



OCONEE COUNTY COUNCIL
ABSTENTION FORM

Council Member Name: Mario Suarez
(Please Print)

Council Member Signature: Mario Suarez

Meeting Date: 10/21/08

Item for Discussion/Vote: 10/7/08 Workshop Meeting Minutes

Reason for Absention: I was not present for original meeting/discussion

I have a personal/familial interest in the issue.

Other: _____

Elizabeth G. Hulse
Elizabeth G. Hulse
Clerk to Council

[This form to be filed as part of the permanent record of the meeting.]





OCONEE COUNTY COUNCIL
ABSTENTION FORM

Council Member Name: FRANK ABLES
[Please Print]

Council Member Signature: *Frank Ables*

Meeting Date: 10/21/08

Item for Discussion/Vote: 10/7/08 Workshop Meeting Minutes
10/7/08 Regular Meeting Minutes

Reason for Absention: I was not present for original meeting/discussion

I have a personal/familial interest in the issue.

Other: _____

E. G. Hulse
Elizabeth G. Hulse
Clerk to Council



MEMORANDUM

TO: County Council Members
Dale Surrett, County Administrator
Brad Norton, County Attorney

DATE: October 13, 2008

RE: **ZONING ENABLING ORDINANCE**

Gentlemen;

Mr. Blanchard asked that I not waste paper to again copy the ZEO for the packs for the meeting to be held on Tuesday, October 21, 2008.

Please bring with you your copy of the ZEO from your October 7, 2008 packs. If you don't still have your copy, please let me know and I will have a copy ready for your review at the meeting. Reminder: the full ordinance is available for review on line at the council website.

I am enclosing the recommended changes from the Planning Commission's meetings held on October 6, 2008 and October 13, 2008. These documents supplement the ZEO and note suggested replacement language, etc.

See you on the 21st.

Oconee County
Administrative Offices
415 South Pine Street
Walhalla, SC 29697

Phone: 864 718 1023
Fax: 864 718 1024

E mail:
bbuluse@oconeesc.com

George C. Blanchard
Chairman
District I

Thomas S. Crumpton
District II

Mario Suarez
District III

Marion E. Lyles
District IV

H. Frank Ables, Jr.
District V





Recommended to County Council on October 13, 2008 by the Planning Commission

The following are the Planning Commission's recommended changes to the draft Zoning Enabling Ordinance.

Commission Recommendation 1
Amend Section 2.1 to reference the South Carolina Right to Farm Act as shown

Section 2.1 General Prohibition- The use of all land and structures within the jurisdiction of Oconee County shall comply with all of the provisions contained within this ordinance. As such, no building or structure, no use of any building, structure, or land; and no lot of record which did not now or hereafter exist on the effective date of these regulations shall be created, established, altered, moved, diminished, divided, eliminated, or maintained in any manner except in conformity with the provisions of this ordinance. All standards set forth in this document shall in no manner be construed to conflict with the provisions of the South Carolina Right to Farm Act.

Commission Recommendation 2
Amend Section 2.4 to read as shown

Section 2.4 Zoning Permit-

No zoning permit shall be issued by the Oconee County Zoning Officer or the Board of Zoning Appeals except in conformity with the provisions of this Ordinance.

Commission Recommendation 3
Amend portion of Section 4.2 to read as shown

Section 4.2-

For the purposes of this section, the terms "altering", "expanding" and "changing" shall be strictly construed. "Rebuilding" shall mean the rebuilding, reconstruction, or restoration of any nonconforming building or structure which was damaged or partially destroyed by fire, flood, wind, explosion, or other calamity or Act of God. "Resuming" shall mean the reusing or reoccupying of a nonconforming building or structure which was unused or unoccupied for a continuous period, or the resuming of a nonconforming use which was abandoned for a continuous period. All structures rebuilt or otherwise modified under the provisions of this Ordinance shall be constructed to conform to adopted codes.

Commission Recommendation 4
Amend portions of Section 8.5 to read as shown

Section 8.5 Methods of Initial Rezoning- Upon adoption of this ordinance, rezoning of a parcel or group of parcels shall be initiated by one of the following methods:

(1) Method 1- Planning District Initiated by Property Owners

- a. Any group of property owners owning parcels lying within any planning district described within this section may petition for initial rezoning for the entirety of the district. The Planning Districts, which are based on the approximate boundaries traditionally used by local fire stations as service areas, are as follows:
- b. Petitions to initiate a rezoning of an entire Planning District shall be made in the following manner:

1. Property Owner's Petition- Anyone wishing to amend the map of their Planning District shall acquire the signatures of a minimum of thirty percent (30%) of the owners of parcels lying within the boundaries of the said planning district. The petition shall contain the following statement of support:

"I hereby certify that I own a parcel lying within the _____
Planning District, and I support the consideration of rezoning the entire
district."

**Also, amend portions to require 51% of property owners to approve any proposed
map prior to County Council consideration. Amend number 9 and number 10 to
read as shown**

9. Comment Period- A comment period of no less than thirty (30) days shall be held at this time, during which the Planning Department shall mail a survey to all district property owners soliciting their opinion of the proposed changes. All responses shall be documented, and a report of the overall results presented by staff to the Planning Commission. In the event fifty-one percent (51%) or more of the responses support the proposed amendments to the official zoning map, the Planning Commission shall recommend adoption of the amendments to County Council. In the event less than fifty-one percent (51%) of the responses support the proposed amendments, the process to amend the Planning District zoning map shall be considered ended, and no new effort to initiate an amendment of the entire Planning District's portion of the Official Zoning Map through this method may occur sooner than two (2) years from the date the results are announced by the Planning Commission Chairman.

10. Consideration of survey results by County Council- The Planning Commission's recommendation to amend a Planning District's portion of the Official Zoning Map shall be presented to County Council, who may schedule a public hearing on the proposed amendments. Once the public hearing has been completed, County Council may take third and final reading of an ordinance to amend the Planning Districts portions of the Official Zoning Map

**Commission Recommendation 5
Remove height limits in all districts**

Community Commercial District is shown as an example-

Dimensional Requirements*

Residential Uses	Density & Lot Size			Minimum Yard Requirements			Max. Height
	Min. Lot Size	Max. Density	Min. Width (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	Structure Height (ft.)
	1 acre (43,560 sf)	1 dwelling per acre	100	25	5	10	-
Non-residential Uses	Minimum Lot Size		Minimum Yard Requirements			Max. Height	
	Min. Lot Size	Min. Width (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	Structure Height (ft.)	
	1 acre (43,560 sf)	100	25	5	10	-	

*See Article 9 for general provisions and exceptions to Dimensional Requirements.

**Commission Recommendation 6
Remove all Overlay Districts from the Zoning Ordinance**

**Commission Recommendation 7
Remove the definition of Outdoor Storage**

Commission Recommendation 8

Add the following definition for Roadside Stand to allow for garden produce and handicrafts to be sold seasonally, and allow in all districts; also, provide for required maintenance and/or removal of unused structures

Roadside Stand- typically a seasonally temporary stand less than 200 square feet used to sell farm and garden products, hand crafts, and other homemade items; or those locations used for educational, religious, or recreational fundraisers; or those locations used for the conveyance of public information. Unsafe or abandoned structures, or any structure that presents a health or safety threat to the public, shall not be considered a legitimate Roadside Stand.

Commission Recommendation 9

**Provide language to enable a non-conforming business to expand operations.
Amend Section 4.2 as shown**

Section 4.2 In the event an alteration is proposed for any nonconforming structure, the following standards shall apply:

- (1) The altering, expanding, changing, rebuilding, or resuming of a nonconformity shall be subject to review and permitting under provisions for conditional usage established in this ordinance.
- (2) If a nonconforming building or structure is reused or reoccupied without alteration, or an abandoned use is resumed within twelve (12) months, no permit is required under this ordinance, provided, the nature and degree of the nonconformity will not be changed or increased from that which existed before the nonconformity became unused, unoccupied, or abandoned.
- (3) An expansion of a nonconforming structure that is a non-conformity solely due to dimensional setbacks shall be permitted, provided the dimensional nonconformity will not be increased.
- (4) Nonconforming buildings or structures utilized as an integral part of a business at the time of adoption of these standards shall be permitted to be expanded, provided:
 - a. ownership of the parcel upon which the nonconforming buildings or structures has not changed subsequent to the date of adoption;
 - b. district setback and height requirements are met, with no existing dimensional nonconformities being increased;
 - c. any increase in excessive light, noise, dust or other negative impacts on neighboring uses resulting from the proposed expansion are mitigated by screening, fencing, or other means necessary.

Recommended Deletions and Additions to Uses

Strikethroughs indicate recommended deletions.

Highlighted indicates recommended additions.

	Traditional Rural District	Rural Residential District	Conservation District	Agriculture District	Residential District	Lake Residential District	Community Commercial District	Highway Commercial District	Industrial District	Typical Examples- Not Limited To Shown Uses
Agricultural Production, crops and livestock	√	√	√	√			√	√	√	General Farming
Agricultural Production, crops & Horses [excluding all other livestock]					√					
Agricultural Support Services	√	CD		√			CD	√	√	Feed Store, Granary
Air Strips & Airports								SE	SE	Oconee County Airport
Air Strips [private use]	√	SE		SE				SE	SE	
Animal Services	√			√			√	√	√	Veterinarian Offices
Auction House	√			CD			CD	CD		
Auditorium/Indoor Public Assembly	√			√			√	√		Community Theater/ Play House
Automobile Services & Repair	√			√			CD	√	√	
Automobile Services & Repair	√	-	-	-	-	-	-	-	-	
Automotive Parking & Garages [as a principal use]							√	√	√	

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Highlighted indicates recommended additions.

	Traditional Rural District	Rural Residential District	Conservation District	Agriculture District	Residential District	Lake Residential District	Community Commercial District	Highway Commercial District	Industrial District	Typical Examples- Not Limited To Shown Uses
Automotive Sales & Rental	√			√			CD	√		Car, Boat, RV, or ATV Sales
Automotive Services & Gas Stations [excluding Truck Stops]	√	√					√	√	√	
Automotive Services & Gas Stations [no major repair or long-term vehicle storage]								√		
Banks							√	√		
Bed & Breakfast	√	SE	SE	CD	SE	SE	CD	√		
Building & Special Trade Contractors	√	√		√			√	√	√	Contractor Place of Business
Building Materials & Supply	√			√			CD	√	√	Hardware Stores
Bus & Transit Terminals & Stops							√	√	√	
Cemeteries: Commercial	√							√	√	
Cemeteries: Family & Accessory [excluding principal use]	√	√	√	√	CD		√			Church Cemeteries
Civic, Fraternal, Professional & Political Organizations	√	√		√	CD		√	√		Lions Club, Rotary Club
Commercial Fishing, Hunting & Trapping	√		SE	√						Quail farm pay to hunt
Communications Towers	SE	SE	SE	SE			SE	SE	SE	
	CD	CD	SE	CD	CD	CD		CD		

Recommended to County Council on October 13, 2008 by the Planning Commission

Strikethroughs indicate recommended deletions.

Highlighted indicates recommended additions.

	Traditional Rural District	Rural Residential District	Conservation District	Agriculture District	Residential District	Lake Residential District	Community Commercial District	Highway Commercial District	Industrial District	Typical Examples- Not Limited To Shown Uses
Conservation Subdivisions										
Convenience Stores	√			√			√	√		
Correctional Facilities									SE	
Crematories									SE	
Day Care Facilities	√	CD		√	CD	CD	√	√		
Distribution								√	√	Shipping and Receiving Warehouse
Emergency Services	√	√	√	√	√	√	√	√	√	
Farm Supply Stores	√	CD		√			√	√		Feed and Seed Stores
Farms & Ranches, general	√	√	√	√						
Financial Services & Offices	-	-	-	-	-	-	√	√	-	
Forestry	-	√	√	-	√	√	√	-	√	
Forestry/Silviculture	√	CD	√	√	CD	CD	CD	√	CD	
Fuel Supply Services	√						SE	√		Propane tanks/supply
Fuel Supply Services [excluding gas stations]									SE	
Fuel Supply Services [excluding truck stops]				√						
Funeral Homes & Services							√	√		
Golf Courses & Country Clubs	√				√	√		√		
Government Buildings	SE								√	

Strikethroughs indicate recommended deletions.

