 638-4156

August 17, 1998

To: The Honorable Supervisor, Chairman and County Council
From: Kenneth F. Williams, Auditor of Oconee *K.F.W.*
Subject: 1998-1999 Tax Levy

Attached you will find a schedule of the Proposed Tax Levy for 1998-1999.

In compliance with Oconee County Ordinance 98-6 Sections 3 and 12, I am recommending that the following tax rate be approved by Council for the Fiscal Year 1998-1999.

County Operations	61.3 Mills	Decrease	(2.3) Mills
School Operations	111.1 Mills	Increase	5.9 Mills
Tri County Operations	1.6 Mills	Increase	.2 Mills
Total Operating Mills	174.0 Mills	Increase	3.8 Mills

In accordance with Section 4-15-150 and 59-71-150 of the Code of Laws of South Carolina 1976, I have set the Tax Levy for the various Bonds as follows:

1991 County Bond	.4 Mills	Decrease	(.2) Mills
1993 County Bond	.7 Mills	Increase	.1 Mills
Solid Waste Bond	3.5 Mills	Increase	.7 Mills
1991 School Bond	6.6 Mills	Decrease	(.1) Mills
1994 School Bond	7.0 Mills	Increase	.2 Mills
1995 School Bond	4.5 Mills	Decrease	(.1) Mills
1998 School Bond (New)	1.5 Mills	Increase	1.5 Mills
1996 Tri County Tec	.8 Mills	Increase	.1 Mills
Total Bond Mills	25.0 Mills	Increase	2.2 Mills

If so approved this will establish a total levy for the current year at 199.0 Mills.

COMPARISON OF 1998 TAXES VERSES 1997 TAXES USING A \$75,000 RESIDENCE

ACCOUNTS	YEAR	YEAR	DIFFERENCE OVER OR (UNDER)
	1997	1998	
COUNTY OPERATIOIS	\$190.80	\$183.90	(\$ 6.90)
SCHOOL OPERATIONS	\$315.60	\$333.30	\$17.70
LESS TAX RELIEF	\$280.50	280.50	-0-
TOTAL SCHOOL DUE	\$ 35.10	\$ 52.80	\$17.70
TRI COUNTY OPERATION	\$ 4.20	\$ 4.80	\$.60
TOTAL BONDS	\$ 68.40	\$ 75.00	\$ 6.60
TOTAL TAXES DUE	\$298.50	\$316.50	\$18.00

1998-1999 PROPOSED TAX LEVY

Est. Vehicle Assessment - County & School
 Est. County Assessment - All Other Property
 Est. School Assessment - All Other Property

(1st 6 Months 16,400,000

2nd 6 Months 16,400,000)

ACCOUNTS	VEHICLE MILLAGE	VILLAGE MILLAGE	VEHICLE TAX	REGULAR MILLAGE	REGULAR TAX	TOTAL TAX	BUDGET 98-99
<u>COUNTY PURPOSES</u>							
COUNTY OPERATIONS	63.6	61.3	2,048,360.00	61.3	14,977,883.00	17,026,243.00	17,025,9
BONDS:							
1991 County	.6	.4	16,400.00	.4	97,735.00	114,135.00	173,4
1993 County	.6	.7	21,320.00	.7	171,036.00	192,356.00	177,0
Solid Waste	2.8	3.5	103,320.00	3.5	855,181.00	958,501.00	885,8
Total Bonds:	<u>4.0</u>	<u>4.6</u>	<u>141,040.00</u>	<u>4.6</u>	<u>1,123,952.00</u>	<u>1,264,992.00</u>	<u>1,236,3</u>
Total County	67.6	65.9	2,189,400.00	65.9	16,101,835.00	18,291,235.00	18,262,2
<u>SCHOOL PURPOSES</u>							
SCHOOL OPERATIONS	105.2	111.1	3,547,320.00	111.1	30,465,679.00	34,012,999.00	33,937,9
BONDS:							
1991 School	6.7	6.6	218,120.00	6.6	1,809,842.00	2,027,962.00	2,164,5
1994 School	6.8	7.0	226,320.00	7.0	1,919,530.00	2,145,850.00	2,052,8
1995 School	4.6	4.5	149,240.00	4.5	1,233,983.00	1,383,223.00	1,563,4
1998 School(New)	-0-	1.5	24,600.00	1.5	411,328.00	435,928.00	265,4
Total Bonds	<u>18.1</u>	<u>19.6</u>	<u>618,280.00</u>	<u>19.6</u>	<u>5,374,683.00</u>	<u>5,992,963.00</u>	<u>6,046,3</u>
Total School	123.3	130.7	4,165,600.00	130.7	35,840,362.00	40,005,962.00	39,984,2
TRI COUNTY TEC OPER.	1.4	1.6	49,200.00	1.6	438,750.00	487,950.00	461,0
BONDS:							
Tri County Tec	.7	.8	24,600.00	.8	219,375.00	243,975.00	280,1
TOTAL TRI COUNTY TEC	<u>2.1</u>	<u>2.4</u>	<u>73,800.00</u>	<u>2.4</u>	<u>658,125.00</u>	<u>731,925.00</u>	<u>741,2</u>
TOTAL SCHOOL PURPOSES	125.4	133.1	4,239,400.00	133.1	36,498,487.00	40,737,887.00	40,725,5
1998 TAX LEVY	193.0	199.0	6,428,800.00	199.0	52,600,322.00	59,029,122.00	58,987,8

Respectfully Submitted,

Kenneth F. Will
 Kenneth F. Will

1998-99 Proposed Tax Levy

Est. Vehicle Assessment - County & School
 Est. County Assessment - All Other Property
 Est. School Assessment - All Other Property

(1st 6 Month 16,400,000

2nd 6 Month 16,400,000)

