

**A G E N D A**  
**OCONEE COUNTY COUNCIL MEETING**  
**TUESDAY, March 7, 2000**  
**7:00 PM**  
**OCONEE COUNTY ADMINISTRATIVE OFFICES**  
**415 SOUTH PINE STREET**  
**WALHALLA, SC**

1. Call to Order
2. Invocation (Moment of Silence in Memory of Herb Hosea)
3. Public Hearing of County Council and the South Carolina Jobs-Economic Development to Receive Written and/or Oral Comments with Respect to a Proposed Issuance by JEDA of not Exceeding \$6,000,000 Aggregate Principal Amount Economic Development Revenue Bonds
4. Approval of Resolution 2000-04, "A RESOLUTION IN SUPPORT OF THE ISSUANCE BY THE SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY OF ITS ECONOMIC DEVELOPMENT REVENUE BONDS (PINE RIVER PLASTICS, INC. PROJECT) SERIES 2000, PURSUANT TO THE PROVISIONS OF TITLE 41, CHAPTER 43 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED, IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING \$6,000,000"
5. First Reading of Ordinance 2000-03, "AN AMENDED ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A LEASE AGREEMENT BY AND AMONG OCONEE COUNTY, SOUTH CAROLINA, AS LESSOR, PINE RIVER PLASTICS, INC. AND CAROLINA FOOTHILLS, LLC JOINTLY AS LESSEE; AND OTHER MATTERS RELATING THERETO INCLUDING, WITHOUT LIMITATION, PAYMENT OF A FEE IN LIEU OF TAXES"
6. First Reading of Ordinance 2000-04, "AN ORDINANCE TO AMEND THE JOINTLY OWNED AND OPERATED INDUSTRIAL/BUSINESS PARK IN CONJUNCTION WITH PICKENS COUNTY, DATED MAY 4, 1998 AND AMENDED ON DECEMBER 7, 1998 AND ON DECEMBER 21, 1999; SUCH INDUSTRIAL/BUSINESS PARK BEING GEOGRAPHICALLY LOCATED IN PICKENS COUNTY AND OCONEE COUNTY AND ESTABLISHED PURSUANT TO SOUTH CAROLINA CODE OF LAWS OF 1976 §4-1-170, ET SEQUITUR, AS AMENDED; TO PROVIDE FOR A WRITTEN AGREEMENT WITH PICKENS COUNTY PROVIDING FOR THE EXPENSES OF THE PARK, THE PERCENTAGE OF REVENUE APPLICATION, AND THE DISTRIBUTION OF FEES IN LIEU OF AD VALOREM TAX TO THE COUNTIES AND RELEVANT TAXING ENTITIES; AND, TO PROVIDE THAT JOBS TAX CREDITS ALLOWED BY LAW BE PROVIDED FOR INDUSTRIES LOCATING IN SAID PARK, AND TO PERMIT A USER FEE IN LIEU OF AD VALOREM TAXATION"

7. Public Hearing to Receive Written and/or Oral Comments Regarding Ordinance 2000-02, "THE 1999-2000 OCONEE COUNTY SUPPLEMENTAL APPROPRIATIONS ORDINANCE"
8. Public Comment Session not to Exceed Thirty Minutes
9. Approval of Minutes (2/15/00 & 2/22/00)
10. Consideration of Request for Contingency Funds in the Amount of \$23,000 for the Computer Programs, Refunds and Correction of Vehicle Notices – Mr. Kenneth F. Williams, County Auditor
11. Approval of Letter to Delegation Requesting Reimbursement for Funds Expended in the Above Mentioned Matter
12. Consideration of Approval of Emergency Management Performance Grant
13. Second Reading of Ordinance 99-14, "OCONEE COUNTY UNIFIED PERFORMANCE STANDARDS AND LAND DEVELOPMENT REGULATIONS"
14. Second Reading of Ordinance 2000-03, "ANIMAL CONTROL ORDINANCE"
15. Consideration of Approval of Proclamation Declaring April 7, 2000 at "Young Author's Day"
16. Consideration of Bids for Engineering Services for Utility Upgrade for Newry – Ms. Marianne Dillard, Purchasing Agent
17. Consideration of Approval of Payment to County Employee for Tools Stolen from Rock Crusher
18. Discussion Regarding the Need for Register of Deeds Office with Appointed Department Head When Records Move to Pine Street Administrative Offices – Ms. Sallie Smith, Clerk of Court
19. Old Business
20. New Business
21. Adjourn

The Oconee County Council will have an administrative briefing thirty minutes prior to each Council Meeting in the Office of the Council Clerk

The Oconee County Purchasing, Contracting, Real Estate, Building & Grounds Committee will meet Monday, march 6, 2000 at 9:00 AM in Council Chambers for the purpose of discussing the proposed hangars at the Oconee County Regional Airport.

The Oconee County Roads & Transportation Committee will meet Monday, March 6, 2000 at 6:00 PM in Council Chambers, 415 South Pine Street for the purpose of discussing several roadway problems.

The Oconee County Personnel & Intergovernmental Committee will meet Tuesday, March 7, 2000 at 5:00 PM for the purpose of discussing updating the Oconee County Organizational Ordinance and a personnel matter.

**MEMBERS, OCONEE COUNTY COUNCIL**

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

**MINUTES, OCONEE COUNTY COUNCIL MEETING**

The Oconee County Council met Tuesday, February 7, 2000 at 7:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC 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, WYFF TV, WLOS TV & WSPA TV.

Members of the press present: Dick Mangrum – WGOG Radio & Katherine Wise – Journal/Tribune

**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. Timms who called for a moment of silence in memory of Mr. Herb Hosea.

**Plaque:**

Mr. Timms made a motion, seconded by Mr. Hamilton, approved 5 – 0 that a plaque in memory of Mr. Hosea be presented to his family.

**OSHA Attendees:**

Mr. Orr presented the following employees with certificates for attending an OSHA Class: Terry Wilson, LEC Director; Jack Hirst, Solid Waste Director; Lee Davis, Vehicle Maintenance Foreman; Henry Gordon, Emergency Preparedness Director; Ronnie Smith, Assistant Vehicle Maintenance Foreman; Tim White, Solid Waste Department and William Bolt, Solid Waste Department. Brett Caulder, Building Codes Director also attended the class.

**JEDA Public Hearing:**

The first item on the agenda was a public hearing to receive written and/or oral comments with respect to a proposed issuance by JEDA of not exceeding \$6,000,000 Aggregate Principal Amount Economic Development Revenue Bonds.

Mr. Floyd Mills of JEDA informed those present that the bonds will not constitute an indebtedness of JEDA, the State of South Carolina or Oconee County within the meaning of any South Carolina constitutional provision or statutory limitation nor give rise to a pecuniary liability of JEDA, the State of South Carolina or Oconee County. The Bonds will not constitute a charge against the general credit or taxing powers of JEDA, the State of South Carolina or Oconee County.

**Resolution 2000-04:**

Mr. Hall made a motion, seconded by Mrs. Hughes, approved 5 – 0 that Resolution 2000-04, “A RESOLUTION IN SUPPORT OF THE ISSUANCE BY THE SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY OF ITS ECONOMIC DEVELOPMENT REVENUE BONDS (PINE RIVE PLASTICS, INC. PROJECT) SERIES 2000, PURSUANT TO THE PROVISIONS OF TITLE 41, CHAPTER 43, OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED, IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING \$6,000,000” be adopted on first and final reading.

**Ordinance 2000-04:**

Mr. Timms made a motion, seconded by Mr. Thomas, approved 5 – 0 that Ordinance 2000-04, “AN AMENDED ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A LEASE AGREEMENT BY AND AMONG OCONEE COUNTY, SOUTH CAROLINA, AS LESSOR, PINE RIVER PLASTICS, INC. AND CAROLINA FOOTHILLS, LLC JOINTLY AS LESSEE; AND OTHER MATTERS RELATING THERETO INCLUDING, WITHOUT LIMITATION, PAYMENT OF A FEE IN LIEU OF TAXES” be adopted on first reading.

**Ordinance 2000-05:**

Mr. Timms made a motion, seconded by Mr. Hamilton, approved 5 – 0 that Ordinance 2000-05, “AN ORDINANCE TO AMEND THE JOINTLY OWNED AND OPERATED INDUSTRIAL/BUSINESS PARK IN CONJUNCTION WITH PICKENS COUNTY, DATED MAY 4, 1998 AND AMENDED ON DECEMBER 7, 1998 AND ON DECEMBER 21, 1999; SUCH INDUSTRIAL/BUSINESS PARK BEING GEOGRAPHICALLY LOCATED IN PICKENS COUNTY AND OCONEE COUNTY AND ESTABLISHED PURSUANT TO SOUTH CAROLINA CODE OF LAWS OF 1976 §4-1-170, ET SEQUITUR, AS AMENDED; TO PROVIDE FOR A WRITTEN AGREEMENT WITH PICKENS COUNTY PROVIDING FOR THE EXPENSES OF THE PARK, THE PERCENTAGE OF REVENUE APPLICATION, AND THE DISTRIBUTION OF FEES IN LIEU OF AD VALOREM TAX TO THE COUNTIES AND RELEVANT TAXING ENTITIES; AND, TO PROVIDE THAT JOBS TAX CREDITS ALLOWED BY LAW BE PROVIDED FOR INDUSTRIES LOCATING IN SAID PARK, AND TO PERMIT A USER FEE IN LIEU OF AD VALOREM TAXATION be adopted on first reading..

**Public Hearing Regarding Ordinance 2000-02:**

The next item on the agenda was a public hearing for Council to receive written and/or oral comments regarding Ordinance 2000-02, “THE 1999-2000 OCONEE COUNTY SUPPLEMENTAL APPROPRIATIONS ORDINANCE”.

Mr. Garry Freeman, Budget Analyst explained to Council that the ordinance was balanced with a total of \$136,000 revenues and expenditures.

There was no one present with written and/or oral comments regarding this ordinance.

**Public Comment Session:**

There was no one present for the public comment session.

**Minutes (2/15/00 & 2/22/00):**

Mr. Timms made a motion, seconded by Mr. Thomas, approved 5 – 0 that the minutes of the regular meeting held February 15, 2000 and February 22, 2000 be adopted contingent upon the Finance Director checking on the amount of funds to be taken from contingency for the purchase of property on Highway 76.