Highlighted indicates recommended additions.

	Traditional Rural District	Rural Residential District	Conservation District	Agriculture District	Residential District	Lake Residential District	Community Commercial District	Highway Commercial District	Industrial District	Typical Examples- Not Limited To Shown Uses
Government Buildings [excluding correctional facilities]	√	√	√	√	√		√	√		
Greenhouses & Nurseries, commercial	√	√		√			√	√	√	
Group Homes	SE			SE						
Gun Clubs & Skeet Shooting Ranges	SE		SE	SE				SE		
Health Care Services	√						√	√		Urgent Care, Hospitals
Health Care Services [excluding hospitals]	√	√		√			√	√		Urgent Care Alteration or Sewing, Home Hair Salons
Home Occupations	CD	CD	CD	CD	CD	CD	CD	CD		
Home Occupations [commercial]	-	-	-	-	-	-	CD	-	-	
Hospitals	-	-	-	-	-	-	-	√	-	
Hotels, Motels & Inns	√			√			√	√		
Hunting & Fishing Camps [temporary]	√	CD	CD	CD				CD		
Landscape Services	√	√		√			√	√		Landscape/Maintenance Contractor
Laundry & Dry Cleaning Services							√	√		
Libraries	√	√		√	√		√	√		
Liquor Stores							SE	SE		
Lumber	-	-	-	-	-	-	-	-	√	
Lumber & Saw Mills	√			√					SE	

Strikethroughs indicate recommended deletions.

Highlighted indicates recommended additions.

	Traditional Rural District	Rural Residential District	Conservation District	Agriculture District	Residential District	Lake Residential District	Community Commercial District	Highway Commercial District	Industrial District	Typical Examples- Not Limited To Shown Uses
Major Subdivision [greater than 10 residential units]	SE	-	-	-	-	-	-	-	-	
Manufactured Home Dealers								√	√	
Manufactured Home Parks	√	-	-	√	-	-	SE	SE	-	
Manufacturing, heavy									CD	Metal Processing Assembly Plants or Factories
Manufacturing, light								CD	CD	
Marinas	√	SE		√	SE	SE	√	√	√	
Mining	SE			SE						
Mixed Use Buildings	√	CD		√	CD		√	√		Residential loft; commercial on street level
Motion Picture & Sound Industries								√	CD	
Movie Theater	√						SE	√		
Multi-Family Residential Development	√				SE	SE	SE	√		Apartment Complex
Museums, Historical Sites, Sightseeing & similar institutions	√	SE	SE	√			√	√		
Office Uses, general								√		
Office Uses, general [Greater than 2,500 square feet]										Print Shop

Strikethroughs indicate recommended deletions.

Highlighted indicates recommended additions.

	Traditional Rural District	Rural Residential District	Conservation District	Agriculture District	Residential District	Lake Residential District	Community Commercial District	Highway Commercial District	Industrial District	Typical Examples- Not Limited To Shown Uses
Office Uses, general [up to 2,500 square feet]	√			√			√			Print Shop
Outdoor Markets	√						SE	SE		Flea Market
Pawn Shops							SE	√		
Personal Care Services	√			√			√	√		Salon
Places of Worship	√	√		√	√		√	√		
Professional Offices	√	CD		√	SE		√	√	√	Attorney, Surveyor
Public & Private Parks & Recreation [indoor & outdoor]	√	√	√	√	√	√	√	√	√	
Public & Private Utilities	√			√					√	
Public & Private Utilities [excluding electric generation, steam, & air supply]	-	√	√	-	-	-	√	√	-	
Public & Private Utilities [excluding electric generation, steam, air supply & water/sewer treatment]	-	-	-	-	√	√	-	-	-	
Public Parks & Recreation	√	√	-	√	-	-	SE	-	√	
Railroad Stations	√						√	√	√	
Research Facilities	√			SE			SE	√	√	Research Park
Residential Care Facilities	√	SE		√	CD		√	√		Nursing Home
Restaurants	-	-	-	-	-	-	-	-	-	

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Highlighted indicates recommended additions.

	Traditional Rural District	Rural Residential District	Conservation District	Agriculture District	Residential District	Lake Residential District	Community Commercial District	Highway Commercial District	Industrial District	Typical Examples- Not Limited To Shown Uses
Restaurants [greater than 2,500 square feet]	SE	SE		SE			√	√		
Restaurants [up to 2,500 square feet]	CD	CD		CD			√	√		
Retail Uses [up to 5,000 square feet excluding alcohol sales]	√			√			√			Shopping Centers
Retail Uses [up to 50,000 square feet excluding alcohol sales]	-	-	-	-	-	-	-	√	-	
Retail Uses [up to 5,000 square feet]	SE			SE			SE	√		
Retail Uses [5,000-50,000 square feet]								√		
Retail Uses [greater than 50,000 square feet]								SE		
Roadside Markets	√	√	√	√	√		√	√		Permanent produce stands
Roadside Stands	√	√	√	√	√	√	√	√	√	Temporary/ Seasonal produce stands
Rooming & Boarding Houses					CD			√		
Salvage Yard, Junkyard, & Recycling Operations	SE			SE					SE	
Schools, College & University	√			√				√	√	

Strikethroughs indicate recommended deletions.

Highlighted indicates recommended additions.

	Traditional Rural District	Rural Residential District	Conservation District	Agriculture District	Residential District	Lake Residential District	Community Commercial District	Highway Commercial District	Industrial District	Typical Examples- Not Limited To Shown Uses
Schools, Elementary & Secondary	√			√	√		√	√	√	
Schools, Other	CD	CD	CD	CD	CD	CD	CD	CD	CD	
Schools, Vocational	√	-	-	√	-	-	-	√	√	
Services-Uses [indoor, up to 5,000 square feet]	-	-	-	-	-	-	√	-	-	
Services-Uses [indoor]	-	-	-	-	-	-	-	√	√	
Single-Family Detached Residential	√	√	√	√	√	√	√	√		
Single-Family Subdivision					√					
Single-Family Subdivisions (10 units or less)	√	√		SE		√	√			
Single-Family Subdivisions (more than 10 units)	SE					SE				
Solid Waste Landfills [excluding hazardous waste]	SE			SE					SE	
Spectator Sports	√			CD				CD	CD	Rodeos, Tractor Pulls, Dirt Track Racing
Subdivisions	-	-	-	-	√	-	-	-	-	
Taxidermy & Wild Game Processing	√	√		√			SE	CD		
Telecommunications [excluding towers]	√			√			√	√	√	Radio Station

Recommended to County Council on October 13, 2008 by the Planning Commission

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Highlighted indicates recommended additions.

	Traditional Rural District	Rural Residential District	Conservation District	Agriculture District	Residential District	Lake Residential District	Community Commercial District	Highway Commercial District	Industrial District	Typical Examples- Not Limited To Shown Uses
Warehousing & Storage									✓	
Warehousing & Storage [excluding mini storage]	✓			CD			CD	✓		
Warehousing & Storage [indoor]	-	-	-	-	-	-	-	-	✓	
Warehousing & Storage [indoor, excluding mini-storage]	✓	-	-	✓	-	-	-	-	-	
Warehousing & Storage [mini-warehouse]	✓			SE			SE	SE		
Waste Management Services [excluding hazardous waste]	SE			SE						
Wholesale Trade	✓			CD			CD	✓	✓	



\$10.5 56 Now JOBS

2:00
Time is
2.5 hours

Good evening ~~ladies and~~ gentlemen of the Oconee County Council. My name is Todd Bennington, and I am Vice President of Operations for BorgWarner's Torque Transfer Systems facility located in Seneca, Oconee County. I appreciate this opportunity to address you tonight.

Before you this evening is the third and final reading of a very important Ordinance, #2008-16, providing infrastructure tax credits and an amended extension to our current fee agreement dated December 1st, 2007. Your support of this initiative by way of a majority vote would not only be of benefit for BorgWarner, but our community as a whole.

BorgWarner, a good corporate citizen and member of this fine community for over ten years now, is excited to be requesting such support from the council in lieu of today's economic climate. In the end, this program will provide significant levels of additional employment and the ongoing investment in this community of several million dollars.

To date, this council has demonstrated its support of our organization and that of the manufacturing ^{in GENERAL} industry located ~~in Oconee County~~. For that I am grateful and I want to state publicly that I feel fortunate to live in a community that its leadership understands the underlying values of a strong manufacturing base and the benefits derived from it.

County Commission

In return for that support, BorgWarner has demonstrated its commitment to this community through the retention and expansion of good paying jobs through ongoing investment. And we plan to continue that support into the foreseeable future. With that said, it is extremely important to be transparent with this commission, and provide you with a glimpse of the current economic environment in which we make this request for support.

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As you are all aware, we are in unprecedented times with regard to this nation's current financial crisis. This environment has been particularly hard on the automotive markets. The credit markets enable new car consumers to make vehicle purchases. Without liquidity in our financial institutions to provide loans at reasonable rates to consumers, a very negative impact on overall sales of new vehicles will result – which is exactly what is playing out in the automotive market currently. Although we view this as a temporary issue, it may be lengthy, and have a bearing on ^{How quickly we can add new jobs} creating new jobs immediately. It is only right to inform you that the ^{addition} generation of new jobs will be directly tied to a return of growth in our markets, ~~and it is important for this council to understand this.~~ With that said, BorgWarner will not delay capital expenditures in support of this investment, as we are required to proceed full speed with this growth initiative to meet our customers timing. Again, I share this with you in an effort to be totally transparent with regard to this request.

Thank you again for your past support. Because of your decisions, we are a stronger community. I look forward to a relationship of ongoing growth with the approval of Ordinance 2008-16 in support of BorgWarner and our community as a whole.

I will be happy to answer any questions you may have.

Thank you.

1. Die folgenden Aussagen sind wahr oder falsch?

a) $\forall x \in \mathbb{R} \exists y \in \mathbb{R} : x + y = 0$ ist wahr.
b) $\exists x \in \mathbb{R} \forall y \in \mathbb{R} : x + y = 0$ ist falsch.
c) $\forall x \in \mathbb{R} \exists y \in \mathbb{R} : x \cdot y = 0$ ist wahr.
d) $\exists x \in \mathbb{R} \forall y \in \mathbb{R} : x \cdot y = 0$ ist wahr.
e) $\forall x \in \mathbb{R} \exists y \in \mathbb{R} : x - y = 0$ ist wahr.
f) $\exists x \in \mathbb{R} \forall y \in \mathbb{R} : x - y = 0$ ist falsch.