ACCOUNTS	VEHICLE MILLAGE	VEHICLE MILLAGE	VEHICLE TAX	REGULAR MILLAGE	REGULAR TAX	TOTAL TAX	BUDGET 98-99
<u>COUNTY PURPOSES</u>							
COUNTY OPERATIONS	63.6	61.3	2,048,360.00	61.3	14,977,883.00	17,026,243.00	17,025,000.00
BONDS:							
1991 Bond	.6	.4	16,400.00	.4	97,735.00	114,135.00	173,000.00
1993 Bond	.6	.7	21,320.00	.7	171,036.00	192,356.00	177,000.00
Solid Waste	2.8	3.5	103,320.00	3.5	855,181.00	958,501.00	885,000.00
Total Bonds	<u>4.0</u>	<u>4.6</u>	<u>141,040.00</u>	<u>4.6</u>	<u>1,123,952.00</u>	<u>1,264,992.00</u>	<u>1,236,000.00</u>
Total County	67.6	65.9	2,189,400.00	65.9	16,101,835.00	18,291,235.00	18,262,000.00
<u>SCHOOL PURPOSES</u>							
SCHOOL OPERATIONS	105.2	111.1	3,547,320.00	111.1	30,465,679.00	34,012,999.00	33,937,000.00
BONDS:							
1991 School	6.7	6.6	218,120.00	6.6	1,809,842.00	2,027,962.00	2,164,000.00
1994 School	6.8	7.0	226,320.00	7.0	1,919,530.00	2,145,850.00	2,052,000.00
1995 School	4.6	4.5	149,240.00	4.5	1,233,983.00	1,383,223.00	1,563,000.00
1998 School	-0-	1.5	24,600.00	1.5	411,328.00	435,928.00	265,000.00
Total Bonds	<u>18.1</u>	<u>19.6</u>	<u>618,280.00</u>	<u>19.6</u>	<u>5,374,683.00</u>	<u>5,992,963.00</u>	<u>6,046,000.00</u>
Total School	123.3	130.7	4,165,600.00	130.7	35,840,362.00	40,005,962.00	39,984,000.00
TRI COUNTY TEC OPER.	1.4	1.6	49,200.00	1.6	438,750.00	487,950.00	461,000.00
BONDS:							
Tri County Tec	.7	.8	24,600.00	.8	219,375.00	243,975.00	280,000.00
TOTAL TRI COUNTY TEC	2.1	2.4	73,800.00	2.4	658,125.00	731,925.00	741,000.00
TOTAL SCHOOL PURPOSES	125.4	133.1	4,239,400.00	133.1	36,498,487.00	40,737,887.00	40,725,000.00
1998 TAX LEVY	193.0	199.0	6,428,800.00	199.0	52,600,322.00	59,029,122.00	58,987,000.00

1998-99 Proposed Tax Levy

County & School
Other Property
Other Property

(1st 6 Month 16,400,000

2nd 6 Month 16,400,000)

32,800,000
244,337,410
274,218,530

VEHICLE MILLAGE	VEHICLE TAX	REGULAR MILLAGE	REGULAR TAX	TOTAL TAX	BUDGET 98-99	BOND SINKING FUND JULY 1, 1998
61.3	2,048,360.00	61.3	14,977,883.00	17,026,243.00	17,025,986.00	
.4	16,400.00	.4	97,735.00	114,135.00	173,411.00	91,145.00
.7	21,320.00	.7	171,036.00	192,356.00	177,085.00	134,289.00
3.5	103,320.00	3.5	855,181.00	958,501.00	885,808.00	788,734.00
<u>4.6</u>	<u>141,040.00</u>	<u>4.6</u>	<u>1,123,952.00</u>	<u>1,264,992.00</u>	<u>1,236,304.00</u>	
65.9	2,189,400.00	65.9	16,101,835.00	18,291,235.00	18,262,290.00	
111.1	3,547,320.00	111.1	30,465,679.00	34,012,999.00	33,937,936.00	
6.6	218,120.00	6.6	1,809,842.00	2,027,962.00	2,164,596.00	2,174,781.00
7.0	226,320.00	7.0	1,919,530.00	2,145,850.00	2,052,812.00	1,405,240.00
4.5	149,240.00	4.5	1,233,983.00	1,383,223.00	1,563,473.00	1,809,571.00
1.5	24,600.00	1.5	411,328.00	435,928.00	265,457.00	
<u>19.6</u>	<u>618,280.00</u>	<u>19.6</u>	<u>5,374,683.00</u>	<u>5,992,963.00</u>	<u>6,046,338.00</u>	
130.7	4,165,600.00	130.7	35,840,362.00	40,005,962.00	39,984,274.00	
1.6	49,200.00	1.6	438,750.00	487,950.00	461,064.00	
<u>.8</u>	<u>24,600.00</u>	<u>.8</u>	<u>219,375.00</u>	<u>243,975.00</u>	<u>280,189.00</u>	397,110.00
2.4	73,800.00	2.4	658,125.00	731,925.00	741,253.00	
133.1	4,239,400.00	133.1	36,498,487.00	40,737,887.00	40,725,527.00	
199.0	6,428,800.00	199.0	52,600,322.00	59,029,122.00	58,987,817.00	

1998-1999 PROPOSED TAX LEVY

County & School
Other Property
Other Property

(1st 6 Months 16,400,000

2nd 6 Months 16,400,000)