**Correction of Vehicle Notices (Contingency):**

Upon request of Mr. Kenneth F. Williams, Auditor and recommendation of the Budget & Finance Committee, Mr. Thomas made a motion, seconded by Mr. Timms, approved 5 – 0 that \$23,302 be taken from contingency for computer programs, refunds, correction of vehicle notices and overtime for all employees involved, waiving compensatory time.

Mr. Timms made a motion, seconded by Mr. Hall, approved 5 – 0 that a letter be sent to the Delegation requesting full reimbursement of funds expended in the above mentioned matter.

**Ordinance 99-14:**

Upon recommendation of Mr. Tommy Abbott, Planning Commission Chairman & Mr. Tom Hendricks, County Planner, Mrs. Hughes made a motion, seconded by Mr. Hall, approved 5 – 0 that Ordinance 99-14, "OCONEE COUNTY UNIFIED PERFORMANCE STANDARDS AND LAND DEVELOPMENT REGULATIONS" be adopted on second reading.

Mr. Hendricks is going to ask the Planning Commission to look into the possibility of having the boundary for a sexually oriented business set at one thousand feet from the adjoining property line rather than one thousand feet from an adjoining structure and report back to Council prior to the public hearing regarding this ordinance.

**Ordinance 2000-03:**

Mr. Thomas made a motion, seconded by Mr. Hamilton, approved 5 – 0 that Ordinance 2000-03, "ANIMAL CONTROL ORDINANCE" be adopted on second reading.

**Proclamation:**

Mr. Hamilton made a motion, seconded by Mrs. Hughes, approved 5 – 0 that a Proclamation declaring April 7, 2000 as "Young Author's Day" be adopted on first and final reading.

**Newry Engineering:**

Mr. Timms made a motion, seconded by Mr. Hamilton, approved 5 – 0 that the bid for engineering services for the Newry upgrade be awarded to Goldie & Associates, who was low bid at \$133,780 contingent upon all parties signing the Intergovernmental Agreement and approval of Department of Commerce. (See attached bid sheet)

**Tool Reimbursement (Contingency):**

Mr. Timms made a motion, seconded by Mr. Thomas, approved 5 – 0 that \$997.15 be taken from contingency to reimburse a county employee for tools stolen from a county vehicle. (See attachment)

**Register of Deeds:**

Upon recommendation of Mrs. Sallie Smith, Clerk of Court, Mr. Timms made a motion, seconded by Mr. Thomas, approved 5 – 0 that the recommendation of the Personnel & Intergovernmental Committee be adopted sending a letter to the Legislative Delegation requesting that Code Section 30-5-10 and 30-5-12 be amended to add Oconee County to the list of those counties which have a Register of Deeds in which the governing body appoints the Register of Deeds.

**Finance Director Scholarship:**

Mr. Orr announced that Mrs. Phyllis Lombard, Finance Director has received a 2000 Small Entity Scholarship from the Public Risk Management Association and the Public Entity Risk Institute (PRIMA) in the amount of \$1,045.

**Communications Department:**

Upon request of Chief Deputy Steve Pruitt and Communications Director John Murray, Mr. Hall made a motion, seconded by Mr. Thomas, approved 5 – 0 that \$3,800 be taken from contingency and placed in the overtime line item for the Communications Department for immediate needs and the supplemental ordinance be amended as follows: \$21,200 be taken from line item 010 024 00150 03001 and \$10,000 of those funds be placed in line item 010 031 00120 00710 and \$11,200 be placed in line item 010 031 00150 00024 for needs in the Communications Department..

**AD HOC Committee:**

Mr. Timms informed Council he attended the organizational meeting of the AD HOC Committee where they elected a Chairman, Vice Chairman and Secretary.

**Pine Street Opening:**

Mr. Orr informed Council he was thinking of having grand opening for the Pine Street Office Complex Saturday, June 3, 2000.

**Seneca Chamber Retreat:**

Mr. Timms informed Council he attended the Seneca Chamber of Commerce Retreat in Asheville NC in which Tom Hendricks spoke and it was very informative.

**SCAC Mid Year Conference:**

Mr. Timms further informed Council he attended the South Carolina Association of Counties Mid-Year Conference and suggested that someone from the SCAC brief Council on the liabilities of public officials.

**Old Jail Cell:**

Mr. Thomas made a motion, seconded by Mr. Hall, approved 5 – 0 that the City of Walhalla be permitted to use the old metal jail cell for display during their sesquicentennial celebration.

**Commission Member Pay:**

Mr. Thomas made a motion, seconded by Mr. Hall, approved 5 – 0 that funding for all Commission Members be recommended to the proper committee for a recommendation in the next fiscal year budget.

**Law Enforcement, Safety, Health, Welfare & Services Committee Meeting:**

Mr. Hall, Chair, LEC Committee, announced a meeting of the Law Enforcement, Safety, Health, Welfare & Services Committee Wednesday, March 15, 2000 at 3:00 PM in Council Chambers for the purpose of further discussing sewer needs in the county.

**Recreation Committee:**

Mr. Hall suggested that the county provide the Recreational Committee with someone to take minutes for their meetings.

**2/22/00 Minutes (Contingency):**

Mrs. Lombard, Finance Director, informed Council that \$15,000 for the 2.71 acre tract of land had been encumbered in the 1998-99 budget, therefore only \$2,000 came from the 1999-2000 contingency line item.

**Airport Work Authorization:**

Mrs. Melissa Brown, Grants Coordinator, presented the attached work authorization 00-01 for engineering basic services for preparation of DBE Plan for 2000 at the Oconee County Regional Airport to Council for their consideration. Mr. Thomas made a motion, seconded by Mr. Timms, approved 5 – 0 that the work authorization be adopted with the funding coming from the airport contingency funds.

**Rock Crusher Credit:**

Mr. Timms made a motion, seconded by Mr. Thomas, approved 5 – 0 that Holbrooks Construction be granted permission to charge gravel at the Oconee County Rock Crusher as per Ordinance 91-10, AN ORDINANCE TO PROVIDE FOR THE SALE OF SURPLUS STONE, GRAVEL, AND LIKE PRODUCTS BY OCONEE COUNTY AND TO PRESCRIBE THE MANNER OF SUCH SALES AND THE PAYMENT AND ACCOUNTING THEREFOR, AND TO REPEAL ORDINANCE 78-8 AS AMENDED BY ORDINANCE 79-12”.

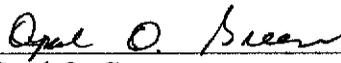
**Great American Clean-up:**

Mr. Timms informed Council the “Great American Clean-up” March and May with the target clean-up day being April 8, Mr. Timms is going to ask KOBA to get in touch with Mr. Orr regarding this matter.

**Adjourn:**

Adjourn: 8:20 PM

Respectfully Submitted,

  
\_\_\_\_\_  
Opal O. Green  
Council Clerk

## RESOLUTION

**IN SUPPORT OF THE ISSUANCE BY THE SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY OF ITS ECONOMIC DEVELOPMENT REVENUE BONDS (PINE RIVER PLASTICS, INC. PROJECT) SERIES 2000, PURSUANT TO THE PROVISIONS OF TITLE 41, CHAPTER 43, OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED, IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING \$6,000,000.**

**WHEREAS**, the South Carolina Jobs-Economic Development Authority (the "Authority") is authorized and empowered under and pursuant to the provisions of Title 41, Chapter 43, of the Code of Laws of South Carolina, 1976, as amended (the "Act"), to utilize any of its program funds to establish loan programs for the purpose of reducing the cost of capital to business enterprises which meet the eligibility requirements of Section 41-43-150 of the Act and for other purposes described in Section 41-43-160 of the Act and thus provide maximum opportunities for the creation and retention of jobs and improvement of the standard of living of the citizens of the State of South Carolina; and

**WHEREAS**, the Authority is further authorized by Section 41-43-110 of the Act to issue revenue bonds payable by the Authority solely from a revenue producing source and secured by a pledge of said revenues in order to provide funds for any purpose authorized by the Act; and

**WHEREAS**, the Authority and Pine River Plastics, Inc., a Michigan corporation, entered into an Inducement Agreement (the "Inducement Agreement"), which Inducement Agreement has been subsequently amended to include Carolina Foothills LLC as a co-borrower (Pine River Plastics, Inc. and Carolina Foothills LLC are hereinafter collectively referred to as the "Borrower"), pursuant to which and in order to implement the public purposes enumerated in the Act, and in furtherance thereof to comply with the undertakings of the Authority pursuant to the Inducement Agreement, the Authority proposes, subject to such approval of the State Budget and Control Board of South Carolina and Oconee County as may be required by law, to issue not exceeding \$6,000,000 aggregate principal amount of its Economic Development Revenue Bonds (Pine River Plastics, Inc. Project) Series 2000 (the "Bonds"), under and pursuant to Section 41-43-110 of the Act for the purpose of defraying the Borrower's cost of acquiring, by construction and purchase, approximately 31 acres of land, a building totaling approximately 40,000 square feet, other improvements, and certain machinery, apparatus, equipment, office facilities and furnishings to be installed therein for the production of custom plastic injection molded components and assemblies for both the automotive and non-automotive industries, constituting an industrial facility (the "Project"), and to defray the costs of issuance of the Bonds; and

**WHEREAS**, the Borrower is projecting that the assistance of the Authority by the issuance of the Bonds will result in the creation or maintenance of employment of those engaged in the construction of the Project, and by retaining existing employment for one person and providing additional employment for approximately 30 people within 12 months and a total of 50 people within 24 months from Oconee County and surrounding areas and that the portion of the Project

located in Oconee County will stimulate the economy of Oconee County and surrounding areas by increased payrolls, capital investment and tax revenues; and

**WHEREAS**, the County Council of Oconee County and the Authority have on this date jointly held a public hearing, duly noticed by publication in a newspaper having general circulation in Oconee County, not less than 15 days prior to the date hereof, at which all interested persons have been given a reasonable opportunity to express their views;

**NOW, THEREFORE, BE IT RESOLVED** by the County Council of Oconee County, South Carolina, as follows:

**SECTION 1.** It is hereby found, determined and declared that (a) the Project will subserve the purposes of the Act; (b) the Project is anticipated to benefit the general public welfare of Oconee County by providing services, employment, or other public benefits not otherwise provided locally; (c) the Project will give rise to no pecuniary liability of Oconee County or a charge against its general credit or taxing power; (d) the amount of bonds required to finance the Project, as provided by the Borrower, is not exceeding \$6,000,000; and (e) the documents to be delivered by the Borrower and the Authority with respect to the Bonds will provide, among other things, (i) for the amount necessary in each year to pay the principal of and interest on the Bonds, (ii) whether reserve funds of any nature will be established with respect to the retirement of the Bonds and the maintenance of the Project (and, if any such reserve funds are to be so established, the amount necessary to be paid each year into such funds), and (iii) that the Borrower shall maintain the Project and carry all proper insurance with respect thereto.