STATE OF SOUTH CAROLINA
OCONEE COUNTY
ORDINANCE NO. 2008-16

AN ORDINANCE BY OCONEE COUNTY, SOUTH CAROLINA, AUTHORIZING AN INFRASTRUCTURE TAX CREDIT (BORGWARNER TORQTRANSFER SYSTEMS INC. PROJECT); THE ENTERING INTO OF CERTAIN COVENANTS AND AGREEMENTS AND THE EXECUTION AND DELIVERY OF CERTAIN INSTRUMENTS RELATING TO THE ISSUANCE OF THE AFORESAID INFRASTRUCTURE TAX CREDIT AND APPROVAL OF THE AMENDMENT AND EXTENSION OF THE FEE AGREEMENT DATED AS OF DECEMBER 1, 2007, INCLUDING CERTAIN OTHER MATTERS RELATING THERETO

WHEREAS, Oconee County, South Carolina (the "County") acting by and through its County Council is empowered under and pursuant to the provisions of the Code of Laws of South Carolina 1976, Title 4, Chapter 1 and Chapter 29 and Title 12, Chapter 44, as amended, (jointly the "Act") to acquire, own, pay for, lease and dispose of infrastructure in order to enhance the economic development of the State of South Carolina (the "State") by inducing manufacturing and commercial enterprises to locate or expand in and remain in the State, and thus utilize and employ the manpower, agricultural products and natural resources of the State; and

WHEREAS, the County is authorized by Sections 4-1-175 and 4-29-68 of the Act to grant an infrastructure tax credit, which is a credit solely against payments in lieu of taxes pursuant to Article VIII, Section 13 of the South Carolina Constitution for the purpose of defraying a portion of the cost of designing, acquiring, constructing, improving or expanding infrastructure in order to enhance the economic development of the County, capitalized interest on the infrastructure tax credit (as described in the Act) and the costs of issuance of said credit; and

WHEREAS, BorgWarner Torqtransfer Systems Inc. (the "Company") and the County entered into a fee agreement dated as of December 1, 2007 (the "Fee Agreement") by which the Company agreed to invest not less than \$13,000,000; and

WHEREAS, in accordance with the provisions of an Amended Inducement Agreement dated October 21, 2008, by and between the Company and the County, the Company has determined that it desires to expand its manufacturing facility (the "Project"), which facility will include certain infrastructure to be owned, leased or used by the Company and to be located on the real property described in *Exhibit A* attached hereto (the "Infrastructure"); and

WHEREAS, the Company has the opportunity to invest in and expand its facility (the "Facility") in the County by an investment additional to that agreed to in the Fee Agreement of not less than \$10,000,000 and desires the County to amend the Fee Agreement and provide for an additional five (5) years to invest in the project as provided in Section 12-44-30(13) of the Act (the "Amended Fee Agreement"); and

WHEREAS, the Company is requesting an additional five (5) year extension in order to continue the investment in and expansion of the Facility in the County.

WHEREAS, having determined that the Project will provide public benefits incident to conducting industrial operations, and in order to implement the public purposes enumerated in the Act and in furtherance thereof to assist the Company in acquiring and maintaining an industrial facility within the State, the County has agreed to authorize an infrastructure tax credit (the "Infrastructure Credit") which Infrastructure Credit will be used to defray costs of the Company in acquiring and constructing the Infrastructure portion of the Project, and, in connection therewith, to make the Infrastructure portion of the Project available to the Company under and pursuant to the terms of an infrastructure credit agreement to be contained in the Amended Fee Agreement; and

WHEREAS, the Infrastructure Credit is to be authorized under and pursuant to the provisions of the Act and to be credited solely against the Fee Payments otherwise due, the Infrastructure Credit is granted to offset a portion of the costs incurred by the Company in connection with the acquisition and construction of the Infrastructure; and

WHEREAS, the County Council acknowledges that this Project was induced to locate in the County by Resolution and Inducement Agreement under the code name of Project Boomer;

WHEREAS, it has been determined that the estimated amount necessary to finance that portion of the cost of the Infrastructure to be defrayed and expenses incidental thereto requires that an Infrastructure Credit equivalent to Fifteen 15% percent of the Fee Payments for the Project be authorized for each of the first ten (10) years for which Fee Payments are made pursuant to the Amended Fee Agreement; and

WHEREAS, the County Council has caused to be prepared and presented to this meeting the form of the Amended Fee Agreement by and between the County and the Company which the County proposes to execute and deliver; and

WHEREAS, it appears that the Amended Fee Agreement above referred to, which is now before this meeting, is in appropriate form and is an appropriate instrument to be executed and delivered by the County for the purposes intended.

NOW, THEREFORE, BE IT ORDAINED by 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 assistance by the County to Company, in the acquisition by construction or purchase of the Infrastructure, through an Infrastructure Credit, is hereby authorized, ratified and approved.

Section 2. The County agrees to the additional five (5) year extension so that the Company may continue to invest not less than \$10,000,000 in addition to the investment pursuant to the Fee Agreement and expand their facilities in the County pursuant to the terms of the Amended Fee Agreement.

Section 3. Pursuant to the authority of the Act, there is hereby authorized to be issued, and granted, an Infrastructure Credit of the County in the amount equal to Fifteen (15%) percent of the Fee Payments for the Project for each of the first ten (10) years of payments in lieu of tax for the Project, for the purpose of defraying the cost of the Infrastructure, so as to induce the Company to locate a facility in the County.

Section 4. The Chairman of the County Council is hereby authorized, empowered and directed to execute and deliver the Amended Fee Agreement. The Clerk to the County Council is hereby authorized and directed to affix the corporate seal of the County to the Amended Fee Agreement and to attest the same. The Agreement is to be in substantially the form now before this meeting and hereby approved, or with such changes, insertions and omissions therein as do not impose liability upon the County and as shall be approved by the Chairman of the County Council executing the same, with the advice of counsel, said execution to constitute conclusive evidence of such approval.

Section 5. The Infrastructure Credit shall be chargeable solely against the Fee Payments for the Project. The Infrastructure Credit does not and shall never constitute an indebtedness of the County within the meaning of any State constitutional provision or statutory limitation and shall never constitute or give rise to a pecuniary liability of the County or a charge against its general credit or taxing power. Such limitation shall be plainly stated on the face of the Amended Fee Agreement. Nothing in this Ordinance or the Amended Fee Agreement shall be construed as an obligation or commitment by the County to expend any of its funds other than the Infrastructure Credit against the Fee Payments for the Project.

Section 6. The Amended Fee Agreement shall be executed in the name of the County with the manual or facsimile signatures of the Chairman of the County Council and shall be attested by the manual or facsimile signature of the Clerk to the County Council of the County. In case the officers whose signature shall appear on the Amended Fee Agreement shall cease to be such officers before the delivery of the Amended Fee Agreement, such signatures shall nevertheless be valid and sufficient for all purposes, the same as if such officers had remained in office until delivery.

Section 7. The Chairman of the County Council and the Clerk of the County Council and any other proper officer of the County, be and each of them is hereby authorized and directed to execute and deliver any and all documents and instruments and to do and to cause to be done any and all acts and things necessary or proper for carrying out the transactions contemplated by this Ordinance.

Section 8. The Chairman of the County Council and the Clerk of the County Council are hereby authorized and directed to execute and deliver an Amended Inducement Agreement with the Company to replace that Inducement Agreement offered to Project Boomer.

Section 9. The provisions of this Ordinance are hereby declared to be separable and if any section, phrase or provision 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 10. 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 be in full force from and after its passage and approval.

Passed and approved this 21st day of October, 2008.

OCONEE COUNTY, SOUTH CAROLINA

By: _____
George C. Blanchard, Chairman of County Council
Oconee County, South Carolina

ATTEST:

By: _____
Elizabeth G. Hulse, Clerk to County Council
Oconee County, South Carolina

First Reading: September 9, 2008
Second Reading: September 23, 2008
Public Hearing: October 21, 2008
Third Reading: October 21, 2008

EXHIBIT "A"

DESCRIPTION OF LAND

All that certain piece, parcel or tract of land, situate, lying and being in the State of South Carolina, County of Oconee, Township of Seneca, containing 78.176 acres, more or less and shown and more fully described by metes and bounds on plat of survey thereof made by R. Jay Cooper, P.E. & L.S. dated April 6, 1990, which plat is recorded in the Office of the Clerk of Court for Oconee County in Plat Book A-54, pages 9 and 10 and which is incorporated herein by reference.

The within described property was conveyed to Borg-Warner Powertrain Systems Corporation by deed of Emhart Industries, Inc. dated September 26, 1995 and recorded in the Office of the Clerk of Court for Oconee County in Deed Book 834 at page 313 on November 5, 1995.



**AMENDED INDUCEMENT AGREEMENT
AND MILLAGE RATE AGREEMENT**

THIS AMENDED INDUCEMENT AGREEMENT made and entered into by and between Oconee County, South Carolina, a body politic and corporate and a political subdivision of the State of South Carolina (jointly hereinafter the "County") and BorgWarner Torqtransfer Systems Inc. (the "Company").

WITNESSETH:

ARTICLE I.

RECITATION OF FACTS

Section 1.1. As a means of setting forth the matters of mutual inducement which have resulted in the making and entering into of this Agreement, the following statements of fact are herewith recited:

- (a) The County is authorized and empowered by the provisions of Title 4, Chapter 1 and Chapter 29 and Title 12, Chapter 44 Code of Laws of South Carolina, 1976, as amended (the "Act") to induce the Company to acquire, enlarge, improve, expand, equip, furnish, own, lease, and dispose of properties through which the industrial and economic development of the State of South Carolina (the "State") will be promoted and trade developed by inducing new industries to locate in the State and by encouraging industries now located in the State to expand their investments and thus utilize and employ manpower and other 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.
- (b) The Company desires that the County (i) extend its right to invest in that certain fee agreement (the "Fee Agreement") dated as of December 1, 2007, wherein the Company agreed to invest not less than Thirteen Million Dollars (\$13,000,000) by the maximum five (5) year period permitted pursuant to Section 12-44-30(13) of the Act by amending the Fee Agreement; and (ii) extend the existing multi-county industrial park with Williamsburg County, South Carolina (the "Park") with Pickens County pursuant to the provisions of Section 4-1-170 of the Act.
- (c) The Company is considering the expansion of its facilities and capabilities to be used for manufacturing of automotive parts and products (the "Project") in the County. The Project will involve an investment of at least Ten Million Dollars (\$10,000,000) in addition to the investment in the Fee Agreement.

Section 2.2. Upon the request of the Company, the County will permit the planning, design, acquisition, construction and carrying out of the Project to commence prior to the execution and delivery of the Amended Fee Agreement.

Section 2.3. Oconee County Council agrees that this constitutes an agreement providing the Company with the Infrastructure Credit.

Section 2.4. (a) Oconee County Council does hereby agree, subject to the requirements of Section 4-1-175 of the Act and the Home Rule Act, to undertake the preparation and adoption of an ordinance authorizing the provision of the Infrastructure Credit which shall be made available to pay or reimburse the payment of a portion of or all of the costs of the infrastructure improvements for the Project and the extension of five (5) years pursuant to the Amended Fee Agreement. The amount of the Infrastructure Credit will be limited such that the total amount of credit over the life of the Infrastructure Credit will be Fifteen (15%) percent of the fee-in-lieu of tax payments retained by the County taxing entities during the first ten years of fee in lieu of tax payments pursuant to the Amended Fee Agreement. The Infrastructure Credit will be payable exclusively from payments the County receives and retains from the Company in lieu of taxes under the Amended Fee Agreement. The Infrastructure Credit shall not constitute a general obligation of indebtedness of the County nor a pledge of the full faith and credit or the taxing power of the County. Provided, for so long as the Amended Fee Agreement remains in full force and effect, the Infrastructure Credit shall be paid solely by setoff by the Company against fee in lieu of tax payments due under the Amended Fee Agreement.

(b) The County will amend the Park with Pickens County dated January 16, 2007 by adding the Project site commencing effective July 25, 2014.

(c) The undertakings of the County hereunder are contingent upon the Company providing the County with such further evidence as may be satisfactory to the County as to compliance with all applicable statutes and regulations.

ARTICLE III

UNDERTAKINGS ON THE PART OF THE COMPANY

Section 3.1. Prior to execution of the Amended Fee Agreement and subsequent to this Agreement, the Company may advance any acquisition or construction funds required in connection with the planning, design, acquisition, construction and carrying out of the Project including any infrastructure.

Section 3.2. The County will have no obligation to assist the Company in finding a bank and the Company may endeavor to finance the Project to the extent required to finance the cost of the acquisition and installation of the Project and the costs of the transaction.