32,800,000
244,337,410
274,218,530

VILLAGE MILLAGE	VEHICLE TAX	REGULAR MILLAGE	REGULAR TAX	TOTAL TAX	BUDGET 98-99	BOND SINK FUND JULY 1, 1998
61.3	2,048,360.00	61.3	14,977,883.00	17,026,243.00	17,025,986.00	
.4	16,400.00	.4	97,735.00	114,135.00	173,411.00	91,145.00
.7	21,320.00	.7	171,036.00	192,356.00	177,085.00	134,289.00
3.5	103,320.00	3.5	855,181.00	958,501.00	885,808.00	788,734.00
<u>4.6</u>	<u>141,040.00</u>	<u>4.6</u>	<u>1,123,952.00</u>	<u>1,264,992.00</u>	<u>1,236,304.00</u>	
65.9	2,189,400.00	65.9	16,101,835.00	18,291,235.00	18,262,290.00	
111.1	3,547,320.00	111.1	30,465,679.00	34,012,999.00	33,937,936.00	
6.6	218,120.00	6.6	1,809,842.00	2,027,962.00	2,164,596.00	2,174,781.00
7.0	226,320.00	7.0	1,919,530.00	2,145,850.00	2,052,812.00	1,405,240.00
4.5	149,240.00	4.5	1,233,983.00	1,383,223.00	1,563,473.00	1,809,571.00
1.5	24,600.00	1.5	411,328.00	435,928.00	265,457.00	
<u>19.6</u>	<u>618,280.00</u>	<u>19.6</u>	<u>5,374,683.00</u>	<u>5,992,963.00</u>	<u>6,046,338.00</u>	
130.7	4,165,600.00	130.7	35,840,362.00	40,005,962.00	39,984,274.00	
1.6	49,200.00	1.6	438,750.00	487,950.00	461,064.00	
.8	24,600.00	.8	219,375.00	243,975.00	280,189.00	397,110.00
<u>2.4</u>	<u>73,800.00</u>	<u>2.4</u>	<u>658,125.00</u>	<u>731,925.00</u>	<u>741,253.00</u>	
133.1	4,239,400.00	133.1	36,498,487.00	40,737,887.00	40,725,527.00	
199.0	6,428,800.00	199.0	52,600,322.00	59,029,122.00	58,987,817.00	

Respectfully Submitted,

K. F. Williams
K. F. Williams, Oconee County Auditor

August 17, 1998

FEDDER, CAIN & NORTON, L.L.P.
ATTORNEYS AT LAW

339 ByPass 123, P.O. Box 698
Seneca, South Carolina 29679
(864) 882-6608
Facsimile (864) 882-7182

FACSIMILE TRANSMISSION SHEET

DATE: 8/17/98 PAGES: 5
(including this page)

IN RE: _____

TO: Opal

FIRM/COMPANY: _____

FAX NUMBER: 638-4241

FROM: _____

FIRM/COMPANY: **FEDDER, CAIN & NORTON, L.L.P.**

FAX NUMBER: (864) 882-7182

SPECIAL INSTRUCTIONS TO RECEIVING OPERATOR: Can you please
distribute the following to the County
Council members?
Thank you.

IF THERE IS ANY PROBLEM IN RECEIVING THIS TRANSMITTAL, CALL 864/882-6608.

Michelle
(PERSON TRANSMITTING)

CONFIDENTIALITY: This message is intended solely for the use of the addressee and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient or the person responsible for delivery to the recipient, you are put on notice that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone, and return the original message to us at the above address via the U.S. Postal Service. Thank you.

WYCH BURGESS, FREEMAN & PARHAM, P.A.

ATTORNEYS AT LAW

44 EAST CAMPERDOWN WAY (29601)

POST OFFICE BOX 728

GREENVILLE, SOUTH CAROLINA 29602-0728

G. THOMAS WYCHE
 DAVID L. FREEMAN
 JAMES C. PARHAM, JR.
 JAMES M. SHOEMAKER, JR.
 WILLIAM W. KEHL
 LARRY D. ESTRIDGE
 D. ALLEN GRUMBINE
 CARY H. HALL, JR.
 CARL F. MULLER
 HENRY L. PARR, JR.
 BRADFORD W. WYCHE
 ERIC B. AMSTUTZ
 FRANK S. HOLZMAN III

MARSHALL WINN
 WALLACE K. LIGHTSEY
 LESLEY R. MOORE
 WILLIAM D. KERLONG
 JO WATSON HACKL
 WILLIAM P. CRAWFORD, JR.
 J. THEODORE GENTRY
 GREGORY J. ENGLISH
 JOHN C. MOYLAN III
 JAMES I. WARREN III
 MARK W. BAKKER
 TROY A. TESSIER
 ERIC K. GRABEN
 ANDREW B. COBURN

TELEPHONE 864-242-8200

FAX 864-235-8900

WRITER'S DIRECT NUMBER

(864) 242-8320

C. GRANVILLE WYCHE
 1990-1988
 ALFRED F. BURGESS
 1906-1992

COLUMBIA OFFICE
 1201 MAIN STREET
 SUITE 1080
 COLUMBIA, S.C. 29201-3200
 TELEPHONE 803-748-1235
 FAX 803-748-1237

August 13, 1998

VIA FEDERAL EXPRESS

Timothy M. Cain, Esquire

BALLENGER, FEDDER, CAIN & NORTON, LLP

339 Bypass 123

Seneca, South Carolina 29678

Re: Milliken/Oconee County Fee-in-Lieu of Taxes Transaction

Dear Mr. Cain:

At the request of Charles Lankford with Milliken, enclosed please find for your review initial drafts of the following Fee in Lieu documents for the above-referenced matter:

1. Oconee County Resolution Authorizing the Inducement and Millage Rate Agreement;
2. Inducement and Millage Rate Agreement;
3. Notice re: Public Hearing for Lease Purchase Agreement;
4. Oconee County Ordinance Authorizing Lease Purchase Agreement;
5. Lease Purchase Agreement;
6. Escrow Agreement;
7. Blank Bill of Sale from County to Company; and
8. Form of Bill of Sale from Company to County.

Listed below are my responses to your voice-mail message to Larry Estridge with our firm earlier today:

1. Amount of Investment: If the fee in lieu transaction is approved by County Council, Milliken will commit to making an investment of at least \$5,000,000 over the next five years in its Defore Plant located in Oconee County.

2. Breakdown between Machinery and Equipment vs. Land and Buildings: All of the investment under this proposed fee-in-lieu transaction will be in the form of machinery and equipment.

WYCHE, BURGESS, FREEMAN & PARHAM, A.

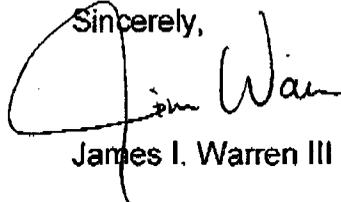
Timothy M. Cain, Esquire
August 13, 1998
Page 2

3. Employment: By investing in new machinery and equipment under this proposed fee in lieu transaction, Milliken hopes to be able to maintain the existing level of employment in the Defore Plant. Thus, Milliken cannot make a commitment that this investment will result in the creation of any new jobs at the Defore Plant.