**SECTION 2.** The County Council of Oconee County supports the Authority in its determination to issue the Bonds to defray the costs related to the Project.

**SECTION 3.** All orders and resolutions and parts thereof in conflict herewith are to the extent of such conflict hereby repealed, and this resolution shall take effect and be in full force from and after its adoption.

Adopted this 7<sup>th</sup> day of March, 2000.

**OCONEE COUNTY, SOUTH  
CAROLINA**

By: \_\_\_\_\_  
County Supervisor/Chairman

ATTEST:

\_\_\_\_\_  
Clerk to County Council

## AMENDED ORDINANCE

AN AMENDED ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A LEASE AGREEMENT BY AND AMONG OCONEE COUNTY, SOUTH CAROLINA, AS LESSOR, PINE RIVER PLASTICS, INC. AND CAROLINA FOOTHILLS, LLC JOINTLY AS LESSEE; AND OTHER MATTERS RELATING THERETO INCLUDING, WITHOUT LIMITATION, PAYMENT OF A FEE IN LIEU OF TAXES

WHEREAS, Oconee County, South Carolina (the "County"), acting by and through its County Council (the "County Council"), is authorized and empowered under and pursuant to the provisions of Title 4, Chapter 12, Code of Laws of South Carolina, 1976, as amended (the "Act"), to acquire, or cause to be acquired, properties (which such properties constitute "projects" as defined in the Act) and to enter into agreements with any industry to construct, operate, maintain and improve such projects; to enter into or allow financing agreements with respect to such projects; and, to accept any grants for such projects through which powers the industrial development of the State of South Carolina (the "State") and will be promoted and trade developed by inducing manufacturing and commercial enterprises to locate and remain in the State and thus utilize and employ the manpower, agricultural products and natural resources of the State and benefit the general public welfare of the County by providing services, employment, recreation or other public benefits not otherwise provided locally; and

WHEREAS, the County is authorized by the Act to execute a lease agreement, as defined in the Act, with respect to any such project; and

WHEREAS, the County adopted Ordinance No. 99-13 on October 19, 1999 authorizing the execution and delivery of a lease agreement as defined in the Act between the County and Pine River Plastics, Inc., a Michigan corporation; and

WHEREAS, the County is authorized by the Act to amend Ordinance No. 99-13 to include Carolina Foothills, LLC, a South Carolina limited liability company along with Pine River Plastics, Inc. (referred to jointly hereinafter as the "Company"); and

WHEREAS, the Company has requested the County to participate in executing an Inducement Agreement and Millage Rate Agreement, and a lease agreement (the "Lease Agreement") (Pine River Plastics, Inc. and Carolina Foothills, LLC Project) pursuant to the Act for the purpose of authorizing and of acquiring, by construction and purchase, certain land, a building or buildings, and machinery, apparatus, and equipment, for the purpose of manufacturing or assembling plastic injection moldings for highly aesthetic products (the "Project"), all as more fully set forth in the Lease Agreement attached hereto; and

WHEREAS, the County has determined that the Project would benefit the general public welfare of the County by providing service, employment, recreation or other public benefits not otherwise provided locally; and, that the Project gives rise to no pecuniary liability of the County or incorporated municipality or a charge against the general credit or taxing power of either; and,

that the purposes to be accomplished by the Project, i.e., economic development, creation of jobs, and addition to the tax base of the County, are proper governmental and public purposes; and, that the inducement of the location or expansion of the Project within the County and State is of paramount importance; and, that the benefits of the Project will be greater than the costs; and

WHEREAS, the County has determined on the basis of the information supplied to it by the Company that the Project would be a "project" as that term is defined in the Act and that the Project would subserve the purposes of the Act; and

WHEREAS, the County Council has previously determined to enter into and execute the aforesaid Inducement Agreement and Millage Rate Agreement and the Lease Agreement with Fine River Plastics, Inc. and Carolina Foothills, LLC and to that end has, by its Resolution adopted on September 21, 1999, authorized the execution of an Inducement Agreement and Millage Rate agreement containing a fee-in-lieu of tax agreement; and

WHEREAS, the County Council has caused to be prepared and presented to this meeting the form of the Lease Agreement by and between the County and the Company which includes the agreement for payment of a payment-in-lieu of tax and an escrow agreement (the "Escrow Agreement") which provides for the reconveyance of the Project to the Company at the end of the Lease Agreement; and

WHEREAS, it appears that the instruments above referred to, which are now before this meeting, are in appropriate form and are appropriate instruments to be executed and delivered by the County for the purposes intended;

NOW, THEREFORE, BE IT ORDAINED by the County Council of Oconee County, South Carolina, as follows:

Section 1. In order to promote industry, develop trade and utilize and employ the manpower, agricultural products and natural resources of the State by assisting the Company to locate an industrial facility in the State, the acquisition by the County and the subsequent lease to the Company of land, a building or buildings, and various machinery, apparatus, and equipment, all as a part of the Project to be utilized for the purpose of manufacturing plastic injection moldings for highly aesthetic products, is hereby authorized, ratified and approved.

Section 2. It is hereby found, determined and declared by the County Council, as follows:

(a) Based solely upon representations of the Company, the Project will constitute a "project" as said term is referred to and defined in the Act, and the County's actions herein will subserve the purposes and in all respects conform to the provisions and requirements of the Act;

- (b) The Project and the payments in lieu of taxes set forth herein are beneficial to the County;
- (c) The terms and provisions of the Inducement Agreement and Millage Rate Agreement are incorporated herein and made a part hereof;
- (d) The Project will benefit the general public welfare of the County by providing service, employment, recreation or other public benefits not otherwise provided locally;
- (e) The Project gives rise to no pecuniary liability of the County or incorporated municipality or a charge against the general credit or taxing power of either;
- (f) The purposes to be accomplished by the Project, i.e., economic development, creation of jobs, and addition to the tax base of the County, are proper governmental and public purposes;
- (g) The inducement of the location or expansion of the Project within the County and State is of paramount importance; and,
- (h) The benefits of the Project will be greater than the costs.

Section 3. The forms, terms and provisions of the Lease Agreement and the Escrow Agreement presented to this meeting and filed with the Clerk to the County Council be and they are hereby approved and all of the terms, provisions and conditions thereof are hereby incorporated herein by reference as if the Lease Agreement and Escrow Agreement were set out in this Ordinance in its entirety. The Supervisor/Chairman of the County Council and the Clerk to the County Council be and are hereby authorized, empowered and directed to execute, acknowledge and deliver the Lease Agreement and the Escrow Agreement in the name of and on behalf of the County, and thereupon to cause the Lease Agreement and the Escrow Agreement to be delivered to the Company and cause the Lease Agreement to be recorded in the Office of the Clerk of Court for the County. The Lease Agreement and the Escrow Agreement are to be in substantially the forms now before this meeting and hereby approved, or with such minor changes therein as shall be approved by the officials of the County executing the same, their execution thereof to constitute conclusive evidence of their approval of any and all changes or revisions therein from the forms of Lease Agreement and Escrow Agreement now before this meeting. The reconveyance of the land and buildings by the County to the Company pursuant to the Escrow Agreement and Deeds maintained thereby is hereby specifically authorized.

Section 4. The Supervisor/Chairman of the County Council and the Clerk to the County Council, for and on behalf of the County, are hereby authorized and directed to do any and all things necessary to effect the execution and delivery of the Lease Agreement and Escrow Agreement and the performance of all obligations of the County under and pursuant to the Lease

Agreement and Escrow Agreement.

Section 5. The provisions of this Ordinance are hereby declared to be separable and if any section, phrase or provisions shall for any reason be declared by a court of competent jurisdiction to be invalid or unenforceable, such declaration shall not affect the validity of the remainder of the sections, phrases and provisions hereunder.

Section 6. All orders, resolutions, ordinances and parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed and this Ordinance shall take effect and in full force from and after its passage and approval.

Passed and approved this \_\_\_\_ day of April, 2000.

OCONEE COUNTY, SOUTH CAROLINA

By: \_\_\_\_\_  
Harrison E. Orr, Supervisor/Chairman of County Council  
Oconee County, South Carolina

ATTEST:

\_\_\_\_\_  
Opal O. Green, Clerk to County Council  
Oconee County, South Carolina

First Reading:        March 7, 2000  
Second Reading:     March 21, 2000  
Public Hearing:        April 4, 2000  
Third Reading:        April 4, 2000

## ORDINANCE NO.

AN ORDINANCE TO AMEND THE JOINTLY OWNED AND OPERATED INDUSTRIAL/BUSINESS PARK IN CONJUNCTION WITH PICKENS COUNTY, DATED MAY 4, 1998 AND AMENDED ON DECEMBER 7, 1998 AND ON DECEMBER 21, 1999; SUCH INDUSTRIAL/BUSINESS PARK BEING GEOGRAPHICALLY LOCATED IN PICKENS COUNTY AND OCONEE COUNTY AND ESTABLISHED PURSUANT TO SOUTH CAROLINA CODE OF LAWS OF 1976 §4-1-170, ET SEQUITUR, AS AMENDED; TO PROVIDE FOR A WRITTEN AGREEMENT WITH PICKENS COUNTY PROVIDING FOR THE EXPENSES OF THE PARK, THE PERCENTAGE OF REVENUE APPLICATION, AND THE DISTRIBUTION OF FEES IN LIEU OF AD VALOREM TAX TO THE COUNTIES AND RELEVANT TAXING ENTITIES; AND, TO PROVIDE THAT JOBS TAX CREDITS ALLOWED BY LAW BE PROVIDED FOR INDUSTRIES LOCATING IN SAID PARK, AND TO PERMIT A USER FEE IN LIEU OF AD VALOREM TAXATION.