Section 3.3. If the Project proceeds as contemplated, the Company further agrees as follows:

- (a) To acquire, or cause to be acquired, title to the assets constituting the Project;
- (b) To indemnify, defend, and hold the County harmless from all pecuniary liability and to reimburse it for all expenses to which it might be put in the fulfillment of its obligations under this Agreement and in the implementation of its terms and provisions;
- (c) To apply for, and use its best efforts to obtain, all permits, licenses, authorizations and approvals required by all governmental authorities in connection with the acquisition, construction, operation and use of the Project;
- (d) To indemnify, defend and hold the County and the individual directors, officers, agents and employees thereof harmless against any claim or loss or damage to property or any injury or death of any person or persons occurring in connection with the planning, design, acquisition, construction, leasing and carrying out of the Project. The Company also agrees to reimburse or otherwise pay, on behalf of the County, any and all expenses not hereinbefore mentioned incurred by the County in connection with the Project. This indemnity shall be superseded by a similar indemnity in the Amended Fee Agreement;
- (e) To invest not less than Ten Million Dollars (\$10,000,000) in the Project in addition to the investment made pursuant to the Fee Agreement.

ARTICLE IV

GENERAL PROVISIONS

Section 4.1. All commitments of the County under Article II hereof are subject to all of the provisions of the Act and the Home Rule Act, including, without limitation, the condition that nothing contained in this Agreement shall constitute or give rise to a pecuniary liability of the County or any incorporated municipality or a charge against the general credit or taxing powers of either.

Section 4.2. All commitments of the County and the Company hereunder are subject to the condition that the County and the Company agree on mutually acceptable terms and conditions of all documents, the execution and delivery of which are contemplated by the provisions hereof.

Section 4.3. If for any reason this Agreement is not executed and delivered by the Company on or before December 31, 2008 the provisions of this Agreement shall be cancelled and neither party shall have any rights against the other and no third parties shall have any rights against either party except:

(a) The Company will pay the County for all expenses which have been authorized by the Company and incurred by the County in connection with the planning, design, acquisition, construction and carrying out of the Project and for all expenses incurred by the County in connection with the authorization and approval of the Amended Fee Agreement or this Agreement;

(b) The Company will pay the out-of-pocket expenses of officers, agents and employees of the County and counsel for the County incurred in connection with the Project and the execution of the Amended Fee Agreement, and will pay fees for legal services related to the Project and the execution of the Amended Fee Agreement.

Section 4.4. The parties understand that the Company may choose not to proceed with the Project, in which event this Agreement shall be cancelled and, subject to parties' obligations described in Section 4.3, neither party shall have any further rights against the other, and no third party shall have any rights against either party.

Section 4.5. To the maximum extent allowable under the Act the Company may, without the prior consent of the County, assign (including, without limitation, absolute, collateral, and other Assignments) all or a part of its rights and/or obligations under this Inducement Agreement, the Amended Fee Agreement, or any other agreement related hereto or thereto, to one or more other entities which are "Related Parties" within the meaning of the Internal Revenue Code without adversely affecting the benefits to the Company or its assignees pursuant to any such agreement or the Act.

IN WITNESS WHEREOF, the parties hereto, each after due authorization, have executed this Inducement Agreement on the respective dates indicated below.

OCONEE COUNTY, SOUTH CAROLINA

By: _____
George C. Blanchard, Chairman of County Council
Oconee County, South Carolina

ATTEST:

By: _____
Elizabeth G. Hulse, Clerk to County Council
Oconee County, South Carolina

Dated: October 21, 2008

BORGWARNER TORQTRANSFER SYSTEMS INC.

By: _____

Its:

Date: October 31, 2008

**STATE OF SOUTH CAROLINA
OCONEE COUNTY
ORDINANCE NO. 2008-17**

**AN ORDINANCE TO AMEND ORDINANCE NO. 2006-027 RELATING TO
THE INDUSTRIAL/BUSINESS PARK OF OCONEE AND PICKENS
COUNTIES SO AS TO ENLARGE THE PARK.**

WHEREAS, pursuant to Ordinance No. 2006-027 enacted on December 5, 2006 by Oconee County Council, Oconee County (the "County") entered into an Agreement for Development of Joint County Industrial and Business Park dated as of January 16, 2007 with Pickens County (the "Original Agreement") (hereinafter referred to as the "Park Agreement"); and

WHEREAS, pursuant to Section 3 of the Park Agreement, the boundaries of the park created therein (the "Park") may be enlarged pursuant to ordinances of the respective County Councils of the County and Pickens County; and

WHEREAS, the County is desirous of enlarging the Park by the addition of the property described on Exhibit A attached hereto; and

WHEREAS, the County and Pickens County agree that July 25, 2014 will be the effective date of the addition of the property in the Park described on Exhibit A attached hereto; and

WHEREAS, it is now desired that the boundaries of the Park be enlarged; and

NOW, THEREFORE, be it ordained by Oconee County Council that the Park Agreement is hereby and shall be amended to include the property in Oconee County described in the schedule attached to this Ordinance (as such description may be hereafter refined), and that the Chairman of Oconee County Council is hereby authorized to execute and deliver any desired amendments to the Park Agreement necessary to accomplish the within enlargement.

DONE in meeting duly assembled this 21st day of October, 2008.

OCONEE COUNTY, SOUTH CAROLINA

(SEAL)

By: _____
George C. Blanchard Chairman, County Council
Oconee County, South Carolina

ATTEST:

By: _____
Elizabeth G. Hulsc, Clerk to County Council
Oconee County, South Carolina

First Reading:	September 9, 2008
Second Reading:	September 23, 2008
Public Hearing:	October 21, 2008
Third Reading:	October 21, 2008

Addition to Exhibit A (Oconee County) effective
on July 25, 2014 to
Agreement for Development of Joint County
Industrial Park dated as of January 16, 2007 and
Amended on November 17, 2008
Between Oconee County and Pickens County

Tract 2 BorgWarner Torqtransfer Systems Inc.

All that certain piece, parcel or tract of land, situate, lying and being in the State of South Carolina, County of Oconee, Township of Seneca, containing 78.176 acres, more or less and shown and more fully described by metes and bounds on plat of survey thereof made by R. Jay Cooper, P.E. & L.S. dated April 6, 1990, which plat is recorded in the Office of the Clerk of Court for Oconee County in Plat Book A-54, pages 9 and 10 and which is incorporated herein by reference.

The within described property was conveyed to Borg-Warner Powertrain Systems Corporation by deed of Emhart Industries, Inc. dated September 26, 1995 and recorded in the Office of the Clerk of Court for Oconee County in Deed Book 834 at page 313 on November 5, 1995.

STATE OF SOUTH CAROLINA)	
)	FIRST AMENDMENT OF AGREEMENT
COUNTY OF OCONEE)	FOR DEVELOPMENT FOR JOINT
COUNTY OF PICKENS)	INDUSTRIAL PARK

THIS AGREEMENT for the first amendment of an agreement for the development of a joint county industrial/business park located both within Oconee County, South Carolina and Pickens County, South Carolina, dated January 16, 2007, by and between the County of Oconee and the County of Pickens both political subdivisions of the State of South Carolina (the "Agreement"), is made and entered into as of this 3rd day of November, 2008 but with an effective date of July 25, 2014 by and between the parties hereto (the "First Amended Agreement").

RECITALS

WHEREAS, pursuant to the Agreement, Oconee County, South Carolina ("Oconee County"), and Pickens County, South Carolina ("Pickens County") in order to promote economic development and thus provide additional employment opportunities within both of said counties, there has been established in Oconee County and Pickens County a Joint County Industrial and Business Park (the "Park"); and

WHEREAS, as a consequence of the establishment of the Park, property therein is exempt from ad valorem taxation, but the owners or lessees of such property are required to pay annual fees in an amount equal to that amount for which such owner or lessee would be liable except for such exemption; and

WHEREAS, pursuant to the Agreement, Oconee County and Pickens County have agreed to accept responsibility for the costs of infrastructure, maintenance, management, promotional costs, and other appropriate costs associated with the establishment and operation of the Park; and

WHEREAS, Oconee County and Pickens County desire to amend the Agreement by this First Amended Agreement as more specifically provided below;

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

1. **Binding Agreement.** This First Amended Agreement serves as a written instrument amending the entire Agreement between the parties and shall be binding on Oconee County and Pickens County, their successors and assigns.

2. **Authorization.** Article VIII, Section 13(d), of the Constitution of South Carolina (the "Constitution") provides that counties may jointly develop an industrial or business park with other counties within the geographical boundaries of one or more of the member counties, provided that certain conditions specified therein are met and further provided that the General Assembly of the State of South Carolina provides by law a means by which the value of property in such park will be considered for purposes of bonded indebtedness of political subdivisions and school districts and for purposes of computing the index of taxpaying ability for school districts. Section 4-1-170, Code of Laws of South Carolina, 1976, as amended ("Section 4-1-170"), satisfies the conditions imposed by Article VIII, Section 13(d), of the Constitution and provides the statutory vehicle whereby a joint county industrial park may be created.

3. **First Amendment to the Agreement.** As of the date of this First Amended Agreement, the Agreement as amended by the First Amended Agreement is hereby further amended, in accordance with Section 3(B) of the Agreement, so to expand the Park premises in Oconee County by the addition of one (1) tract of land, shown as "Tract 2" on the revised Exhibit A, which shall amend, replace, and supersede the Exhibit A to the Agreement which was in effect prior to execution of this First Amended Agreement. Such amendment shall be effective as of July 25, 2014.

4. **Severability.** In the event and to the extent (and only to the extent) that any provision or any part of a provision of this First Amended Agreement shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable the remainder of that provision or any other provision or part of a provision of this First Amended Agreement.

5. **Termination.** All other terms and conditions of the Agreement as amended by this First Amended Agreement shall remain in full force in effect.

WITNESS our hands and seals of this 21st day of October 2008.

OCONEE COUNTY, SOUTH CAROLINA

By: _____
George C. Blanchard, Chairman of County Council
Oconee County, South Carolina

By: _____
Elizabeth G. Hulse, Clerk to County Council
Oconee County, South Carolina

WITNESS our hands and seals as of this 3rd day of November, 2008.

PICKENS COUNTY, SOUTH CAROLINA

By: _____
G. Neil Smith, Chairman of County Council
Pickens County, South Carolina

ATTEST:

By: _____
Donna Owens, Clerk, County Council
Pickens County, South Carolina

**EXHIBIT A
LAND DESCRIPTION
OCONEE COUNTY**

TRACT 1

Timken US Corporation
430 Torrington Road
Walhalla, South Carolina 29691

All that certain piece, parcel or tract of land situate, lying and being in West Union School District, Oconee County, South Carolina, containing 103.45 acres, more or less, as will appear by plat thereof prepared by Schumacher Engineering Services, Dated September 23, 1966, revised November 9, 1966 and February 20, 1967, recorded in Plat Book P-29, page 132 in the office of the Clerk of Court for Oconee County, South Carolina. BEGINNING at a point in the center of Road S 37-324, thence S 75-13 E 34.7 feet to an iron pin corner, old; thence S 75-13 E 1464.6 feet to an iron pin corner; old; thence S 18-16 W 1418.89 feet to an iron pin corner, new; thence N 73-32 W 811.15 feet to an iron pin corner, old; thence S 05-28 W 481 feet to an iron pin corner, old; thence N 74-34 W 1248.93 feet to an iron pin corner, new; thence N 15-32 E 445.85 feet to L.P.O.; thence N 70-08 W 124.93 feet to L.P.O.; thence N 15-20 E 1604.90 feet to L.P.O.; thence N 74-38 W 1050.31 to a stone corner, old; thence N09-41 W 237.32 feet to L.P.O.; thence N 76-47 E 1351.79 feet to a nail in the center of bituminous road, designated Point "B"; thence S 26-42 E 474.8 feet along center of road to a nail; thence S 23-51 E 276.8 feet along center of road to a nail; thence S 16-07 E 264.8 feet along center of road to a nail; thence S 09-20 E 222.8 feet along center of road to point designated Point "A"; same being the point of beginning. Said tract being the major portion of a tract of land conveyed to the Torrington Company (Maine) by Piedmont-Oconee Corp. by deed dated June 17, 1960, recorded in Deed Book 8-F, page 8, and the property conveyed by deed of Leroy C. Martin and Raleigh L. Martin to the Torrington Company (Maine) dated January 25, 1967, recorded in Deed Book 10-B at page 35, which said conveyance was made to make the center line of road the property line and by deed of James Robert LeCroy to the Torrington Company (Maine) dated February 14, 1967, recorded in Deed Book 10-B, page 34 which deed was made to make the center line of road the line; less a strip of land conveyed by The Torrington Company (Maine) to James Robert LeCroy by deed dated July 25, 1967, recorded in Deed Book 10-F, page 87, which deed was made for the purpose of making the center line of the road the property line.