I appreciate your efforts to put this matter before County Council for a vote on the Inducement Resolution as well as a 1st reading of the Ordinance authorizing the Lease Purchase Agreement at the County Council's next meeting on Tuesday, August 18, 1998.

Please call me if you have any questions regarding this matter.

Sincerely,



James I. Warren III

JIW:jcb

Enclosures

- c Charles Lankford (with enclosures; via Federal Express)
- Larry Estridge (without enclosures; via interoffice)
- Wesley Crum (with enclosures; via hand delivery)
- Opal Greene (with enclosures; via Federal Express)

FEDDER, CAIN & NORTON, L.L.P.
ATTORNEYS AT LAW
339 BYPASS 123 • POST OFFICE BOX 698
SENECA, SC 29679
TELEPHONE (864)882-6608
FACSIMILE (864)882-7182

Timothy M. Cain, P.A.
Bradley A. Norton

W.J. Fedder (Of Counsel)

MEMO

DATE: August 17, 1998

TO: Supervisor and County Council Members

FROM: Timothy M. Cain

RE: Milliken Fee-in-Lieu of Taxes Proposed Transaction

CONFIDENTIAL

We learned last week that Milliken and Company which operates a textile plant known as the DeFore Plant in Oconee County is requesting that the Oconee County Council approve a Fee-In-Lieu of Tax transaction in favor of the company. Upon learning of the request last week, I contacted Kathy McKinney and Wesley Crum of Haynesworth, Marion, McKay and Geurard to act as bond counsel on behalf of Oconee County in connection with this proposed transaction.

It is my understanding from Mr. Bob Galliard that the company desires that an inducement resolution and an inducement and millage rate agreement be approved by the August 18, 1998 Council Meeting and that an ordinance approving the transaction be passed on first reading.

We did not receive the proposed documents from the attorneys for Milliken until Friday afternoon (August 14, 1998). I spoke with Wesley Crum on Monday morning (August 17, 1998). Wesley indicated that he had an opportunity to briefly review the documents over the weekend and that he would be faxing proposed changes to the documents to counsel for Milliken.

In speaking with Wesley, it is my understanding that there are several policy questions which need to be decided by the County Council prior to entering into this transaction.

It is my understanding that, based on a letter from James L. Warren, III, counsel for Milliken, dated August 13, 1998, a copy of which is enclosed, if the transaction is approved by the County Council, Milliken will commit to making an investment of at least \$5,000,000.00 over the next five years at the DeFore Plant; that all of the investment contemplated by the proposed transaction will be in the form of machinery and equipment (therefore, no real estate is involved); and that Milliken hopes to be able to maintain the existing level of employment at this plant but will not make a commitment that the investment will result in the creation of any new jobs.

August 17, 1998

Page 2

In this regard, some of the issues which Wesley has indicated should be addressed by Council are as follows:

1. The documents forwarded by Council for Milliken indicates that the project will be a textile and chemical manufacturing facility. In this regard, it should be determined what portion of the transaction will be for sewer/wastewater treatment facilities. An inquiry should also be made of the company as to how the company is currently handling wastewater treatment and what future plans for wastewater treatment will involve. One reason that this is important is that the company is only making a commitment for a \$5,000,000.00 investment. We need to know what percentage of this investment could be in the form of pollution control equipment which would be exempt from taxes. For example, if \$2,000,000.00 of the equipment is for pollution control equipment which would be tax exempt, the investment generating revenue would only be \$3,000,000.00.

2. According to the documents, Milliken wants the assessment ratio/millage rate used to compute the fee payments that was in effect for June 1997 (six (6%) percent). This basically amounts to a one (1) year roll-back. It is up to County Council to decide whether or not to grant this request or to use the 1998 millage rate. According to Wesley, in order to get the six (6%) percent rate, Greenville County requires an investment of at least \$15,000,000.00. If the company currently has over \$10,000,000.00 in investments, the company is given credit for this and can qualify for the six (6%) percent rate in Greenville.

I do not know what type of time line the company is on and it may be that the reason for the "last minute" rush is that the company wants to apply the rate given in the transaction to investments made within the last sixty (60) days.

3. Inasmuch as the company is not making a commitment to employ any additional personnel as a result of the investment associated with the transaction, Council may want to make an inquiry as to the average wage structure in place at the DeFore Plant. For example, is the average wage at this plant \$7.00 per hour or \$12.00 per hour. This information may be relevant to the County Council in making its decision.

As previously indicated, these and other policy issues must be addressed by Council. I am advised that Wesley Crum or Kathy McKinney will be present for the meeting on Tuesday and will be available to answer any questions you may have concerning this transaction.

Thank you for your attention to these matters.

cc: Mr. Bob Galliard
Mr. Wesley Crum



Appalachian
COUNCIL OF GOVERNMENTS

50 Grand Avenue - P. O. Drawer 6668
Greenville, SC, 29606 (864) 242-9733
FAX - (864) 242-6957
E-mail - info@acog.greenville.sc.us

DATE: 8/17/98 TIME: 3:05

TO: Opal Green, Oconee County

FAX NUMBER: (864) 638-4241

FROM: Steve Pelisser

TOTAL NUMBER OF PAGES: ~~12~~ 11
(INCLUDES COVER SHEET)

SUBJECT: Building Code Ordinance

MESSAGE: I believe that Council
wants to discuss this
tomorrow.