WHEREAS, Oconee County, South Carolina and Pickens County, South Carolina (jointly the "Counties") are authorized under Article VIII, Section 13 of the South Carolina Constitution to jointly develop an industrial or business park within the geographical boundaries of one or more of the member Counties; and

WHEREAS, in order to promote the economic welfare of the citizens of the Counties by providing employment and other benefits to the citizens of the Counties, Oconee County, South Carolina entered into an agreement with Pickens County, South Carolina to develop jointly an industrial and business park (the "Park") as provided by Article VIII, Section 13 of the South Carolina Constitution and in accordance with Section 4-1-170 of the Code of Laws of South Carolina, 1976, as amended, (the "Act"),

WHEREAS, the Counties executed an Agreement for Development for Joint County Industrial Park dated May 4, 1998 (the "Agreement") and amended on December 7, 1998 (the "First Amended Agreement") and on December 21, 1999 (the "Second Amended Agreement") (jointly referred to herein as the "Agreement") and the Counties now wish to amend the Agreement.

NOW, THEREFORE, BE IT ORDAINED BY THE OCONEE COUNTY COUNCIL:

SECTION I. Oconee County is hereby authorized to amend the Agreement so as to expand the Park premises located within Oconee County and Pickens County. The form of the third amended joint industrial park agreement (the "Third Amended Agreement") is attached hereto, and all terms of the Agreement, First Amended Agreement, Second Amended Agreement and Third Amended Agreement are incorporated herein. The form, terms and provisions of the

Third Amended Agreement presented to this meeting and filed with the Clerk to the County Council be and they are hereby approved, and all of the terms, provisions and conditions thereof are hereby incorporated herein by reference as if the Third Amended Agreement were set out in this Ordinance in its entirety. The Supervisor/Chairman of the County Council and the Clerk to the County Council be and they are hereby authorized, empowered and directed to execute, acknowledge and deliver the Third Amended Agreement in the name and on behalf of the County. The Third Amended Agreement is to be in substantially the form now before this meeting and hereby approved, or with such minor changes therein as shall be approved by the officials of the County executing the same, their execution thereof to constitute conclusive evidence of their approval of any and all changes or revisions therein from the form of the Third Amended Agreement now before this meeting.

SECTION II. The maximum tax credits allowable by South Carolina Code of Laws, 1976, Section 12-6-3360, as amended, will apply to any business enterprise located in the Park.

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

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

SECTION V. In order to avoid any conflict of laws or ordinances between the Counties, the Oconee County ordinances will be the reference for such regulations or laws in connection with the Park premises located within Oconee County and the Pickens County ordinances will be the reference for such regulations or laws in connection with the Park premises located within Pickens County. Nothing herein shall be taken to supersede any state or federal law or regulation. The county in which the premises is located is specifically authorized to adopt restrictive covenants and land use requirements for the Park at the county's sole discretion.

SECTION VI. The Sheriff's Department for the county within the Park premises is located will have initial jurisdiction to make arrests and to exercise all authority and power within the boundaries of the Park premises located within each county, and fire, sewer, water and EMS services will be provided by the service district within whose jurisdiction the Park premises are located.

SECTION VII. Should any section of this Ordinance be, for any reason, held void or invalid, it shall not affect the validity of any other section hereof which is not itself void or invalid.

SECTION VIII. The Agreement, as amended, may not be terminated except by concurrent ordinances of Oconee County Council and Pickens County Council. In any event, this Ordinance shall terminate twenty (20) years from the date of its execution by both parties.

SECTION IX. Oconee County hereby designates the following distribution of the portion of the fee-in-lieu of ad valorem taxes received by Oconee County pursuant to the Agreement, as amended, for Park premises located in Pickens County.

Oconee County, South Carolina	100%
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SECTION X. Oconee County hereby designates that the distribution of the fee in lieu of ad valorem taxes pursuant to the Agreement received by Oconee County for Park premises located in Oconee County be paid to each of the taxing entities in Oconee County which levy an ad valorem property tax in any of the areas comprising the Oconee Park in the same percentage as is equal to that taxing entity's percentage of the millage rate being levied in the then current tax year for the property tax purposes, provided that the County may, from time to time, by ordinance, amend the distribution of the fee in lieu of tax payments to all taxing entities. A portion of the fee in lieu of ad valorem taxes which Oconee County receives pursuant to the Agreement, as amended, for Park premises may be, from time to time and by ordinance of Oconee County Council or its successor, designated for the payment of Special Source Revenue Bonds issued pursuant to Sections 4-1-175 and 4-29-68 of the South Carolina Code of Laws, 1976 or an Infrastructure Tax Credit issued pursuant to Section 4-1-175, as amended.

SECTION XI. The Ordinance shall be effective after third and final reading and publication.

Passed and approved this \_\_\_ day of April, 2000.

OCONEE COUNTY, SOUTH CAROLINA

By: \_\_\_\_\_  
Harrison E. Orr, Supervisor/Chairman of County Council  
Oconee County, South Carolina

By: \_\_\_\_\_  
Opal O. Green, Clerk to County Council  
Oconee County, South Carolina

First Reading: March 7, 2000  
Second Reading: March 21, 2000  
Public Hearing: April 4, 2000  
Third Reading: April 4, 2000

DATA PROCESSING AND CHECKS NEEDED BY TREASURER **\$ 12,755.00**

OVERTIME TREASURER, AUDITOR AND FINANCE OFFICES **\$ 9,000.00**  
\$3000 EACH DEPARTMENT

TREASURER KEEP P/TIME HELP 6 MORE WEEKS **\$ 1,547.31**

150 HRS @ 8.97	\$ 1,345.50
FICA	\$ 102.93
RETIRE	\$ 92.16
W/C	\$ 6.72
TOTAL	<u>\$ 1,547.31</u>

**TOTAL FUNDS NEEDED \$ 23,302.31**

The State of South Carolina  
Military Department



OFFICE OF THE ADJUTANT GENERAL

STANHOPE S. SPEARS  
MAJOR GENERAL  
THE ADJUTANT GENERAL

February 28, 2000

Mr. Henry H. Gordon, Jr., Director  
Oconee County Emergency Preparedness Agency  
415 South Pine Street  
Walhalla, SC 29691

Dear Mr. Gordon:

This year, the Federal Emergency Management Agency introduced the *Emergency Management Performance Grant (EMPG)* replacing the five-year Performance Partnership Agreement and the Cooperative Agreement that was used to award annual assistance funds to each state. FEMA, with congressional approval, is shifting their focus to accountability with measureable performance levels. Under the EMPG there are some changes that are significantly different from the Cooperative Agreement that affect the states. The State's work plan must describe State objectives and associated performance measures. These performance measures must be quantified or be capable of being validated and must be stated in terms of performance levels and accomplishments against the FEMA-approved state EMPG application.

In order to expedite the county, or Local Emergency Management Performance Grant (LEMPG), application package during this period of adjustment, very few changes have been made in your worksheets and initiatives. The forms, documents, and instructions for completing the FY 00 Grant package are enclosed. Return one completed application package to SCEPD, attention Carol Reavis, by *March 17, 2000*. Signatures are required on page five (certification), and on FEMA Form 20-16 (Summary Sheet for Assurances and Certifications). (*Signatures of both the Emergency Preparedness Director/Coordinator and the County Administrator/Manager are required on the certification form.*) An informational copy has been sent to your County Administrator/Manager. In the event that the March 17 suspense date cannot be met, a two week extension may be requested in writing giving circumstances of the request. Please address extension requests to Stan McKinney, Director. Grant funds will be distributed to counties submitting completed packages.

During the remainder of FY 00, I look forward to working with each of you in building a stronger emergency management foundation for the state that supports our mutual goals.

Sincerely,

A handwritten signature in cursive script, appearing to read "R. Osborne".

Ronald C. Osborne  
Chief, Response and Recovery

cc: (county administrator)

Enclosures: Application Package

**Emergency Preparedness Division**  
Rutledge Building 1429 Senate Street  
Columbia, South Carolina 29201 (803) 734-8020  
Fax (803) 734-8062

**FY '00**

**LOCAL EMERGENCY  
MANAGEMENT PERFORMANCE  
GRANT PROGRAM**



**GUIDELINES  
AND  
APPLICATION PROCEDURES**

APPLICATIONS DUE BY: March 17, 2000

**SOUTH CAROLINA  
EMERGENCY PREPAREDNESS DIVISION  
OFFICE OF THE  
ADJUTANT GENERAL**

**LOCAL  
EMERGENCY MANAGEMENT PERFORMANCE GRANT PROGRAM (LEMPG)  
GUIDELINES AND APPLICATION PROCEDURES**

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**I. Introduction/Background**

The Office of the Adjutant General, Emergency Preparedness Division, has been designated to administer local assistance under the Emergency Management Performance Grant (EMPG). The EMPG will replace the annual Cooperative Agreement under the Performance Partnership Agreement which has provided funds to the states. The EMPG is a continuation of efforts by FEMA to streamline processes and flexibility.

FY-00 will mark the first year of the Emergency Management Performance Grant (EMPG). You will find that for the most part the Local Emergency Management Performance Grant (LEMPG) remains unchanged. However, as a supporting element of the state, the local purpose remains the same: to encourage the design and implementation of programs which yield measurable results at all levels of government. Through the LEMPG, you and your local emergency management staff support your strategic plan and its initiatives and goals as well as the state's: that is to establish a cohesive, comprehensive emergency management network. Funding assistance for local jurisdictions, or grant awards, are made on an annual basis coincident with the federal fiscal year and in conjunction with projected performance outcomes outlined in the LEMPG.

Our joint state and local partnership will provide the state with the capability to effectively address the hazards which affect us; ensure that federal, state and local jurisdictions can operate efficiently together in major disaster or emergency situations; and focus on mutual efforts to achieve our goals.

This document provides applicants with program criteria and eligibility information so that formal application proposals may be prepared. Included in this package are worksheets for counties to use in preparing their application. Please complete your application and forward to:

Mr. Stan M. McKinney, Director  
S.C. Emergency Preparedness Division  
1429 Senate Street  
Columbia, SC 29201

***The deadline for submission is March 17, 2000***

## II. Eligible Program Areas

The state and its local jurisdictions will continue to work together to comply with the *South Carolina Code of Laws, Title 25, Chapter 1, Article 4* and the *S.C. Code of Regulations 58-1 and 58-101* pertaining to emergency preparedness. In addition to these requirements and in support of the EMPG, South Carolina's emphasis will be on the following:

- Laws and Authorities - the legal authorities for the development, implementation and maintenance of an emergency management program.
- Hazard Identification and Risk Assessment - the identification of the hazards with the greatest potential to affect lives and property and an assessment of the likelihood, vulnerability, and magnitude of incidents that could result from exposure to hazards.
- Hazard Management - a systematic approach to eliminate hazards or to reduce the effect of hazards.
- Resource Management - the availability of critical human and physical resources required in disaster response.
- Planning - the collection, analysis, and use of information, and the development, promulgation, and maintenance of a comprehensive emergency management plan, action plan, mitigation plan and administrative plan.
- Direction, Control and Coordination - the capability to monitor for emergencies and disasters; quickly and accurately assess their magnitude; and direct, control and coordinate response and recovery.
- Communications and Warning - the ability to alert and warn response organizations and the general public of pending and spontaneous disaster events.
- Logistics and Facilities - essential facilities and services that support response and recovery operations.
- Training - assessments, development, and implementation of a training/education program for public officials, emergency response personnel, and mitigation personnel.
- Exercise - the evaluation of plans and capabilities based on a program of tests and exercises.
- Public Education and Information - the provision of public education and information to protect lives and minimize property loss.
- Finance and Administration - financial and administrative procedures in place before, during, and after disaster events.