TRACT 2

BorgWarner Torqtransfer Systems Inc.

All that certain piece, parcel or tract of land, situate, lying and being in the State of South Carolina, County of Oconee, Township of Seneca, containing 78.176 acres, more or less and shown and more fully described by metes and bounds on plat of survey thereof made by R. Jay Cooper, P.E. & L.S. dated April 6, 1990, which plat is recorded in the Office of the Clerk of Court for Oconee County in Plat Book A-54, pages 9 and 10 and which is incorporated herein by reference.

The within described property was conveyed to Borg-Warner Powertrain Systems Corporation by deed of Emhart Industries, Inc. dated September 26, 1995 and recorded in the Office of the Clerk of Court for Oconee County in Deed Book 834 at page 313 on November 5, 1995.

**EXHIBIT B
LAND DESCRIPTION
PICKENS COUNTY**



**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
ORDINANCE 2008-18**

"THE 2008-2009 SUPPLEMENTAL APPROPRIATIONS ORDINANCE FOR OCONEE COUNTY"

BE IT ORDAINED, by Oconee County Council in Council duly assembled, upon Second reading:

SECTION I:

This Ordinance shall be known as "THE 2008-2009 SUPPLEMENTAL APPROPRIATIONS ORDINANCE 2008-18 FOR OCONEE COUNTY".

SECTION II:

The purpose of this Ordinance is to amend and modify the 2008-2009 APPROPRIATIONS ORDINANCE FOR OCONEE COUNTY, Ordinance 2008-06 and to make appropriations, both supplemental and primary, from current revenue for the General Operation for the remaining portion of fiscal year 2008-2009 and to transfer funds from department accounts to other authorized uses as stated herein and to implement, approve and ratify the policies and other programs authorized by the Oconee County Council, and other matters relating thereto.

SECTION III:

The modifications set forth on Exhibit A attached hereto are approved. In the aggregate, the adopted fiscal year 2008-2009 budget stands at:

County General Operations \$ 42,166,936

If these changes are adopted as recommended, the new amended budget will be:

County General Operations \$ 42,166,936

SECTION IV:

Unless specifically modified, amended or deleted herein, all appropriations of funds created by the "APPROPRIATIONS ORDINANCE FOR OCONEE COUNTY" (Ordinance 2008-06) is hereby ratified and shall remain in full force and effect as originally adopted. All other sections of Ordinance 2008-06 not modified, directly or by implication shall likewise remain in full force and effect.

OCONEE COUNTY, SOUTH CAROLINA

ATTEST:

George Blanchard
Chairman, Oconee County Council

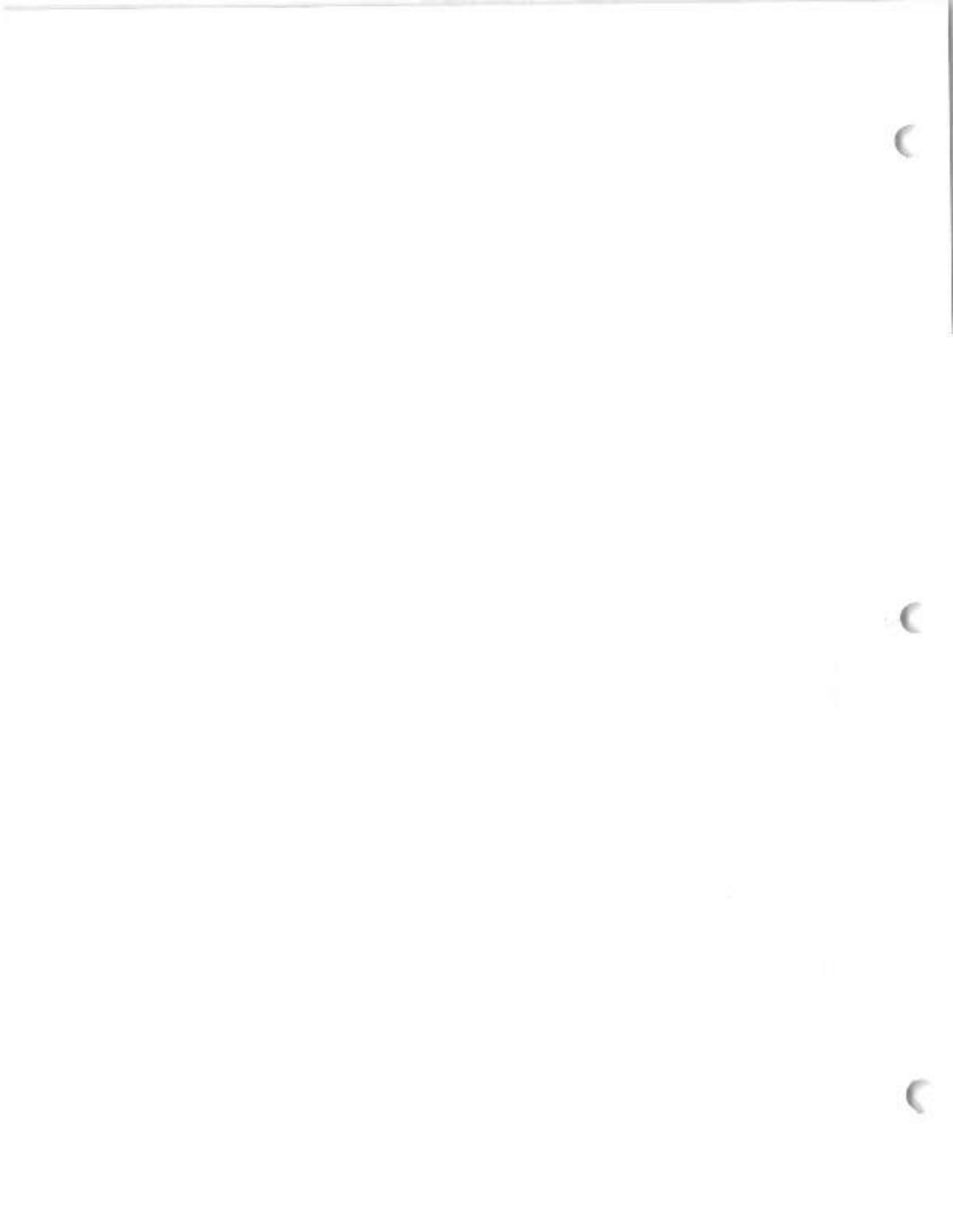
Elizabeth G. Hulse
Clerk to County Council

First Reading: September 8, 2008 [approved in title only]
Second Reading: September 23, 2008
Public Hearing: October 21, 2008
Third Reading: October 21, 2008



Exhibit A Oconee County Amended Budget Ordinance 2008-18

Code	Description	Ordinance 2008-09	Ordinance 2008-18	Amended Budget
County Operations				
Revenues				
010-080-00800-00000	County General Operations	36,929,597	407,614	37,337,211
010-080-00805-09999	General Fund Balance Carry Fwd	1,045,240	(295,044)	750,202
	Total Local Revenues		<u>112,570</u>	
State Revenue				
010-081-00810-20005	State Aid	3,691,593	(112,570)	3,579,023
	Total State Revenue		<u>(112,570)</u>	
Federal Revenue				
	Total Federal Revenue	500,500	-	500,500
	Total County Operations Revenue	42,166,936	0	42,166,936



**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
ORDINANCE 2007-21**

AN ORDINANCE ESTABLISHING A PROGRAM TO DESIGNATE OCONEE COUNTY'S SCENIC HIGHWAYS

WHEREAS, Oconee County is known for its variety of natural beauty and historic sites, and

WHEREAS, Oconee County citizens have long expressed a desire to protect these scenic resources; and

WHEREAS, the Oconee County Comprehensive Plan prioritizes scenic resources with the goal to, "Preserve, protect, and enhance Oconee County's environmentally sensitive lands, unique scenic views, agrarian landscapes, and topographic features"; and

WHEREAS, Oconee County has a number of highways which provide access to the natural beauty and historic sites of Oconee County; and

WHEREAS, the economic well-being and general welfare of Oconee County is directly impacted by the preservation and enhancement of the natural scenic beauty and aesthetic features visible from the County's highways, particularly in relation to tourism and attracting businesses; and

WHEREAS, Oconee County Council believes that Oconee County will be enhanced by the designation of certain roads and highways as County scenic highways;

NOW, THEREFORE, BE IT ORDAINED BY COUNCIL, DULY ASSEMBLED AND VOTING, WITH QUORUM PRESENT, AND UPON THIRD AND FINAL READING, THE FOLLOWING:

SECTION I

Highways located within Oconee County, South Carolina and found to be of special value to the citizens may be designated as Oconee County Scenic Highways pursuant to the rules, regulations, and criteria set forth below.

SECTION III.

A. Designation Process

1. Applications shall be submitted in writing to the Planning Department by a sponsoring agency. Such agencies shall include, but are not limited to, a civic club, chamber of commerce, convention and visitor bureau, business, industry, municipal government, county governments, or other organization. Submitted materials shall include a "Scenic Highway Corridor Management Plan" (see Appendix A).
2. Upon receipt of an application for the designation of a road or highway as an Oconee County Scenic Highway, the Oconee County Planning Director or his/her designee shall contact the Committee, which shall schedule a meeting to review the application. Meetings of the Committee shall be public meetings, and shall be advertised at least 14 days in advance in a newspaper of general circulation.
3. The Committee shall review applications for compliance with the criteria for designating a Scenic Highway established in this Ordinance (see Appendix B). Upon completion of the review, the Committee shall by vote determine a recommendation regarding the designation of the highway. The recommendation shall be reviewed by the Planning Commission, which shall forward a report to County Council. In the event County Council determines the proposed highway merits designation as a Scenic Highway, it shall so indicate its decision by resolution.
4. Any highway proposed for designation as a Scenic Highway denied a positive recommendation by the Committee, or rejected for designation by County Council, may not be proposed again for a period of one year from the date of publication of the decision.

SECTION V.

Oconee County Scenic Highway Committee

The Committee shall consist of seven (7) members, each having primary residency in Oconee County. The Committee members shall serve at the pleasure of the organization that appoints the member. The following organizations shall appoint one member each to the Committee:

- a) Keep Oconee Beautiful Association (KOBAA)
- b) Concerned Citizens for Conservation
- c) The Oconee County Arts & Historical Commission
- d) Upstate Forever (Oconee Chapter)
- e) Oconee Alliance

In addition, County Council shall appoint two (2) members at large from resident property owners in Oconee County.

In the event that any organization named above fails to provide a representative willing or able to take part in the Committee as needed, County Council may replace the organization with a similar entity; also, any organization may terminate its position on the Committee by sending a letter of resignation to County Council, who will appoint a similar replacement.

George Blanchard, Chair
Oconee County Council

Attest:

Elizabeth G. Hulsc, Clerk
Oconee County Council

1 st Reading:	12-11-2007
2 nd Reading:	09-23-2008
Public Hearing:	10-07-2008
3 rd & Final Reading:	10-21-2008

APPENDIX B

Criteria for designating a road or highway as an Oconee County Scenic Highway.