Draft 8/17/98

STATE OF SOUTH CAROLINA)
COUNTY OF OCONEE)

OCONEE COUNTY
BUILDING CODE ORDINANCE
ORDINANCE NO. _____

CONTENTS

ARTICLE I. GENERAL

Section 1.01 Title
Section 1.02 Authority
Section 1.03 Purpose

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Section 2.03 National Electrical Code
Section 2.04 Standard Plumbing Code
Section 2.05 Standard Gas Code
Section 2.06 Standard Mechanical Code
Section 2.07 CABO One And Two Family Dwelling Code
Section 2.08 Standard Fire Prevention Code
Section 2.09 Model Energy Code
Section 2.10 Exception to Standard Regulatory Codes

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Section 3.02 Permits Required
Section 3.03 Fee Schedule
Section 3.04 Violation And Penalties
Section 3.05 Appeals

ARTICLE IV: AMENDMENTS, CONFLICT, VALIDITY,
ENACTMENT, AND JURISDICTION

Section 4.01 Conflict
Section 4.02 Separability And Validity
Section 4.03 Repeal Of Conflicting Ordinances
Section 4.04 Effective Date
Section 4.05 Area Of Jurisdiction

AN ORDINANCE

To adopt Building, Housing, Electrical, Plumbing and Gas Codes relating to the construction, livability, sanitation, erection, equipment, alteration, repair, and occupancy of buildings and structures located within Oconee County, South Carolina.

ARTICLE I: GENERAL

Section 1.01 Title

This ordinance shall be known as the "Building Code Ordinance of Oconee County, South Carolina."

Section 1.02 Authority

This ordinance is adopted pursuant to the authority conferred by Title VI, Chapter 9, Section 50 of the 1976 South Carolina Code of Laws, Cumulative Supplement.

Section 1.03 Purpose

The purpose of this ordinance shall be to establish rules and regulations for the construction and alteration of buildings in the unincorporated portions of Oconee County, the issuance of permits pertaining thereto, and the duties of the Oconee County Building Official.

ARTICLE II: REGULATORY CODES

Section 2.01 Standard Building Code Adopted

The most recent edition of the Standard Building Code, including Appendices A, C, D, and H, as published by the Southern Building Code Congress, International, are hereby adopted and incorporated into this ordinance by reference.

Section 2.02 Standard Housing Code Adopted

The most recent edition of the Standard Housing Code, as published by the Southern Building Code Congress, International, is hereby adopted and incorporated into this ordinance by reference.

Section 2.03 National Electrical Code Adopted

The most recent edition of the National Electrical Code, including Appendices A and C, as published by the National Fire Council of American Building Officials, are hereby adopted and incorporated into this ordinance by reference.

Section 2.04 Standard Plumbing Code Adopted

The most recent edition of the Standard Plumbing Code, including Appendices A, B, C, D, E, F, G, I and J, as published by the Southern Building Code Congress, International, are hereby adopted and incorporated into this ordinance by reference.

Section 2.05 Standard Gas Code Adopted

The most recent edition of the Standard Gas Code, including Appendices A, C, and E, as published by the Southern Building Code Congress, International, are hereby adopted and incorporated into this ordinance by reference.

Section 2.06 Standard Mechanical Code Adopted

The most recent edition of the Standard Mechanical Code, including Appendices A and C, as published by the Southern Building Code Congress, International, are hereby adopted and incorporated into this ordinance by reference.

Section 2.07 The CABO One and Two Family Dwelling Code Adopted

The most recent edition of the Standard One and Two Family Dwelling Code, as published by the Council of American Building Officials, are hereby adopted and incorporated into this ordinance by reference.

Section 2.08 Standard Fire Prevention Code Adopted

The most recent edition of the Standard Fire Prevention Code, as published by the Southern Building Code Congress, International, is adopted and incorporated into this ordinance by reference.

Section 2.09 Model Energy Code

The most recent edition of the Model Energy Code, as published by the Council of American Building Officials, is adopted and incorporated into this ordinance by reference.

Section 2.10 Exception to Standard Regulatory Codes

An exception to the standard regulatory codes shall be permitted as described herein. For single family residential dwellings and storage facilities, lumber harvested from and cut on the parcel on which the structure is to be located, or lumber which is harvested on a parcel owned by the same person or entity as the owner of the parcel on which the structure is to be located, may be utilized so long as such lumber is of a structural standard to comply with applicable requirements of the standard code.

ARTICLE III: ADMINISTRATION

Section 3.01 Oconee County Codes Department

There is hereby established an Oconee County Codes Department for the purpose of administering the above referenced codes, which shall be referred to collectively as the *Oconee County Building Codes* or the *Building codes*.

The Codes Department shall be headed by a building official who shall be appointed by and serve at the pleasure of the Oconee County Supervisor. Additional personnel may be hired for the proper performance of the office, as approved by Oconee County Council. Salaries ranges and other benefits shall be established by County Council. The Codes Department shall accept applications for required permits, review plans and specifications, make required inspections, and issue required certificates and permits. Further, the Codes Department shall be responsible for all administrative functions required by the above referenced codes. The enforcement of codes will commence on January 1, 1999.

Section 3.02 Permits Required

Any owner, authorized agent, contractor, or any other party who desires to construct, enlarge, alter, repair, improve, or otherwise change a building or structure (as defined by the codes referenced herein), or to erect, install, enlarge, alter, repair, remove, convert, or repair any electrical, gas, mechanical or plumbing system, the installation of which is regulated by the codes referenced in this ordinance, or to cause any work to be done, shall first make application to the building official and obtain an appropriate permit, except that in the case of emergency repairs (as defined by the referenced codes), repairs may commence immediately and a permit may be subsequently obtained.

The permit, when issued, shall be kept at the building or the location where the construction, alteration, or repair is being done and shall be available for inspection by the building official or any other authorized employee of the building codes department, upon demand.

Section 3.03 Fee Schedule

Oconee County Council shall have the right and authority to charge a fee for permits, inspections, appeals, and any other activities related to the administration of this ordinance. A permit and fee schedule shall be adopted by resolution of the Oconee County Council and may be amended from time to time by resolution of County Council.

At any time any of the codes herein adopted are revised or changed and when any of the published fees and procedures are revised or changed, the County shall publish notice of such change in one or more newspapers having general circulation in Oconee County, South Carolina. The notice shall be published for two (2) consecutive weeks and revisions shall become effective ten (10) days following the last publication, unless otherwise specified by County Council.