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III. County Worksheets

Detailed program areas are identified on the county worksheets. These areas are in three categories. The M-100 series are mandatory areas, R-200 series are recommended areas and CS-300 are county-specific areas.

III. Reporting Requirements

Local jurisdictions will submit **quarterly** progress reports using the LEMPG worksheets along with a narrative outlining accomplishments of each item and identifying any shortcomings. Reports are due *10 days after each quarter ends.. Local jurisdictions will also submit monthly or quarterly a FEMA Form 85-21, State and Local Expenditures, for reimbursement of eligible expenditures on the 16th day of the month following the end of the previous month.*

**TERMS AND CONDITIONS  
APPLICABLE TO THE AWARD OF LOCAL EMERGENCY  
MANAGEMENT PERFORMANCE GRANT**

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The following terms and conditions are hereby acknowledged, and agreed to, pursuant to the receipt of funds, as administered by the Federal Emergency Management Agency (grantor) through the S. C. Emergency Preparedness Division (grantee), herein know as the Division, and sub-allocated to local jurisdictions (subgrantee).

- A. It is understood and accepted that the local jurisdiction's emergency preparedness program must comply with the *South Carolina Code of Laws, Section 25-1-450* and *Regulations 58-1*.
- B. It is agreed that each participating local jurisdiction will complete an annual *scope of work* to include predesignated work elements as described in program areas, and as agreed upon with the Division, to ensure eligibility for annual assistance funds. Core work elements should support the Division in accomplishing its goals under the Emergency Management Performance Grant (EMPG), and should include efforts in planning, exercising, training, data preparation, as well as other essential emergency management tasks.
- C. The local jurisdiction assures and certifies that they will comply with the regulations, policies and requirements set forth in the *Code of Federal Regulations (CFR) 44*; the Standards for a Merit System of Personnel Administration, *CFR 5, §900.*, *OMB Circulars Nos. A-102, A-87, and A-133*; and, the *Standard Assurances*, as they relate to the application, acceptance, and use of federal funds.
- D. It is also understood that any changes to this contract, to include the scope of work, will be mutually agreed upon in writing by and between the Division and the local jurisdiction.
- E. The Division agrees to reimburse local jurisdictions for 50% of actual eligible expenses, providing funds are available, for the satisfactory performance of their scope of work.
- F. It is agreed that the local jurisdiction, in support of the Division's responsibility to the Governor of the State of South Carolina, will report to the Division information concerning emergencies and/or disasters, as they occur within the jurisdiction, on a 24-hour basis.
- G. Each participating local jurisdiction must have a local *Emergency Operations Plan (EOP)*, which is approved by the local chief executive or other authorized official and accepted by the Governor or other authorized state official as being consistent with the state's *EOP*.
- H. It is agreed that in the event the local jurisdiction fails to meet the requirements described herein, and has previously received financial assistance administered through the Division, the local jurisdiction shall reimburse the Division to the full extent of payments made. However, if the requirements described herein have been partially met, and the local jurisdiction has previously received financial assistance administered through the Division, then the local jurisdiction shall reimburse the Division on a pro rata basis.

- I. It is agreed that the local jurisdiction will submit quarterly progress reports on work element status. It is further understood and agreed that all progress reports are due within ten (10) working days after the end of the period. It is further understood and agreed that the local jurisdiction will submit monthly or quarterly a FEMA Form 85-21, State and Local Expenditures, for reimbursement of eligible expenditures on the 16th day of the month following the end of the previous month.
- J. The local jurisdiction agrees to retain pertinent records, including financial records, supporting documents and statistical records, for a minimum of three years after the final expenditure report and all other pending matters are closed. In the event of litigation, claim or audit before the expiration of the three-year period, said records must be retained for three years after the litigation, claim or audit is resolved. When applicable, the local jurisdiction agrees to retain records for non-expendable property purchased totally or partially with contract funds for a period of three years, after its final disposition.
- K. The local jurisdiction shall have an audit performed in accordance with *OMB Circular A-133* for each fiscal year encompassed under this subcontract and forward one copy to the Division, if the total of all federal awards equal over \$300,000.00.
- L. The local jurisdiction agrees to adhere to affirmative action measures to ensure that applicants for employment, and the employees, are treated fairly without regard to their race, color, religion, age, sex, national origin, or handicap.
- M. The local jurisdiction agrees to adhere to *Section 8-13-420, Code of Laws of South Carolina*, as amended, insofar as they refer to prohibition of gratuities.

THIS PAGE MUST BE SUBMITTED WITH THE GRANT APPLICATION.

**CERTIFICATION BY PROJECT DIRECTOR**

*(County EPD Director/Coordinator)*

I certify that I understand and agree to comply with the general and fiscal provisions of this grant application including the terms and conditions; to comply with provisions of the regulations governing these funds and all other federal and state laws; that all information presented is correct; that there has been appropriate coordination with affected agencies; that I am duly authorized by the Applicant to perform the tasks of Project Director as they relate to the requirements of this grant application; that costs incurred prior to Grantee approval may result in the expenditures being absorbed by the Sub-grantee; and, that the receipt of these grant funds through the Grantee will not supplant state or local funds.

Name: Henry H. Gordon, Jr. Title: Director  
(Please Print or Type)  
Agency: Oconee Emer. Prep. Address: 415 South Pine Street  
Phone Number: (864) 638-4200 Walhalla, SC 29691  
Signature: *Henry H. Gordon* Date: 3/1/00 Bonded:  Yes,  No

**CERTIFICATION BY OFFICIAL AUTHORIZED TO SIGN**

*(County Administrator/Manager)*

I certify that I understand and agree to ensure compliance with the general and fiscal provisions of this grant application, including the terms and conditions, thereof; and to ensure compliance with provisions of the regulations governing these funds and all other federal and state laws. I further certify that all information presented is correct and that appropriate coordination with affected agencies has been made. I further certify that I am duly authorized by the County to authenticate this grant application.

Name: Harrison E. Orr Title: Supervisor  
(Please Print or Type)  
Agency: Oconee County Address: 415 South Pine Street  
Phone Number: (864) 638-4242 Walhalla, SC 29691  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Bonded:  Yes,  No

## Additional Completion Instructions for Local EMPG

The worksheets for the LEMPG are at the back of this package. We have provided the following steps to aid you in completing the LEMPG worksheets:

1. Fill in your county name and your name at the top of each worksheet.
2. Determine and annotate the quarter for all mandatory items (M-101 through M-115) that have not been previously scheduled. An "X" should be placed in the Projected Block for the appropriate quarter. All mandatory items must be completed in the appropriate fiscal year.
3. M-115 does not require a selection of a projected quarter. The number of reported incidents should be placed in the box at the end of each quarter.
4. Determine and annotate the quarter for all recommended items (R-201 through R-208). These are recommended and are not mandatory. An "X" should be placed in the Projected Block for the appropriate quarter.
5. Determine and annotate the quarter for all county specific mandatory (CSM-301 through R-305). These are mandatory for specific counties. An "X" should be placed in the Projected Block for the appropriate quarter.
6. The optional county elective items are left for counties to schedule. This area should be used to identify areas from the county self-assessment requiring special emphasis or for initiatives the county would like to pursue.

After the worksheets have been completed and processed, a copy will be sent to the county. **The following instructions should be used to complete the worksheet during the year:**

1. When an item is completed, place an "X" in the Completed Box under the quarter it was completed. Items may be completed in a quarter ahead of the projected quarter. A brief discussion (how it was accomplished, where, problems, lessons learned, personnel involved, etc) of each item is also required.
2. If an item is not completed by the projected quarter, a red "D" for "Delayed" should be placed in the Complete Box under the scheduled quarter. A red "X" should be placed in the new projected quarter and include a discussion describing why it was not completed.
3. The worksheets are required to be submitted quarterly within 10 days after the last month in the quarter ends. This year, the 1<sup>st</sup> quarter report is not required due to the delay in your receipt of the grant package. Reports will be required for the remaining quarters. The final worksheet with all items completed will be due on October 10, 2000. Area Coordinators will review the quarterly completions as scheduled.

FEDERAL EMERGENCY MANAGEMENT AGENCY  
SUMMARY SHEET FOR ASSURANCES AND CERTIFICATIONS

O.M.B. No. 3067-02006  
Expires June 30, 1998

FY 200 0

CA FOR (Name of State)  
South Carolina

This summary sheet includes Assurances and Certifications that must be read, signed, and submitted as a part of the Application for Federal Assistance.

An applicant must check each item that they are certifying to:

- Part I  FEMA Form 20-16A, Assurances-Nonconstruction Programs
- Part II  FEMA Form 20-16B, Assurances-Construction Programs
- Part III  FEMA Form 20-16C, Certifications Regarding Lobbying; Debarment, Suspension, and Other Responsibility Matters; and Drug-Free Workplace Requirements
- Part IV  SF LLL, Disclosure of Lobbying Activities (If applicable)

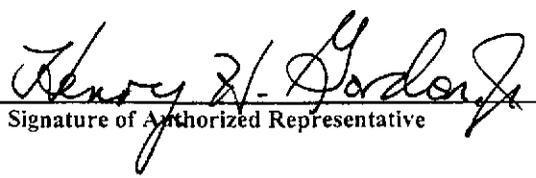
As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the identified attached assurances and certifications.

Henry H. Gordon, Jr.

Typed Name of Authorized Representative

Director

Title



Signature of Authorized Representative

3/1/00

Date Signed

NOTE: By signing the certification regarding debarment, suspension, and other responsibility matters for primary covered transaction, the applicant agrees that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by FEMA entering into this transaction.