- (a) The Committee shall consider the following in determining whether a road or highway should be designated a Scenic Highway.
 - (1) Intrinsic Qualities (as defined by this ordinance).
 - (2) Additional amenities and support (such as but not limited to):
 - (a) Hospitality features
 - (b) Length of route
 - (c) General support for proposed route
 - (d) Financial commitment
 - (e) Role in regional/statewide strategy
 - (f) Protective easements, zoning overlays, or other land use restrictions
 - (3) Features negatively impacting the scenic qualities of the highway, (such as but not limited to):
 - (a) Junkyards/Litter
 - (b) Dilapidated / Unattractive Structures
 - (c) Excessive Advertising
 - (d) Heavy traffic uses
 - (e) Mining/Lumbering scars
 - (f) Heavy Industry
 - (g) Parallel and Visible Utilities along roadway
 - (h) Landfills/other pollutants visible from route
 - (4) Feasibility of maintenance plan and responsibilities.

**AGENDA ITEM SUMMARY
OCONEE COUNTY, SC**

COUNCIL MEETING DATE: August 19, 2008
COUNCIL MEETING TIME: 7:00 PM

ITEM TITLE OR DESCRIPTION:

3rd Reading of Ordinance 2008-15, an Ordinance to Amend Ordinance 97-6 to include necessary language that would allow our Park Rangers to have custodial arrest powers subject to the PRT guidelines approved by Council. This custodial arrest language is required for County Park Rangers to attend the South Carolina Justice Academy for the Special Limited Duty Basic Training- Class 3 Law Enforcement Certification. **The PRT guidelines, which also need to be approved with this Ordinance, will state that they are not allowed to exercise custodial arrest or carry firearms.**

BACKGROUND OR HISTORY:

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SPECIAL CONSIDERATIONS OR CONCERNS:

The PRT office worked with the SCAC Risk Management office to develop appropriate use of force policy for self defense measures with less lethal weapons. Our Park Rangers currently receive training through the Sheriffs Dept. for both batons and pepper spray for self defense. They currently carry these items while on duty at the Park.

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Staff recommends approval of 3rd reading of Ordinance 2008-15 to include language that may allow County Park Rangers the authority to have custodial arrest powers in the course of their duties, subject to PRT guidelines approved by Council. Staff to be included in the certification process will be the Park Superintendents and Park Ranger II positions for a total of 6 staff members.

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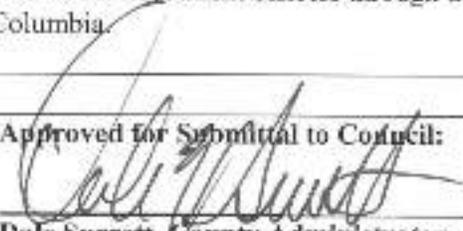
Once Ordinance 97-6 is amended, training is free for law enforcement officers through the South Carolina Justice Academy. This is a seven day course in Columbia.

ATTACHMENTS

Submitted or Prepared By:

Phil Shirley, PRT Director
Department Head/Elected Official

Approved for Submittal to Council:


Dale Surrent, County Administrator

Reviewed By/ Initials:

_____ **County Attorney** _____ **Finance** _____ **Grants**

Agenda Items Summary to be submitted to Administrator for review / approval no later than close of business on Wednesday prior to a Council meeting.

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
ORDINANCE 2007-21**

AN ORDINANCE ESTABLISHING A PROGRAM TO DESIGNATE OCONEE COUNTY'S SCENIC HIGHWAYS

WHEREAS, Oconee County is known for its variety of natural beauty and historic sites, and

WHEREAS, Oconee County citizens have long expressed a desire to protect these scenic resources; and

WHEREAS, the Oconee County Comprehensive Plan prioritizes scenic resources with the goal to, "Preserve, protect, and enhance Oconee County's environmentally sensitive lands, unique scenic views, agrarian landscapes, and topographic features"; and

WHEREAS, Oconee County has a number of highways which provide access to the natural beauty and historic sites of Oconee County; and

WHEREAS, the economic well-being and general welfare of Oconee County is directly impacted by the preservation and enhancement of the natural scenic beauty and aesthetic features visible from the County's highways, particularly in relation to tourism and attracting businesses; and

WHEREAS, Oconee County Council believes that Oconee County will be enhanced by the designation of certain roads and highways as County scenic highways;

NOW, THEREFORE, BE IT ORDAINED BY COUNCIL, DULY ASSEMBLED AND VOTING, WITH QUORUM PRESENT, AND UPON THIRD AND FINAL READING, THE FOLLOWING:

SECTION I

Highways located within Oconee County, South Carolina and found to be of special value to the citizens may be designated as Oconee County Scenic Highways pursuant to the rules, regulations, and criteria set forth below.

SECTION II.

Definitions:

- A. "Committee" means the Oconee County Scenic Highway Committee as described in this document.
- B. "Highway" means all those roads, streets and highways within the Federal, State or Oconee County Highway system.
- C. "Intrinsic Qualities" means those significant tangible and intangible resources found within a scenic corridor that are known to be distinct within the region. "Intrinsic qualities" include:
- (1) Scenic: the composition of features that are regionally representative, associative or inspirational. These features are memorable, distinct, visually impressive, and continuous across the view.
 - (2) Historic: landscapes and structures that educate and stir an appreciation for the legacy of Oconee County's past.
 - (3) Cultural: activities or objects that represent unique and distinctive expressions of community life, customs or traditional ways and identify a place, region or culture.
 - (4) Recreational: passive and active leisure activities directly dependant on the scenic qualities of the area and usually associated with outdoor recreation as we seek to refresh and renew our spirits.
 - (5) Natural: relatively undisturbed and visually pleasing natural areas and/or ecologically sensitive landscapes representing natural occurrences including landforms, water, vegetation and wildlife characteristics.
 - (6) Archaeological: sites, artifacts or structures recognized by the scientific or academic communities as being representative of past human life and activities.
- D. Scenic Highway- A highway or segment of a highway deserving of recognition due to scenic vistas, cultural or historical significance, or other criteria specified by County Council. All scenic highways shall be divided into two (2) route categories:
1. Routes with limited development visible from the roadway, yet still retaining special characteristics worthy of preservation shall be designated a Category I Scenic Route.
 2. Routes with little or no development visible from the roadway lying outside primary growth areas shall be designated a Category II Scenic Route.

SECTION III.

A. Designation Process

1. Applications shall be submitted in writing to the Planning Department by a sponsoring agency. Such agencies shall include, but are not limited to, a civic club, chamber of commerce, convention and visitor bureau, business, industry, municipal government, county governments, or other organization. Submitted materials shall include a "Scenic Highway Corridor Management Plan" (see Appendix A).
2. Upon receipt of an application for the designation of a road or highway as an Oconee County Scenic Highway, the Oconee County Planning Director or his/her designee shall contact the Committee, which shall schedule a meeting to review the application. Meetings of the Committee shall be public meetings, and shall be advertised at least 14 days in advance in a newspaper of general circulation.
3. The Committee shall review applications for compliance with the criteria for designating a Scenic Highway established in this Ordinance (see Appendix B). Upon completion of the review, the Committee shall by vote determine a recommendation regarding the designation of the highway. The recommendation shall be reviewed by the Planning Commission, which shall forward a report to County Council. In the event County Council determines the proposed highway merits designation as a Scenic Highway, it shall so indicate its decision by resolution.
4. Any highway proposed for designation as a Scenic Highway denied a positive recommendation by the Committee, or rejected for designation by County Council, may not be proposed again for a period of one year from the date of publication of the decision.

SECTION IV.

A. Regulations

1. It shall be unlawful for any person other than the owner, owner's agent, or other individual with the full knowledge and consent of the owner of a property situated along the right-of-way of a designated and properly identified county scenic highway to dig, pull up, gather, remove, cut, maim, break, or injure in any way a public or private property, to include any injury done by fires intentionally set; any wild, cultivated, ornamental plants, shrubs, and trees. These provisions shall not apply where the acts hereby prohibited are done by or under the instructions of County or State authorities lawfully in charge of such public roads, highways or lands, or by a utility in the lawful pursuit of installation or maintenance of their facilities. Violation of this provision of this Ordinance shall be punishable by a fine not to exceed five hundred (\$500.00) dollars.
2. The sponsoring organization or group submitting an application to the County for designation of a road as an Oconee County Scenic Highway shall be responsible for the removal of trash along the portion of the highway so designated as a Scenic Highway no fewer than three (3) times each year. Permits and/or required notifications related to any and all activities inside a right-of-way shall be the responsibility of the sponsoring organization or group. Any individual taking part in trash removal duties, or any other activities related to the standards of this Ordinance, shall comply with any and all standards and practices utilized by the entity responsible for maintenance of the roadway.
3. A member of the Oconee County staff shall be designated by the County Administrator to review the status of all county designated Scenic Highways every two (2) years. In the event it is determined a route fails to meet the criteria established in this Ordinance, a report shall be made to the Committee, who shall recommend a course of action to County Council. Such recommendations include, but are not limited to, re-classification to a lower category, and de-designation.
4. Regulations contained in this section shall apply equally to both Category I and Category II Scenic Highways; however, Category II Scenic Highways shall receive preference in the pursuit of funding to be utilized in maintaining and enhancing the intrinsic values leading to their designation.
5. All County rules and regulations concerning scenic highways shall apply immediately to a nominated road or highway until a determination is made as to whether or not the road or highway shall be designated a Scenic Highway. A determination of this issue must be made within six (6) months of the County receiving an application.

SECTION V.

Oconee County Scenic Highway Committee

The Committee shall consist of seven (7) members, each having primary residency in Oconee County. The Committee members shall serve at the pleasure of the organization that appoints the member. The following organizations shall appoint one member each to the Committee:

- a) Keep Oconee Beautiful Association (KOBA)
- b) Concerned Citizens for Conservation
- c) The Oconee County Arts & Historical Commission
- d) Upstate Forever (Oconee Chapter)
- e) Oconee Alliance

In addition, County Council shall appoint two (2) members at large from resident property owners in Oconee County.

In the event that any organization named above fails to provide a representative willing or able to take part in the Committee as needed, County Council may replace the organization with a similar entity; also, any organization may terminate its position on the Committee by sending a letter of resignation to County Council, who will appoint a similar replacement.

George Blanchard, Chair
Oconee County Council

Attest:

Elizabeth G. Hulse, Clerk
Oconee County Council

1 st Reading:	12-11-2007
2 nd Reading:	09-23-2008
Public Hearing:	10-07-2008
3 rd & Final Reading:	10-21-2008

APPENDIX A

A Scenic Highway Corridor Plan shall include the following components:

- (a) A detailed description of the section of the road or highway to be designated, including two or more of the intrinsic qualities as defined in this Ordinance. Specify how the road in question fits the criteria. Identify any problem areas that may impact the scenic designation.
- (b) A marked map clearly indicating the section of the road or highway the applicant is proposing for designation.
- (c) Photographs or videos of areas which the applicant considers to be of intrinsic value or significance.
- (d) Letters of support from citizens, businesses, civic groups and other organizations.
- (e) A maintenance plan outlining proposed litter collection activities.
- (f) Any additional proposed actions intended to enhance and maintain the highway if awarded designation.

APPENDIX B

Criteria for designating a road or highway as an Oconee County Scenic Highway.

- (a) The Committee shall consider the following in determining whether a road or highway should be designated a Scenic Highway.
 - (1) Intrinsic Qualities (as defined by this ordinance).
 - (2) Additional amenities and support (such as but not limited to):
 - (a) Hospitality features
 - (b) Length of route
 - (c) General support for proposed route
 - (d) Financial commitment
 - (e) Role in regional/statewide strategy
 - (f) Protective easements, zoning overlays, or other land use restrictions
 - (3) Features negatively impacting the scenic qualities of the highway, (such as but not limited to):
 - (a) Junkyards/Litter
 - (b) Dilapidated / Unattractive Structures
 - (c) Excessive Advertising
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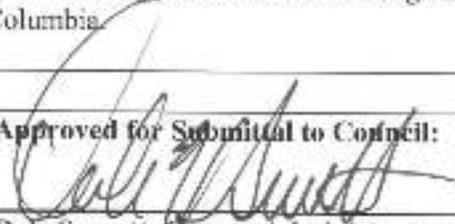
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ATTACHMENTS

Submitted or Prepared By:

Phil Shirley, PRT Director
Department Head/Elected Official

Approved for Submittal to Council:


Dale Surrent, County Administrator

Reviewed By/ Initials:

_____ County Attorney _____ Finance _____ Grants

Agenda Items Summary to be submitted to Administrator for review / approval no later than close of business on Wednesday prior to a Council meeting.



STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
ORDINANCE 2008-15

AN ORDINANCE TO AMEND ORDINANCE 1997-06 "AN ORDINANCE TO APPOINT AND COMMISSION COUNTY PARK RANGERS AS CODE ENFORCEMENT OFFICERS"

Section IV of Ordinance 97-06 is hereby amended to add the following:

Section IV: Powers and Authority of County Code Enforcement Officers.

County Code Enforcement Officers appointed pursuant to the provisions of this section:

- (1) Shall have, do and exercise all the rights, duties and powers prescribed by law for constables including the power to make custodial arrests and carry firearms; subject to Parks, Recreation & Tourism Department guidelines as approved by County Council; and
- (2) Shall summon and require to appear the nearest magistrate or other court of proper jurisdiction any person who may, in his or her view, engage in riotous conduct, violation of the peace, or other violations of the law.

OCONEE COUNTY, SOUTH CAROLINA

By: _____
George C. Blanchard, Chairman of County Council
Oconee County, South Carolina

ATTEST:

By: _____
Elizabeth G. Hulse, Clerk to County Council
Oconee County, South Carolina

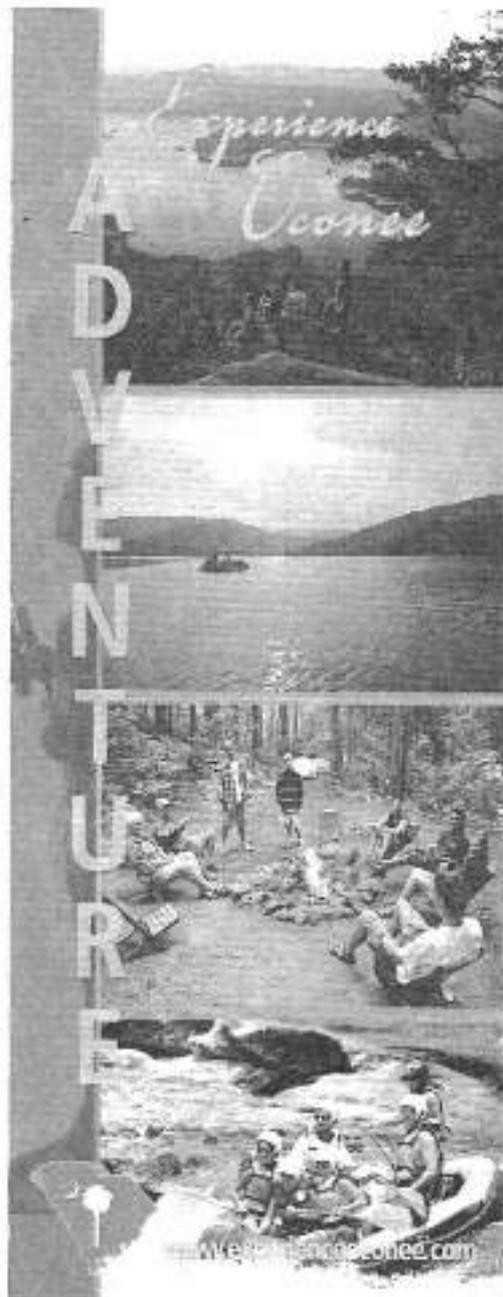
First Reading: August 19, 2008
Second Reading: October 7, 2008
Third Reading: October 21, 2008





DRAFT

**OCONEE COUNTY PARKS,
RECREATION & TOURISM
POLICY & PROCEDURE MANUAL**



Creating Community through People, Parks and Programs

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OCONEE COUNTY PARKS, RECREATION & TOURISM
Creating Community through People, Parks and Programs

POLICY & PROCEDURE MANUAL

Effective date: Upon County Council Approval

Distribution: All PRT full time Employees
 Each Park office for part time employees

Preface:

This manual is designed to provide guidance to PRT Staff in arriving at decisions in accordance with the goals, objectives, regulations and policies of Oconee County, and to aid the staff in the implementation of these decisions. The Park Manual is guidelines which allow discretion and latitude of choice or judgment to be exercised within legal bounds, depending on different circumstances, situations or conditions. Indiscriminate exceptions of any policy are to be avoided. This document should be reviewed and updated, if necessary, every five years or as required by County Council to ensure that the objectives and policies reflect county needs; therefore the objectives and policies may be revised, added or deleted upon approval by County Council.



I. GENERAL INFORMATION

Purpose: To provide an overview of the PRT department and establish guidance for PRT employees.

Accountability: The implementation of this manual will be a major element in job duties and requirements and shall be addressed in performance standards for all staff members. The PRT Director is responsible for the proper implementation of the policies and procedures set forth in this document and for the corrective action necessary to ensure that the procedures, criteria and guidelines contained in this policy are actively followed.

Overview: OCONEE COUNTY SOUTH CAROLINA

In the northwestern-corner of South Carolina is Oconee County, known as the "Golden Corner" because of its climate, its spectacularly beautiful lakes and the beauty of its Blue Ridge Mountains. Today, outdoor recreation, adventure travel and family "together time" are hot buttons for tourists, and Oconee County offers the perfect setting for an affordable vacation for active families, outdoor types of all ages, couples and retirees. Biking, horseback riding, boating, whitewater rafting, paddling, fishing, hiking, camping, golfing and antiquing are plentiful here.

Oconee County includes lakes Hartwell, Keowee and Jocassee, rushing and lazy rivers, including the federally-designated "Wild and Scenic" Chattooga, numerous waterfalls, the Sumter National Forest, the foothills of the Blue Ridge Mountains and the neighboring mountains of North Carolina and Northeast Georgia. Oconee County is easily accessible to most of the Southeast.

VISION

To create Community through People, Parks and Programs

MISSION STATEMENT

The mission of the Parks Recreation & Tourism department is to enhance the well being and the quality of life for all citizens of Oconee County and its visitors through tourism marketing, promoting and encouraging an appreciation of our arts and our historical, natural and cultural resources, while simultaneously preserving and protecting our natural resources and nature-based attractions.

GOALS & OBJECTIVES

1) PARKS & RECREATION

To provide quality, affordable outdoor recreational opportunities for the citizens of Oconee County and its visitors through the county park system and the five recreation districts. To continue improving and upgrading our parks and recreational facilities to enhance enjoyment and to ensure the safety of our citizens and visitors, while protecting and preserving our nature based recreational resources.

2) TOURISM

To assist the local industry in tourism product development. To provide and participate with our tourism industry partners in marketing strategies that will showcase all of Oconee County and its products in the regional, state and national markets and to increase the public awareness of what Oconee County has to offer as a destination. The Parks, Recreation and Tourism Commission provides assistance, guidance and recommendations regarding all aspects of the PRT department.

3) ARTS & HISTORICAL

To assist the arts community consistently offer opportunities for citizens and visitors to participate in the arts, cultural and historical programs through our local organizations and to act as a resource through the Arts and Historical Commission to enhance the programs and opportunities available.

II. Parks (Cont.)

g. Uniforms and Appearance

i. Class "A"

1. The Class "A" uniform for park personnel will be a grey, two pocket shirt of professional pattern and green trousers or shorts, duty belt with assigned equipment and official headwear. A black, grey, green or white t-shirt is worn underneath the shirt. The shirt has two patches, one on each shoulder sewn ½ inch below the shoulder seam. The PRT patch is worn on the left breast above the pocket. The name badge is worn 1/8 inch above the flap of the right breast pocket. If a first aid badge is awarded, it will be worn centered on the right breast pocket flap.
2. Any equipment carried must be approved by the PRT director and be in accordance to the policies and resolutions set forth by Oconee County Council. Any employee approved to carry self defense weapons, including spray and collapsible baton may only do so with appropriate annual training.
3. As a minimum, this uniform will be worn to all PRT Commission meetings and on Friday, Saturday and Sunday of each week from Memorial Day weekend to Labor Day weekend for the enforcing ranger(s).
4. Class "A" uniforms also should be worn when in attendance on business to any Council meeting and for special events planned at your park.
5. It is the responsibility of each park employee to care for his or her own uniforms. When any employee resigns or is terminated from employment, all uniforms and assigned equipment shall be returned to the PRT office.

ii. Class "B"

1. The Class "B" uniform will be utilized for maintenance, concession, registration and other duties of the non-enforcing ranger and will be either a polo type shirt or a t-shirt with the appropriate park emblem or Park Ranger in plain view, green trousers or shorts and duty belt with assigned equipment. Neither the PRT patch nor the name badge shall be worn with a class "B" uniform in exception when the enforcing Ranger is in a class "B" uniform.

iii. Part time staff

1. Part time staff shall be issued up to 3 t-shirts per summer. T-shirts must have appropriate park emblem and park staff in plain view. Part time employees may keep the t-shirts upon termination of their employment at the discretion of the park superintendent.

It is the responsibility of all part time staff to maintain an acceptable level of appearance and hygiene. All uniform shirts should be tucked in and worn properly at all times. Due to the public service aspect of park positions, it is imperative that staff be well groomed with a clean appearance.

Park system base, mobile, portable two way radios shall be tested for operation prior to start of a work period and all employees shall remain in radio contact at all times.

Remember, when you are in uniform you are a walking "sign" which either positively or negatively affects the public's view of county parks, depending on your professionalism and courtesy. Look and act accordingly at all times.

h. Public Service

i. Visual Presence

1. Each Park Ranger shall strive to always be a positive model of acceptable behavior in the park and maintain a high level of professionalism with the public.
2. Regular patrols of the park should take place on both foot and by vehicle and regular communication with the park users should be the norm.
3. Park Rangers should be readily available and knowledgeable about the resources within their jurisdiction to provide adequate and helpful information and to provide educational components to the Public.

ii. Duties and Responsibilities

1. The duties and responsibilities of the park staff are to provide a safe working environment in accordance with county policies, to assist in the promotion and teaching of the natural resources within your responsibilities, to promote other areas of the county to citizens and visitors, and to ensure through the enforcement of rules and regulations a safe, enjoyable environment to all park users.
2. The protection of facilities or the enforcement of rules and regulations shall always be secondary to the safety of the park staff, contract employees and visitors. Although rangers may obtain training relative to the issuance of citations, the Rangers are not regular law enforcement officers and do not have a duty to intervene in disputes among park users or use force to stop the criminal actions of individuals on park properties. Rangers are to contact Oconee County Sheriff's Office for such intervention.

3. Park staff, especially Park Rangers shall strive to be visible to the public, primarily to help and assist them, and secondarily to enforce the rules and regulations, as set forth in Ordinance 2002-15. In no case shall this enforcement portray a law enforcement image. Park Rangers may request violators to stop but cannot physically detain them.
4. The lowest level of enforcement shall always be used to resolve problems or issues that arise. Personnel performing rule enforcement shall always be an authorized Park Ranger. Maximum use of oral or written warnings may be used for minor infractions. Park Rangers with citation authority shall, in order of priority, attempt to resolve the problem by oral warning and resolution prior to issuing a citation. Park Rangers must be trained and have the proper temperament, personality, experience and ability to exercise citation authority.
5. Any action, including verbal warnings and citations, should only be taken after the Park Ranger has clearly identified himself/herself and provided proper identification such as county identification card or uniform.
6. If information such as license, ID or other necessary information can be obtained without personal contact or conflict, it may be done to assist in the resolution of the issue.
7. If the action to be taken in any way creates a threat to the ranger's safety, no action should be done and assistance from the Sheriff's department should be requested.
8. There are many management alternatives in addition to the issuance of citations, such as verbal resolution that should be considered in the implementation of the rules and regulations of the park.
9. The role of the Park Ranger is defined as a regulation enforcer with full citation authority. **Park Rangers may not exercise custodial arrest powers or carry a firearm.** Use of Force is defined in section IV. Available use of force options includes visual presence and verbal persuasion only. Use of force with any type of weapon to gain compliance is prohibited. As a last resort, authorized rangers may utilize defensive tactics, assigned spray or baton for self defense only. In any self defense situation, the Park Ranger must defend

themselves only to gain separation from the situation in order to request assistance from the Sheriff's Department. Park Rangers are to notify the Sheriff's Department anytime a park user refuses to comply with verbal commands of the rules and regulations, accept a citation and anytime a self defense tactic is utilized. Park Rangers under no circumstances shall attempt to detain any violators.