Section 3.04 Violation And Penalties

The violation of any of the codes or regulations adopted pursuant to the provisions of this ordinance is hereby declared to be a misdemeanor, and any person violating such regulations shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished by a fine not to exceed two hundred dollars (\$ 200.00), or imprisonment of not more than thirty (30) days, or both. Each day such violation shall continue shall be deemed a separate offense. In case of any alleged violation of this ordinance, the Building Official, any other appropriate authority of Oconee County, or any other person or entity who would be damaged by such violation may, in addition to other remedies, apply for injunctive relief, mandamus or other appropriate proceeding to prevent, correct, or abate such violation.

Nothing in this article shall be construed to affect any suit or proceeding now pending in any court, or any rights acquired or liabilities incurred, or any cause of action accrued or existing under any act or ordinance repealed hereby, not shall any right or remedy of any character be lost, impaired or affected by this article.

Section 3.05 Appeals

Any person who is aggrieved by any determinations or actions made or taken by the building official or his designated representative may appeal the determination or action to the Oconee County Board of Appeals. The appeal shall be in writing and shall clearly set forth the reasons for appeal. Procedures for filing appeals, administering appeals, establishing the Board of Appeals, and conducting hearings will be in full compliance with the appeals process as established in the Standard Building Code, referenced in Section 2.1.

ARTICLE IV: PENALTIES AND VIOLATIONS, AMENDMENTS, CONFLICT, VALIDITY AND ENACTMENT

Section 4.01 Conflict

Whenever this ordinance imposes a higher standard than required by other ordinances, rules, or regulations, the provisions of this ordinance shall govern. When the provisions of any other ordinance, rules, or regulations impose higher standards, unless specified herein, the provisions of such statute shall govern.

Section 4.02 Separability And Validity

Should any section, paragraph, clause, phrase, or provision of this ordinance be adjudged invalid or held unconstitutional by a court of competent jurisdiction, such declaration shall not effect the validity of this ordinance as a whole or any part or provision thereof, other than the part so decided to be invalid or unconstitutional.

Section 4.03 Repeal Of Conflicting Ordinances

Upon the adoption of this ordinance by Oconee County Council, all ordinances, or parts of ordinances, in conflict herewith are repealed to the extent necessary to give this ordinance full force and effect. Ordinance No. 90 - 7 is specifically repealed.

Nothing in this ordinance shall be interpreted or construed to conflict with, subjugate, or replace Ordinance No. _____, as amended, in order to locate and place on books property for tax purposes.

Section 4.04 Effective Date

Upon the adoption of this ordinance, County Council shall have full authority to establish a Codes Department and create administrative positions, as specified in Section 2.10 of this ordinance. Also, the County Supervisor shall have authority to hire personnel for the specified positions. In addition, Oconee County Council shall have full authority to establish a fee schedule, as specified in Section 2.11 of this ordinance.

The regulations and requirements, as specified in Section 2.1 through Section 2.9 of this ordinance shall be in full force and affect on January 1, 1999.

Section 4.05 Area Of Jurisdiction

This ordinance shall have jurisdiction throughout the entire unincorporated area of Oconee County.

APPROVED on FIRST READING this _____ day of _____, 1998, by a vote of:

_____ Yes

_____ No

Opal O. Green, Clerk

APPROVED on SECOND READING this _____ day of _____, 1998, by a vote of:

_____ Yes

_____ No

Opal O. Green, Clerk

APPROVED on THIRD READING this _____ day of _____, 1998, by a vote of:

_____ Yes

_____ No

Opal O. Green, Clerk

Harrison Orr, Supervisor -
Chairman, Oconee County Council

Attest:

Opal O. Green, Clerk

Appendices to the Standard Codes

Southern Standard Building Code

- A. Weights of Building Materials
- B. Recommended Schedule of Permit Fees
- C. One and Two Family Dwellings
- D. Standards for Demolition
- E. Energy Conservation
- F. Fire District
- G. Adobe Construction
- H. Manufactured Homes Tie Down Standards

Southern Standard Gas Code

- A. Flow of Gas Through Fixed Orifices
- B. Recommended Permit Fee Schedule
- C. Suggested Adopting Ordinances For Installation of Consumers Gas Piping and Gas Appliances
- D. Example Problems
- E. 5 - PSI Gas Sizing

Southern Standard Mechanical Code

- A. Guidelines for Estimating Heat Loss and Gain
- B. Schedule of Permit Fees
- C. Procedures for Determining Thermal Resistance (R) Values for Air Distribution Ducts and Plenums

Southern Standard Plumbing Code

- A. Roof Drain Sizing Method
- B. Travel Trailers and Travel Trailer Parks
- C. Manufactured Homes and Manufactured Home Parks
- D. Cross Connection, Backflow, and Back-Siphonage
- E. Private Sewage Disposal
- F. Sizing of Water Piping System
- G. Hospital Plumbing Systems
- H. Permit Fees
- I. Installation of Building Sewers
- J. Illustrations

Southern Standard Fire Prevention Code

- A. Recommended Supplemental Administrative Provisions
- B. Upholstered Furniture
- C. Hazardous Materials Plan and Hazardous Materials Inventory Statement
- D. Hazardous Materials Classifications

**Differences Between the Draft Building Code Ordinance
and the Building Code Ordinance Adopted by
Oconee County Council in 1990**

- Sec. 1.2 Changed the enabling citation to Title VI, Chapter 9, Section 50 of the 1976 South Carolina Code of Laws, Cumulative Supplement. This is the most current state citation.
- Sec. 2.1 Changed wording to cite the most recent edition of the Standard Building Code. Added citations for appendices A, C, D, and H. For appendix titles, please see my memorandum dated March 6, 1998.
- Sec. 2.2 Changed wording to cite the most recent edition of the Standard Housing Code.
- Sec. 2.3 Changed wording to cite the most recent edition of the National Electrical Code. Added citations for appendices A, and C. For appendix titles, please see my memorandum dated March 6, 1998.
- Sec. 2.4 Changed wording to cite the most recent edition of the Standard Plumbing Code. Added citations for appendices A, B, C, D, E, F, G, I, and J. For appendix titles, please see my memorandum dated March 6, 1998.
- Sec. 2.5 Changed wording to cite the most recent edition of the Standard Gas Code. Added citations for appendices A, C, and E. For appendix titles, please see my memorandum dated March 6, 1998.
- Sec. 2.6 Changed wording to cite the most recent edition of the Standard Mechanical Code. Added citations for appendices A, and C. For appendix titles, please see my memorandum dated March 6, 1998.
- Sec. 2.7 Changed wording to cite the most recent edition of the CABO One and Two Family Dwelling Code.
- Sec. 2.8 Added this provision to adopt the Standard Fire Prevention Code by reference. To comply with state requirements, this code must be cited.
- Sec. 2.9 Added this provision to adopt the Model Energy Code. To comply with state requirements, this code must be cited.
- Article III Deleted the existing Article III, which addressed unfit buildings. The planning commission determined that these requirements are inappropriate for Oconee County.
- In the county's existing ordinance, Article II is divided into two divisions; General Provisions and Administration. In the draft ordinance, the Administration Division is moved to Article III.
- Sec. 3.2 This provision from state law is added to specify under which circumstances permits are required and to note that permits must be made available for inspection at a work site.