The applicant further agrees by submitting this application that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," provided by the FEMA Regional Office entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions. (Refer to 44 CFR Part 17.)

Paperwork Burden Disclosure Notice

"Public reporting burden for this form is estimated to average 1.7 hours per response. The burden estimate includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing, reviewing, and maintaining the data needed, and completing and submitting the form. Send comments regarding the accuracy of the burden estimate and any suggestions for reducing the burden to: Information Collections Management, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472."

FEDERAL EMERGENCY MANAGEMENT AGENCY  
ASSURANCES-NON-CONSTRUCTION PROGRAMS

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

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

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. Section 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration) 5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. Sections 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. Section 794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. Sections 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) Sections 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290-dd-3 and 290-ec-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Acts of 1968 (42 U.S.C. Section 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Title II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or Federally assisted programs. These requirements apply to all interest in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply with provisions of the Hatch Act (5 U.S.C. Sections 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. Sections 276a to 276a-7), the Copeland Act (40 U.S.C. Section 276c and 18 U.S.C. Sections 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. Sections 327-333), regarding labor standards for federally assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.

11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. Section 1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. Section 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).

12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. Section 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.).

14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.

15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.

16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. Section 4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation of residence structures.

17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984.

18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

19. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act (29 U.S.C. 201), as they apply to employees of institutions of higher education, hospitals, and other non-profit organizations.

FEDERAL EMERGENCY MANAGEMENT AGENCY  
**CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND  
OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS**

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature on this form provides for compliance with certification requirements under 44 CFR Part 18, "New Restrictions on Lobbying; and 28 CFR Part 17, "Government-wide Debarment and suspension (Nonprocurement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Federal Emergency Management Agency (FEMA) determines to award the covered transaction, grant, or cooperative agreement.

**1. LOBBYING**

A. As required by section 1352, Title 31 of the U.S. Code, and implemented at 44 CFR Part 18, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 44 CFR Part 18, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;

(b) If any other funds than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or an employee of Congress, or employee of a member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontract(s) and that all subrecipients shall certify and disclose accordingly.

Standard Form LLL, "Disclosure of Lobbying Activities" attached.  
(This form must be attached to certification if nonappropriated funds are to be used to influence activities.)

**2. DEBARMENT, SUSPENSION, AND OTHER  
RESPONSIBILITY MATTERS  
(DIRECT RECIPIENT)**

As required by Executive Order 12549, Debarment and Suspension, and implemented at 44 CFR Part 67, for prospective participants in primary covered transactions, as defined at 44 CFR Part 17, Section 17.510-A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, debarred ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civilian judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or perform a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attached an explanation to this application.

**3. DRUG-FREE WORKPLACE  
(GRANTEES OTHER THAN INDIVIDUALS)**

As required by the Drug-Free Workplace Act of 1988, and implemented at 44 CFR Part 17, Subpart F, for grantees, as defined at 44 CFR Part 17, Sections 17.615 and 17.620:

A. The applicant certifies that it will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an on-going drug free awareness program to inform employees about:

- (1) The dangers of drug abuse in the workplace;
- (2) The grantee's policy of maintaining a drug-free workplace;
- (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
- (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in performance of the grant to be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will:

(1) Abide by the terms of the statement; and

(2) Notify the employee in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction.

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to the applicable FEMA awarding office, i.e., regional office or FEMA office.

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted:

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency.

(g) Making a good faith effort to continue to maintain a drug free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

8. the grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, City, County, State, Zip code)

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Check  if there are workplaces on file that are not identified here.

Section 17.630 of the regulations provide that a grantee that is a State may elect to make one certification in each Federal fiscal year. A copy of which should be included with each application for FEMA funding. States and State agencies may elect to use a Statewide certification.

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The State of South Carolina  
Military Department



OFFICE OF THE ADJUTANT GENERAL

STANHOPE S. SPEARS  
MAJOR GENERAL  
THE ADJUTANT GENERAL

## MEMORANDUM

**To:** All County Directors/Coordinators

**From:** Carol A. Reavis, Administrative Services Manager *Carol Reavis*

**Subject:** Preparation of Annual Submission for Fiscal Year 2000 (October 1, 1999 - September 30, 2000) for the Emergency Management Performance Grant (EMPG)

**Date:** February 28, 2000

As part of your application for Emergency Management Performance Grant (EMPG) funds for Fiscal Year 2000, you are requested to complete the attached financial forms, returning one of each and retaining the second copy for your files. Instructions for the preparation of these forms are enclosed. *The deadline for submittal is March 24, 2000.*

1. FEMA Form 85-16 (Summary of State and Local Expenses)
2. FEMA Form 85-17 (Staffing Pattern) - List the positions which are directly related to the program activities and funded fully or in part with EMPG funds.

**A current position description that describes clearly the specific emergency management duties and functions for each position listed of the staffing pattern, must be included in the submission as a supplement to Form 85-17. No funds will be awarded to your subdivision until these position descriptions are received in this office.**

Unless recently submitted, a Recommendation for Personal Action Form must be submitted with the current salary of each employee (classified and unclassified). One blank is enclosed which may be duplicated for your use.

If you have any questions or problems in preparing these forms, please contact Kathie Brooks or Carol Reavis.

South Carolina Emergency Preparedness Division  
 FY-00 LOCAL EMERGENCY MANAGEMENT GRANT - EMA-2000-GR-0007

October 1, 1999 - September 30, 2000

County Worksheet

County Oconee

Project Director \_\_\_\_\_

Code	Description	FY-99	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr
M-101	Comply with South Carolina Code of Laws, Title 25, Chapter 1, Article 4, and Regulations 58-1, pertaining to Emergency Preparedness.	Projected	X	X	X	X
		Completed				
M-102	In conjunction with SCEPD conduct a county self-assessment every third year (16 counties/year).	Projected				X
		Completed				
M-103	Update 5 year strategic plan, as necessary.	Projected				X
		Completed				
M-104	Update local EOP or annexes and submit letter of certification IAW SC Reg 58-1.	Projected		X		
		Completed				
M-105	Update local SOPs, local implementing documents supporting county EOP, IAW SC Reg 58-1.	Projected				X
		Completed				
M-106	Update critical facilities list in IRIS data base (public & private). *If you don't have access to IRIS, submit a hard copy.	Projected			X	
		Completed				
M-107	Update critical resource list (public & private).	Projected		X		
		Completed				
M-108	Conduct operational equipment tests to maintain alert and warning capability.	Projected	X	X	X	X
		Completed				
M-109	Develop and conduct exercises IAW SC Reg 58-1. Evaluate and critique/report exercises using FEMA form 95-44 (EMERS).	Projected		X		
		Completed				
M-110	Participate in training, and education courses IAW SC Reg 58-1. Attend conferences, workshops, seminars, presentations & demonstrations as schedule permits.	Projected				X
		Completed				
M-111	Prepare and submit annual contract documents to include new year scope of work, budget and staffing pattern.	Projected				X
		Completed				
M-112	Ensure each local jurisdiction is legally bound by signing sub-agreement with state.	Projected		X		
		Completed				
M-113	Prepare and submit EMPG activities and financial reports.	Projected	X	X	X	X
		Completed				
M-114	Conduct a county training needs assessment and provide to SCEPD Training Section.	Projected			X	
		Completed				
M-115	Report actual response and recovery to incidents or emergencies when they occur; conduct evaluations to note deficiencies. (*fill in quarter as reported)	Projected				
		Completed				

South Carolina Emergency Preparedness Division  
 FY-00 LOCAL EMERGENCY MANAGEMENT GRANT - EMA-2000-GR-0007  
 October 1, 1999 - September 30, 2000

County Worksheet

County Oconee

Project Director

Code	Description	FY-99	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr
R-201	Develop and disseminate Public Awareness Information that stresses mitigation and an all hazard approach to preparedness.	Projected				X
		Completed				
R-202	Develop and promote partnerships with organizations (public and private) that have an interest in encouraging mitigation and preparedness activities.	Projected				
		Completed				
R-203	Identify and list local facilities to be used as shelters (Consideration should be given to special needs population).	Projected				
		Completed				
R-204	Develop or update memoranda of understanding or mutual aid agreements.	Projected				
		Completed				
R-205	Brief and train county and municipal elected officials and key agency heads on emergency management issues.	Projected				
		Completed				
R-206	Conduct operationally oriented training for EOC staff.	Projected				
		Completed				
R-207	Identify and train damage assessment team.	Projected				
		Completed				
R-208	Identify and train applicant's agent for the public assistance program.	Projected				
		Completed				

South Carolina Emergency Preparedness Division  
 FY-00 LOCAL EMERGENCY MANAGEMENT GRANT - EMA-2000-GR-0007

October 1, 1999 - September 30, 2000

County Worksheet

County Oconee

Project Director

Code	Description	FY-99	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr
CSM-301	FNF and Host counties will conduct training IAW NUREG 0654/FEMA REP 1, Rev 1, paragraphs N and O.	Projected				
		Completed				
CSM-302	Counties associated with SNF/HRM shipments will attend state/federal REP specific incident training.	Projected				
		Completed				
CSM-303	FNF and host counties will develop nuclear preparedness planning coordination teams.	Projected				
		Completed				
CSM-304	Inland counties will revise operational procedures to incorporate new Inland Wind Model software capability into hurricane preparedness planning.	Projected				
		Completed				
CSM-305	Coastal Conglomerate counties will participate in the annual update of the state hurricane plan.	Projected				
		Completed				

Optional: County Elective\*

	Participate in Severe Weather Awareness Week. (Tornado Poster Contest, etc.)	Projected		X		
		Completed				
		Projected				
		Completed				
		Projected				
		Completed				
		Projected				
		Completed				
		Projected				
		Completed				
		Projected				
		Completed				

**NOTE:** The County Elective section is the area to identify items from your County Self-Assessment that require additional emphasis.



FEDERAL EMERGENCY MANAGEMENT AGENCY  
**SUMMARY OF STATE AND LOCAL EXPENSES**  
 FOR  
**EMERGENCY MANAGEMENT PERFORMANCE GRANT**

DATE 10/01/1999  
 STATE South Carolina

PAGE \_\_\_\_\_ OF \_\_\_\_\_ PAGES  
 FISCAL YEAR 2000

FEMA FORM 85-16  
 AMENDMENT NO.