Sec. 3.3 The provision is changed to note that a fee schedule may be established by county council resolution. The existing ordinance includes a specific fee schedule. The advantage is that a resolution may be amended by one reading; whereas, if the schedule is included in the code, three readings would be required for amendment.

Also, an advertising requirement is added if any provision of the code or fee schedule is to be amended. This is required by state statute.

Sec. 3.5 An appeals process is added, as is required by state law.

Sec. 3.6 Exemptions for farm structures, government building, and public school facilities are added, as is required by state law.

Sec. 4.3 Ordinance 90-7, the existing Building Codes Ordinance, is repealed.

4. Communications Equipment

Quantity	Item	Total

Communications Equipment Total \$ _____

5. Training

Quantity	Item	Total

Training Total \$ _____

6. Other/Describe (Ambulance)

Quantity	Item	Total
2	Computer/Monitors	3,600
2	Printers	1,600

Other Totals \$ 5,400

BUDGET JUSTIFICATION

Oconee Memorial Hospital Emergency Medical Service is in the process of establishing a satellite stations in the City of Walhalla. An additional ambulance is being purchased in order to man that station. The following equipment is being requested through the grant to equip that truck.

1. Stryker stretcher
2. Scott II Suction Unit
3. LP 270 oxygen regulators
4. Physio Control Lifepack 10
5. Keller Combination SO2/Blood Pressure Monitor

Oconee Memorial Hospital Emergency Medical Service has upgraded our DHEC Reports to an in-house computer generated report. This has been designed by the hospital's Information Service Department and provides all of the information required by DHEC. It allows us to channel all of our patient care input directly to the Medical Records Department within the hospital. It will also allow us to forward monthly reports to the State via disc. We presently have one system online to perform that function. With 29 active medics creating reports it is necessary to increase our access to the system.

1. Central Processing Units (Computers)
2. Printers

Oconee Memorial Hospital created a Cardiac Catheter Lab in March of 1998. That department has requested that we upgrade all of our monitor/defibrillators to include hands off defibrillation.

1. Hands-Free Defibrillators



2600 Bull Street
Columbia, SC 29201-1708

June 30, 1998

Mr. Harrison Orr
County Administrator
County Mailroom
Walhalla, SC 29691

RE: Methane Remediation Plan (June 3, 1998)
Five Forks Landfill
#371001-1102
Oconee County

Dear Mr. Orr:

The Department has reviewed the above referenced plan, which was submitted by Goldie & Associates, Inc., on behalf of the County.

The Plan does not recommend any remediation efforts other than routine quarterly monitoring. However, methane monitoring results indicate that 100% of the lower explosive limit (LEL) has been exceeded at the property boundaries, and subsequent bar hole probe investigations have revealed that the methane has migrated onto adjacent property south of the landfill (although the levels drop below 100% of the LEL within 100 feet). Therefore, according to the South Carolina Municipal Solid Waste Landfill Regulations (R.61-107.258), remediation is necessary.

The Plan should be revised and resubmitted to the Department within thirty (30) days, taking the above comment into consideration.

If you have any questions or require further information, I may be reached at (803)896-4043.

Sincerely,

Kim D. Tappa, P.G., Hydrogeologist
Solid Waste Section
Division of Hydrogeology
Bureau of Land and Waste Management

cc: Jack Hirst, Oconee County Solid Waste
David Devoe, P.G., Goldie & Associates
Juli Blalock, Facility Engineering
Mark Harvley/Mike Simpson, Appalachia I EQC

sv900476.txt

GOLDIE & ASSOCIATES

*engineering, environmental
and laboratory services*

August 18, 1998

Mr. Jon Caine
Oconee County Engineer
208 Booker Drive
Walhalla, SC 29691

Re: Methane Remediation
Five Forks Landfill
Project 22.19.6

Dear Jon:

Enclosed is DHEC's recent letter regarding methane at the Five Forks Landfill. Based on this letter, DHEC is requiring that methane remediation begin at the Five Forks Landfill.

Attached is a quote for Goldie & Associates to provide service necessary to meet DHEC's condition. Included with our quote is the drilling subcontractor's fees. To obtain subcontracting fees we submitted requests to three drilling companys. Included are two of the responses (the third company did not respond). Our quote takes into account the lower cost drilling fee.

If you have any futher questions, please call.

Sincerely,

Goldie & Associates, Inc.



David R. Devoe, P.G.
Project Manager

cc: Mr. Jack Hirst, Oconee County Solid Waste
Ms. Marianne Dillard, Oconee County Purchasing

encl: June 30, 1998 letter from DHEC
Goldie & Associates Quote for Services
Drillers Quotes

Post-It™ Fax Note	7671	Date	8/18/98	# of pages	7
To	Marianne Dillard	From	David Devoe		
Co./Dept	Purchasing	Co.	GRA		
Phone #	638-4191	Phone #	882-8194		
Fax #	638-4142	Fax #			

Sheet1

Goldie & Associates, Inc.