SEE INSTRUCTIONS ON REVERSE

ESTIMATED EXPENSE-FEDERAL SHARE  
 (Not to exceed 50%, rounded to nearest dollar)

A. TEN	B. NAME OF APPLICANT <i>(State or Local Organization)</i>	C. NUMBER OF PAID PERSONNEL						D. DIRECTOR			PERSONNEL (1)	TRAVEL (2)	ALL OTHER (3)	TOTAL (4)
		FULL- TIME  (1)	PART- TIME  (2)	TOTAL  (3)	WORK YEARS			EMA PAID  EMA PAID  EMA PAID	OTHER VOLUN- TEER					
					PROF. (4)	CLER. (5)	TOTAL (6)							
	Oconee County													
<b>TOTAL - LOCAL CD ORGANIZATIONS</b>														

SIGNATURE (Authorized State Official)

# INSTRUCTIONS

## FEMA Form 85-16

COLUMN A - Provided

COLUMN B - Name of Applicant - Give name of local applicant agency

COLUMN C - Number of Paid Personnel - Full-time and Part -time paid employees.

- (1) Enter the number of full-time employees funded under the SLA grant.
- (2) Enter the number of part-time employees funded under the SLA grant.
- (3) Total of columns (1) and (2).
- (4) Enter the percentage of time worked under the SLA grant for all professional positions. (See examples of Work Years below)
- (5) Enter the percentage of time worked under the SLA grant for all clerical positions. (See examples of Work Years below)
- (6) Total of columns (4) and (5).

Examples: A Director or secretary who works full-time under the SLA grant would be shown as 1. If works half-time under SLA and half-time in another capacity for the local subdivision or another grant, the number would be shown as .50. If works 25 percent of the time under the SLA grant and the other 75 percent in another capacity, the number would be shown as .25.

COLUMN D - Check if the Director is paid under the SLA grant.

COLUMN E - Estimated Expenses- Federal Share (*Not to exceed 50%, rounded to nearest dollar*)

- (1) Total estimated cost for personnel to include labor and the fringe benefit paid by the local subdivision ( social security, insurance, state retirement, workmen's compensation, unemployment compensation, etc .
- (2) Total estimated travel costs.
- (3) All Other costs, such as supplies, equipment, telephone.

FEDERAL EMERGENCY MANAGEMENT AGENCY  
EMERGENCY MANAGEMENT PERFORMANCE GRANT

FISCAL YEAR 2000

FEMA FORM 85-17

NAME OF ORGANIZATION  
Oconee County Emergency Preparedness Agency

STATE South Carolina

DATE 10/01/1999

POSITION TITLE <i>(1)</i>	GROSS ANNUAL SALARY <i>(Fed. Share)</i> <i>(2)</i>	FRINGE BENEFITS <i>(Fed. Share)</i> <i>(3)</i>	WORK YEARS <i>(4)</i>	DATE HIRED OR VACANCY <i>(Mo/Yr)</i> <i>(5)</i>	REMARKS <i>(Name - Optional)</i> <i>(6)</i>

FEDERAL EMERGENCY MANAGEMENT AGENCY  
**EMERGENCY MANAGEMENT PERFORMANCE GRANT**

FISCAL YEAR **2000**

FEMA FORM 85-17

NAME OF ORGANIZATION  
 Oconee County Emergency Preparedness Agency

STATE **South Carolina**

DATE **10/01/1999**

(1) POSITION TITLE	(2) GROSS ANNUAL SALARY (Fed. Share)	(3) FRINGE BENEFITS (Fed. Share)	(4) WORK YEARS	(5) DATE HIRED OR VACANCY (Mo/Yr)	(6) REMARKS (Name - Optional)

## INSTRUCTIONS

### FEMA FORM 85-17

1. Enter official name of organization
2. Enter the official position title of each employee funded fully or in part with SLA funds.
3. Gross Annual Salary (including fringe) show the federal share of personnel cost for the position.  
Example: Full-time director , total salary including benefits - \$32,000. The amount shown would be \$16,000.  
Part-time director who works 50% under SLA and 50% in another capacity for the local subdivision, total salary including benefits - \$32,000. The amount shown would be \$8,000 (50% of the SLA portion of the salary and benefits.)
4. Fema Funding Program - SLA
5. Work Years - Enter the percentage of time worked under the SLA grant  
Examples: A Director or secretary who works full-time under the SLA grant would be shown as 1. If works half-time under SLA and half-time in another capacity for the local subdivision or another grant, the number would be shown as .50
6. Date Hired or Vacancy (Mo/Yr) - Show effective date hired for present position. If position is vacant, show vacant and expected date vacancy will filled in Remarks column.

EMERGENCY PREPAREDNESS DIVISION  
OFFICE OF THE ADJUTANT GENERAL OF SOUTH CAROLINA  
RUTLEDGE BUILDING - 1429 SENATE STREET  
COLUMBIA, SOUTH CAROLINA 29201

PERSONNEL ACTION FOR EMPG

FROM: \_\_\_\_\_ DATE: \_\_\_\_\_

NAME: \_\_\_\_\_  
(FIRST) (M.I.) (LAST) SOCIAL SECURITY # POSITION

\_\_\_\_\_  
SALARY EFFECTIVE DATE SOURCE OF FUNDS

APPOINTMENT:

Transfer	_____	Demotion	_____	Salary Reduction	_____
Promotion	_____	Termination	_____	Retired	_____
Salary Advance	_____	Resignation	_____	Deceased	_____
Suspension	_____				

USE SPACE BELOW FOR CHANGE OF STATUS:

FROM \_\_\_\_\_ TO \_\_\_\_\_

TYPE OF APPOINTMENT: \_\_\_\_\_

SALARY: \_\_\_\_\_

If separation, reemployment is \_\_\_\_\_ is not \_\_\_\_\_ recommended.

REMARKS:

SIGNATURE: \_\_\_\_\_  
Director

APPROVAL:

\_\_\_\_\_  
State Administrative Officer

**STATE OF SOUTH CAROLINA  
COUNTY OF OCONEE  
PROCLAMATION 2000-02**

**WHEREAS**, April 7, 2000 is being recognized as "*YOUNG AUTHOR'S DAY 2000*" in the Oconee County School District; and

**WHEREAS**, the teachers would like to show their pride in these young authors and share their books with families and friends in the community; and

**WHEREAS**, the teachers are inviting all county residents to visit an elementary school on April 7<sup>th</sup>, 2000 in encouragement and support of these Oconee County students who have shown an interest in literature by becoming young authors.

**NOW THEREFORE, BE IT KNOWN THIS DAY** that the Oconee County Council does hereby proclaim April 7<sup>th</sup>, 2000 as "*Young Author's Day*" in the county and invites the citizens of Oconee County to show their pride, support and encouragement to these students in the Oconee County School District by visiting an elementary school and viewing the books written by these children.

**ADOPTED ON FIRST AND FINAL READING** this seventh day of March 2000 by unanimous vote as evidenced by the hand of the Supervisor-Chairman and attest of the Council Clerk.

---

Harrison E. Orr  
Supervisor-Chairman  
Oconee County Council

(Seal)

Attest:

---

Opal O. Green  
Council Clerk

<b>BIDDER</b>	<b>Goldie &amp; Assoc.</b>	<b>Milone &amp; MacBroom, Inc.</b>	<b>J. L. Rogers &amp; Callcott Engineers</b>	<b>Farmer &amp; Simpson Engineers</b>			
<b>Lump Sum Price</b>	<b>\$133,780.00</b>	<b>\$144,120.00</b>	<b>\$145,000.00</b>	<b>\$147,100.00</b>			
<b>Anticipated Construction Time</b>	<b>20 months</b>	<b>16 months</b>	<b>20 months</b>	<b>66 weeks</b>			
<b>Committee Scoring</b>	<b>440</b>	<b>390</b>	<b>363.7</b>	<b>349</b>			
<b>Attended Bid Opening:</b>	<b>Jon Caime, Marianne Dillard, Ann Albertson and Dick Mangrum</b>						

**OCONEE COUNTY  
ROCK QUARRY**

**RECEIVED**

**FEB 29 2000**

**OCONEE COUNTY  
PURCHASING DEPT**

# Memo

**To:** Marianne Dillard, Purchasing Agent  
**From:** Tommy Crumpton, Director  
**Date:** 02/28/00  
**Re:** Stolen Property

---

The Rock Quarry experienced a burglary on the weekend of February 19 – 20, 2000. I had previously asked employee, Rafael Crowe, to bring some personal tools to the quarry in order to perform his duties as assistant diesel mechanic. The tools, as listed on the attached sheet, were stolen along with county property in this burglary. I would appreciate your favorable consideration in the replacement of these tools.

STOLEN PROPERTY  
FROM OCONEE COUNTY ROCK QUARRY

AMT.	DESCRIPTION	PART#	PRICE
1 SET	SOCKETS - 1/4" DRIVE STANDARD/METRIC, DEEP/SHALLOW	933405	\$ 29.95
1 EACH	RATCHET - 1/4" DRIVE	944807	\$ 10.95
1 EACH	EXTENSION BAR - 3", 1/4" DRIVE	943539	\$ 3.95
1 EACH	EXTENSION BAR - 6", 1/4" DRIVE	943531	\$ 4.95
1 SET	SOCKETS - 3/8" DRIVE STANDARD/METRIC, DEEP/SHALLOW	934319	\$ 79.95
1 EACH	RATCHET - 3/8" DRIVE	944811	\$ 13.95
1 EACH	EXTENSION BAR - 3", 3/8" DRIVE	944264	\$ 4.95
1 EACH	EXTENSION BAR - 6", 3/8" DRIVE	944261	\$ 6.95
1 EACH	EXTENSION BAR - 10", 3/8" DRIVE	944262	\$ 9.45
1 SET	SOCKETS - MEDIUM LENGTH, STANDARD	943218	\$ 19.95
1 SET	SOCKETS - DEEP, STANDARD	934440	\$ 19.95
1 SET	SOCKETS - 1/2" DRIVE STANDARD, DEEP/SHALLOW	944074	\$ 59.95
1 SET	SOCKETS - 1/2" DRIVE METRIC, DEEP/SHALLOW	934840	\$ 59.95
1 EACH	RATCHET - 1/2" DRIVE	944809	\$ 19.95
2 EACH	EXTENSION BARS - 3", 1/2" DRIVE @ 7.95 EA.	944131	\$ 15.90
2 EACH	EXTENSION BARS - 6", 1/2" DRIVE @ 5.95 EA.	944133	\$ 11.90
1 EACH	RATCHET - 1/2" DRIVE, LONG-HANDLED	944816	\$ 29.95
1 EACH	RATCHET - 3/8" DRIVE, LONG-HANDLED	944815	\$ 19.95
1 EACH	AIR RATCHET - 3/8" DRIVE	919901	\$ 99.95
1 EACH	AIR GRINDER	919978	\$ 74.95
1 SET	BALL PEIN HAMMER	938459	\$ 29.95
1 SET	SCREW DRIVERS	947453	\$ 39.95
1 SET	PLIERS	945316	\$ 39.95
1 SET	QUICK WRENCHES	942364	\$ 59.95
1 EACH	TOOL CHEST - 7 DRAWER	965885	\$ 229.95
	<b>PAGE TOTAL</b>		\$ 997.15



# OCONEE COUNTY SHERIFF'S OFFICE

415 SOUTH PINE STREET  
WALHALLA, SOUTH CAROLINA 29691-2145  
(864) 638-4117

*James E. Singleton, Sheriff*

March 3, 2000

Ms. Phyllis Lombard  
Director of Finance  
415 South Pine Street  
Walhalla, South Carolina 29691

Dear Ms. Lombard:

Recently while we were preparing the budget for year 2001, it became painfully obvious that at our present usage rate of overtime for dispatchers we will be out of overtime money by the middle of April if not sooner. We probably should have identified this as a request under supplemental, but since we missed that opportunity, I guess we will have to transfer salary money for unfilled positions to the overtime account for dispatchers.