210-W North Second Street
Seneca, SC 29678

(864) 882-8184 — (864) 882-0851

7/20/98

To:

• Jon Calme
Oconee County Engineer
FAX 888-1444

Re:

• Five Forks Landfill - Methane Venting Well Installation

Site Info

• DHEC requires methane remediation at the Five Forks LF

Scope

1. Submit Report and Details to DHEC on Methane Remediation as required

Drawing	5 hrs	x	\$	35.00	=	\$	175.00
Project Setup & Report	6 hrs	x	\$	60.00	=	\$	360.00
						\$	535.00

2. Survey Well Locations

Office Prep	4 hrs	x	\$	35.00	=	\$	140.00
Surveying / Staking (2 men crew)	6 hrs	x	\$	75.00	=	\$	450.00
						\$	590.00

3. Well Installation

Field Oversight - Technician	20 hrs	x	\$	40.00	=	\$	800.00
Drillers Fees (see attached for breakdown in costs)	1 ea	x	\$	24,360.00	=	\$	24,360.00
Multiplier on drilling	0.15 per	x	\$	24,360.00	=	\$	3,654.00
Letter Report to DHEC summarizing Well Installation	4 hrs	x	\$	60.00	=	\$	240.00
Revise Drawing	4 hrs	x	\$	35.00	=	\$	140.00
Project Management	8 hrs	x	\$	60.00	=	\$	480.00
						\$	29,674.00

SubTotal	\$30,799.00
15% Contingency	\$ 4,819.85
TOTAL	\$35,618.85

Additional Notes:

Cost is Assuming that Rock will be provided at no cost from the County Quarry
(County does not haul rock).

Cost does not include waste disposal - Cuttings from boreholes will be unearth and piled next to borehole
We assume that the County will collect the unearthed garbage and dispose of it.

We Appreciate Your Consideration of Goldie & Associates, Inc.

Prepared by: David R. Devos, P.G.

Accepted by: _____

Sheet 1

RECEIVED

Page 2 of Methane Venting Bid - Five Forks Landfill

OCONEE COUNTY PURCHASING DEPT.

Item	Quantity	Unit Price	Total
Mobilization	1	00 x \$ 1,000.00	= \$ 1,000
Well Installation	820	R x \$ 45 R	= \$ 25,400
Drilling (with no well installation - includes refilling abandoned boreholes with cuttings)	0	R x \$ 25 R	= \$
TOTAL ESTIMATE			\$ 26,400

Allowance will be made for only 1 mobilization.

Zero quantity items can only be billed upon concurrence of Goldie & Associates field representative.

Submitted by: Donald B. Sims 7/14/98
(signature & date)

DONALD B. SIMS, VP, LEE & SIMS DRILLING SERVICES INC.
(print name)

file 22196

Fax



To: David Deroe From: Roger Siler
 Fax: (864) 882-0851 Pages: 2
 Phone: (864) 882-8194 Date: 7-17-98
 Re: Five Forks Landfill GC:

Comments: Please find attached our revised bid
for installing 13 medium venting wells at the
Five Forks Landfill in Bruner County, South Carolina
per your specifications and drawing faxed to me
on July 14, 1998. Please incorporate the attached
drawing into the P.O. or subcontract agreement
you will be sending me

Thanks,
Roger

The documents accompanying this facsimile contains information from Griffin Dewatering Corporation & Affiliated Companies, which is proprietary to them and privileged and confidential. The information provided is intended to be for the use of the individual or entity that it is addressed. If you are not the intended recipient, be aware that the review, disclosure, copying or use of the contents of this information is prohibited. If you have received this information in error, please notify GDC immediately so we may arrange its return or destruction.

CORPORATE OFFICE:

GRIFFIN DEWATERING CORPORATION, PO BOX 15310, HOUSTON, TX 77220
PHONE #713-675-6441 FAX #713-675-4820

Griffin Branches:

Boston, CT - 603-643-9885, Fax 603-643-0192
 West Caldwell, NJ - 973-276-1510, Fax 973-276-1513
 Chesapeake, VA - 757-543-6009, Fax 757-543-6098
 Tampa, FL - 813-885-8899, Fax 813-885-8899
 Pompano, FL - 954-969-8824, Fax 954-969-9173

Hammond, IN - 316-934-4863, Fax 316-931-7877
 Houston, MN - 807-454-7000, Fax 807-443-3757
 Omaha, NE - 402-331-5000, Fax 402-331-3038
 Houston, TX - 713-675-6441, Fax 713-675-4820
 Ontario, CA - 909-886-4486, Fax 909-886-3457

AFFILIATED COMPANIES: GRIFFIN PUMP & EQUIPMENT, INC. - 713-675-8877, FAX 713-675-130
GRIFFIN REMEDIATION SERVICES, INC. - 713-675-6464

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Sheet

Page 2 of Methane Venting Bid - Five Forks Landfill

Item	Quantity	Unit Price	Total
Mobilization	1	\$2,000.00/ea	= \$2,000.00
Well Installation	529	\$43.00/m	= \$22,760.00
Drilling (with no well installation - includes refilling abandoned boreholes with cuttings)	0	\$26.00/m	= \$0.00
TOTAL ESTIMATE			\$24,760.00

Allowance will be made for only 1 mobilization.

Zero quantity items can only be billed upon concurrence of Goldie & Associates field representative.

Submitted by:

Roger Sigler 7.17.98

(signature & date)

Roger Sigler

(print name)



CITY OF SENECA

P.O. Box 4773
221 East North First Street
Seneca, South Carolina 29679
(864) 885-2700

Council Members:

Vikki Allen
Warren Bright
Andy Inabinet
Carlton King
Bobby Laye
Charles Reid
Ernest Riley

Mayor Daniel W. Alexander
Mayor Pro Tem Ronnie O'Kelley

August 12, 1998

Mr. Harrison Orr
Oconee County Supervisor
415 South Pine Street
Walhalla, SC 29691

Dear Mr. Orr:

Please consider the appointment of Mr. Mark Krabbe, Director of Sanitation, Recycling, and Vehicle Maintenance for the City of Seneca, as our representative on the Solid Waste Commission effective immediately.

Should you have any questions or need additional information, please do not hesitate to call.

Cordially yours,

Daniel W. Alexander

DWA/ldl