In addition, while renewing our maintenance contract for our dispatch center recording unit (on which the service contract expired 3-1-2000), we now have a negative balance in our maintenance account for radio and equipment repair. I was told that the money that was removed in the maintenance account last year (prior to my arrival) by the County Council would be restored based on need and request. Based on our average repair on walkie-talkies and radios, we will need that money restored immediately.

The bottom line is that between overtime and equipment maintenance, we will need approximately \$25,000.00 restored to our spending authorization immediately. I will be discussing this with the County Supervisor so that I can request the funding through contingency.

Sincerely,

A handwritten signature in black ink that reads "John A. Murray". The signature is written in a cursive style with a large initial "J".

John A. Murray  
Director, Public Safety Communications

cc/Sheriff Singleton  
cc/Chief Pruitt  
cc/Ms. Vickie Bottoms  
cc/Mr. Garry Freeman

# TALBERT & BRIGHT

February 28, 2000

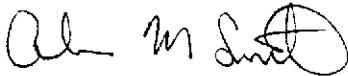
Mr. Jon Caime  
Oconee County Engineering  
415 S. Pine Street  
Walhalla SC 29691

RE: Oconee County Regional Airport  
DBE Plan for FY 2000  
TBI No. 3401-0001

Dear Jon:

Enclosed are four copies of Work Authorization 00-01 for the subject project. Please execute all four copies, maintain one copy for your files, and return remaining copies to our office. Please note that preparation of the DBE Plan must be completed prior to bidding the Runway, Overlay, Widening and Extension, Apron Rehabilitation and Overlay, and Runway Safety Area projects. Please call if you should have any questions.

Yours truly,



Alan M. Smith, P.E.  
Senior Project Engineer

AMS/arr

c: Mr. Marion Lyles  
Mr. Harrison Orr

ENGINEERING & PLANNING CONSULTANTS

THE COTTON EXCHANGE • 321 N. FRONT STREET • WILMINGTON, NC 28401 • 910.763.5350 • FAX 910.762.6281

CHARLOTTE, NORTH CAROLINA • WILMINGTON, NORTH CAROLINA • RICHMOND, VIRGINIA

**OCONEE COUNTY REGIONAL AIRPORT**  
**WORK AUTHORIZATION FOR PROFESSIONAL SERVICES**

**Work Authorization No.: 00-01**

**Date: February 25, 2000**

**TBI Project No. 3401-0001**

It is agreed to undertake the following work in accordance with the provisions of our Contract for Professional Services.

---

**Description of Work Authorization:** Engineering Basic Services for the Preparation of DBE Plan for FY 2000 at the Oconee County Regional Airport in accordance with 49 CFR, Part 26. A Scope of Work for Preparation of DBE Plan is attached.

**Estimated Time Schedule:** The DBE Plan shall be completed within four (4) weeks of the date of written authorization to proceed.

**Cost of Services:** The method of payment shall be lump sum in accordance with Section V of the Contract. The lump sum amount for the Preparation of DBE Plan shall be \$9,990.00.

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Agreed as to scope of services, time schedule, and budget:

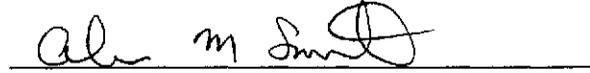
\_\_\_\_\_  
Approved for Oconee County

  
\_\_\_\_\_  
For Talbert & Bright, Inc.

Date: \_\_\_\_\_

Date: 2/28/00

\_\_\_\_\_  
Witness

  
\_\_\_\_\_  
Witness

Manhour Estimate  
 Preparation of DBE Plan  
 Oconee County Regional Airport  
 No. 3401-0001

Phase No.	Bill Group	Description	Prin	P5	P3	E4	S4
14	001	<b>DBE Plan Update</b>					
		1. Review/Compare Existing Plan Requirements vs. Performance to Date.	1	8	4	2	1
		2. Develop Construction Cost Estimate and Identify Potential MBE/WBE Subcontract Work Elements for the Period Covered by the Plan, Establish Overall Goals.	1	8	14	4	4
		3. Review Updated List of Available MBE/WBE Firms, Develop Proposed FY 2000 Goals.	1	12	14	2	4
		4. Update DBE Plan Narrative, Documentation, and Appendices.	1	16	14	2	8
		5. Submit/Coordinate Plan Comments/Approval/Revisions with FAA Civil Rights Section.	1	8	8	1	1
		6. Review/Coordinate Advertisement/Specifications for Compliance with Plan.	1	16	2	5	1
		<b>Manhour Total</b>	<b>6</b>	<b>68</b>	<b>56</b>	<b>16</b>	<b>19</b>

**Labor Expenses**

Classification	Billing Rate	Estimated Manhours	Estimated Cost
Project Manager	\$96.00	6	\$576.00
Planner 5	70.00	68	4,760.00
Planner 3	48.00	56	2,688.00
Engineer 4	63.00	16	1,008.00
Secretary 4	36.00	19	684.00
<b>Subtotal Labor</b>		<b>165</b>	<b>\$9,716.00</b>

**Direct Expenses**

Expense Description	Unit	Unit Rate	Estimated Units	Estimated Cost
Reproduction	Sets	\$20.00	10	\$200.00
Telephone/Postage	L.S.			50.00
Miscellaneous Supplies	L.S.			30.00
<b>Subtotal Expenses</b>				<b>\$280.00</b>

**Total DBE Plan Update Phase**

**USE \$9,990.00**

**Scope of Work  
Preparation of DBE Plan  
Oconee County Regional Airport  
February 25, 2000**

**Preface:**

As of March 4, 1999, new rules for developing and implementing the USDOT's Disadvantaged Business Enterprise (DBE) Program, became effective (CFR 49, Part 26). The Federal Aviation Administration (FAA), as an entity of the USDOT, must also implement the new program for all qualifying FAA grant recipients. The Oconee County Regional Airport is a qualifying grant recipient.

Talbert & Bright, Inc., proposes to prepare the FAA-required Disadvantaged Business Enterprise (DBE) plans and goals for AIP-assisted projects at the Oconee County Regional Airport, according to the newly enacted DBE legislation, 49 CFR, Part 26. Ken Weeden & Associates, Inc., (DBE) will provide subconsultant services for this project. Services will be provided as described below:

**I. Proposed Services (Phases A through C)**

- A. Develop a new DBE Program for the Airport, which meets all of the requirements of CFR 49, Part 26. Major components of the new DBE Plan include, but are not limited to:
  - 1. Establishing overall and/or contract DBE goals through the three-step process of:
    - a. Developing and submitting an "interim" goal to the FAA.
    - b. Developing a "Baseline Figure" for the relative availability of ready, willing, and able DBE's, using an FAA-acceptable methodology for the agreed upon "market area", or Project Service Area, part of the final "overall goal" and,
    - c. Making appropriate "adjustments" to the Baseline figures, using methods acceptable to FAA and consistent with the regulation to develop a final overall goal.

This includes conducting the necessary demographic/market area analysis to determine the "relative availability" of DBE's by SIC, or NAICS codes or similar acceptable means. This will be based on reviews of projected AIP projects at the Airport. This will also include reviewing historical DBE performances, historical bidder's lists, and/or collecting information from small and disadvantaged business development agencies.

- 2. Fulfill Public Participation requirements for the regulation, i.e., consultation with representative minority and/or women contractor organizations, and

publication of Notice announcing the proposed overall goal methodology and its availability for 45-day public comment period.

3. Assist in establishing a mechanism for the Airport to collect, compile, and organize pertinent information on all bidders and/or prospective bidders, who contact the Airport, which can be used in establishing future DBE goals.
- B. Develop proposed FY 2000 DBE goals for the Airport in consultation with the designated Engineer, considering realistic subcontracting possibilities for each project for goal development, considering opportunities in both construction and in professional services.
  - C. Develop the appropriate Narrative Text documenting the new DBE program and its methodology, to be typed and submitted to the FAA Civil Rights office on behalf of the Airport, after review and input by the designated Engineer. The DBE Plan shall conform to the requirements of 49 CFR, Part 26. The consultant or subconsultant will coordinate with the FAA concerning review and approval of the Plan/goals, including follow-up.
  - D. The services to be provided by the consultant for this proposed Agreement, do not include *any* responsibility for the following:
    - 1) Plan implementation, or monitoring for DBE program compliance.
    - 2) Development of plans/goals for Subpart F Concession Plans, or any similar revenue-generating activity.
  - E. Review and coordinate previously prepared advertisement, specifications, and contract documents for compliance with new DBE plan and requirements.

## II. Information to be Provided by the Engineer and/or the Airport

The Engineer and/or Airport will provide the following information, services, and/or data to the consultant, if available:

- A. Available historic information on bidders and DBE's for the Project Service Area.
- B. Copy of Disparity Study or similar document if one has been completed and is available.
- C. Description of the FY 2000 projects and cost estimates of the major work elements.
- D. Assist in helping to determine the Project Service Area.
- E. Review of proposed DBE overall and/or goals, prior to submittal to the FAA.