10. If Park Ranger I or II are unsuccessful at verbally controlling a situation, the Park Superintendent should be notified for assistance or to inform that the Sheriff's Department has been notified for assistance.
11. Part time staff shall always request the assistance of a uniformed Ranger for assistance.
12. Citation authority shall be revoked when an individual fails to meet the provisions of this regulation. The PRT Director or County Administrator may cancel an employee's citation authority whenever he/she considers it appropriate.

i. Budget

It is the PRT Director's responsibility to submit a departmental budget for consideration each year. Each Park Superintendent and manager shall provide the adequate needs and justifications to the PRT Director within the given timeline and time will be made available for each manager to discuss the requests prior to the budget being submitted. All items should be as detailed as possible and include price quotes, quantities, priority and justifications. The PRT Director will determine what items will be presented to the County Administrator for consideration.

j. Safety/Risk Management Inspections

- i. All areas of the park shall be subject to safety inspections, cleanliness and risk management inspections as directed by the PRT Director in accordance to the following schedule
 1. Restrooms-Daily
 2. Playground Safety Inspections-Quarterly
 3. Risk Management Inspections-Annually prior to Season

k. Superintendent's Residence

- i. Guidelines and Standards for accepting/vacating county owned housing
 1. Moving In
 - a. Receive and sign for keys to residence
 - b. Make note of all damaged areas of the home or appliances and file with PRT office
 - c. Make note of any substandard areas of cleanliness
 - d. Sign agreement form for pets
 2. Moving Out
 - a. Repair any damaged areas of the home or appliances due to owner negligence
 - b. Complete a thorough cleaning of the residence paying particular attention to the following areas
 - i. Toilets
 - ii. Showers and tubs
 - iii. Sinks
 - iv. Carpets and flooring
 - v. Windows
 - vi. Cabinets and drawers
 - vii. Closets
 - c. Clean out storage areas and remove personal items from park to allow for new tenant
 - d. Do not leave any personal items in the park which you do not want for the next tenant to throw away
 - e. Do inventory of residence and park items and have signed off by PRT Director
 - f. Turn in Keys to PRT Director

Items not covered in this guideline such as general provisions for purchasing procedures, finance procedures, employee policy and procedures, etc are covered in the Oconee County Employee handbook.

III. Training

- a. Training is defined in Ordinance 97-6.
- b. In addition to the referred ordinance, all Park Rangers must complete the following on an annual basis through the appropriate training departments, as noted:
 - i. First Aid/CPR/AED training-American Red Cross
 - ii. Self Defensive tactics-Oconee Sheriff's Department
 1. Use of Force
 - a. Considerations
 - b. The winning mindset
 - c. Defensive Tactics
 - i. Relative positioning to subjects
 - ii. Reactionary gap
 - iii. Tactical "L", for creating space
 - iv. Inside takedown and disengagement
 - v. Checks / blocks
 - vi. Strikes and kicks
 - d. Baton
 - i. Strike areas
 - ii. Carrying
 - iii. Weapon retention
 - e. SCS (Subject Control Spray)
 - i. Target areas
 - ii. Carrying
 - iii. Effectiveness
 - iv. Weapon retention
 - f. Decontamination
 - g. Other training deemed necessary by the PRT Director, Administrator, County Council or the Oconee County Sheriff's Department.

IV. Use of Force

Use of Force Policy

The inherent nature of law enforcement sometimes requires the use of force to accomplish specific tasks. Federal, State and local government entities authorize such use of force in order to carry out and enforce the laws of government; however, this allowance is not an unlimited authorization to exercise power. Society demands limitations on governmental authorization to use force against its populace; therefore, this authorization is restricted to those areas and levels defined by statutory law, case law and policy. **Oconee County policy allows use of force for Park Rangers only in a self defense situation. Park Rangers may use defensive tactics, as well as approved less-lethal weapons including the ASP Baton and Subject Control Spray. Even in instances where use of force is authorized, it must be appropriate to the situation, using only that force that is reasonably necessary to effectively allow the employee to disengage from the situation to requests assistance from the Oconee County Sheriffs office. Whenever force is used that is inappropriate to the situation or excessive in its application, it is considered unauthorized use of force. Such actions can be detrimental to the individual, customer patronage, the agency and the officer, as they give rise to issues of liability, public trust, image degradation and the employee's fitness to serve in a law enforcement capacity.**

Use of Force Continuum

The following information defines various levels of resistance and escalating levels of force used to control resistance and compel compliance.

Levels of Resistance (by Subject)

1. Psychological Intimidation: Non-verbal cues indicating the subject's attitude, appearance, and physical readiness.
2. Verbal Non-compliance: Verbal responses indicating unwillingness or threats.
3. Passive Resistance: Physical actions that do not prevent an attempt to control but make movement difficult.
4. Defensive Resistance: Physical actions which attempt to prevent the employee's control, but never attempts to harm the employee, such as running away.
5. Active Aggression: Physical actions of assault.
6. Aggravated Active Aggression: Deadly force encounter.

Levels of Control (by Officer)

Level 1: Presence/Verbal Direction

Verbal commands are the minimum means of halting an offense. This may, by announcing your presence and intentions result in the peaceful resolution of the situation. Any and all verbal commands should clearly convey exactly what, when and how the officer wants the subject to react. Keep all commands short and simple. This would be appropriate if no resistance is encountered and there are no life threatening circumstances. If a verbal command alone does not result the desired actions then request assistance from the Oconee Sheriff's office. Additional levels are provided for self defense reaction techniques.

Level 2: Soft Empty-Hand Control (Self Defense measures only)

Soft-empty hand techniques, such as holding your hand up in front of the assailant so that the ranger can escape, are acceptable. This is appropriate when the individual is passively resisting and stronger force would not be justified.

Level 3: Intermediate (Less-lethal) Weapons (Self Defense measures only)

Use of approved chemical sprays or batons is acceptable. The amount of force used shall be in direct proportion to the amount of resistance or force encountered and only such force needed to effectively disengage shall be used. Proper techniques shall be used with these weapons, as improper use could lead to serious injury or possibly even death.

Force Continuum Variables

There are several variables that may affect the escalation or de-escalation of an officer's use of control/force including:

- Totality of circumstances
- Officer/subject size
- Officer/subject gender
- Reaction time
- Environmental condition

Definitions and Conditions

For the purpose of this policy, "force" is defined as actual physical contact directly utilized, or contact caused by the use of a weapon in self defense only to gain separation from the subject and request assistance from the Oconee County Sheriff's office. "Serious physical injury" is considered any bodily injury that involves a substantial risk of death. Use of force is authorized for the purposes of protecting the officer and self defense in order to retreat. Where safe and feasible, the officer shall identify him/herself, command the desired action of compliance, and state the intent to use force.

The mere display of a weapon is not considered a use of force. For example, an officer holding a weapon in his hand is not using force unless it is presented in a threatening manner or a threat is otherwise communicated. Raising a baton in a threatening manner is a use of force, whether or not accompanied by an expressed threat. The determining factor is whether or not the officer communicates a threat to the suspect, either through actions or words.

Use of force by a law enforcement officer is the ultimate exercise of governmental power upon a citizen, and requires a careful balance of human interests. The use of a weapon by an officer must be based on the reasonable perception of a demonstrated need, consistent with state law and the Oconee County Parks Manual, and tempered with common sense and responsible professional judgment.

This agency recognizes that in exigent, tense, uncertain and/or rapidly evolving deadly force confrontations, an employee may need to (reasonably) use techniques and/or weapons that are not part of this agency's formal training curricula, or which may not be specifically addressed by this policy. Also, an employee may need to use a technique or weapon in a manner that does not parallel training. It is further recognized that, due to the unpredictable nature of a person's movements and/or actions under these circumstances, a defensive technique(s) and/or weapon(s) may unintentionally (on the part of the employee) impact a body area or produce an outcome which does not parallel training.

Less-Lethal Weapons Procedures

- i. Park Rangers authorized by agency standards shall be permitted to carry an approved chemical agent and ASP Baton only after successful completion of a course of instruction offered or approved by the agency.
- ii. Park Rangers while on duty shall carry the issued weapons when engaged in official assignment on the park grounds.
- iii. The issued weapons shall be carried only as issued and authorized.
- iv. When an issued chemical agent is discharged, replacement canisters shall be obtained and logged. Park Rangers shall replace their chemical agent canister on or before the expiration date stamped on the bottom or 5 years after the date of manufacture, depending on the brand being carried.
- v. Park Rangers may use an approved chemical agent when they are required to use force in their official duties to protect themselves from assault and to affect a ranger's retreat from a suspect.
- vi. The chemical agent should be utilized in accordance with manufacturer's recommendations and agency training guidelines.
- vii. Park Rangers shall immediately notify dispatch of use of chemical agent for relay to the responding officer(s).
- viii. Once subject under restraint by the Sheriff's office, Park Ranger shall make sure decontamination in the form of fresh air and clean water is completed. Subject shall be monitored and medical attention is required if any respiratory distress or allergic reaction is noted, as well as if requested by the subject.

- ix. Any discharge of a chemical agent, whether intentional or accidental, will necessitate the immediate notification of the employee's immediate supervisor and a written report of the nature of the discharge is required by the end of the shift.

Use of Force

Reporting Requirement

An incident report is required any time an employee must disengage their presence to request for assistance, any time a subject engages in passive, active or aggressive resistance and any time an employee must utilize defensive tactics or less lethal weapons in a situation.





OCONEE COUNTY PUBLIC LIBRARY
501 W. South Broad Street
Walhalla, SC 29691
Ph (864) 638-4133

Dated : October 14, 2008 HAND DELIVERED

From : John W. Adams, Chairman
OCPL Board of Trustees 

To: All Members of the Council
Oconee County, South Carolina

Subject: 4.946-acre site for Oconee County Public Library – South Highway 59

Gentlemen, after about 18 months of planning, site identification and initial site-work, the SDOC has come forth with the agreed donation of approximately five acres on south Highway 59, for which to construct a new Oconee County Public Library. A copy of the survey and Deed is attached for your review and related file.

This site adjoins the larger site where the Blue Ridge Elementary School is currently being constructed, and where the City of Seneca will construct and maintain ball-fields for public use. The library site has unanimous support of the Oconee County Planning Commission, and the Seneca City Council and City administration. In addition, the site is supported by Blue Ridge Arts, The Downtown Seneca Merchant's Association, the Ram Cat Ally Association, the Seneca Women's club, and City Historian Louise Bell. We have arranged for the Clemson Area Transit route to be revised to accommodate transportation to a new and expanded library when built on this site. As a collaborative SDOC/County/City project, we should access whatever grants that will become available. In addition, receipt of this Deed will allow the Library Board of Trustees to establish a fund-raising mechanism to help offset taxpayer contributions to constructing and equipping the new library. There are two conditions of the SDOC transfer to Oconee County, as follows:

The first restricts the use to "construction of a public library," and if construction has not begun within five (5) years from transfer, then the property reverts back to the SDOC. This sets-out the long-standing commitment by the SDOC to donate the property for a new Oconee County Public Library. Think of it as "zoning" for library use. In addition, it is not the intent of the SDOC to donate the property only to have it sit vacant for an extended period of time, which would have no benefit to the SDOC or the Oconee County community to which the library would serve.

Secondly, the property is restricted to the use of an Oconee County Public Library, and may not be leased or sold without prior written permission of the SDOC. This gives the SDOC reasonable say in what use adjoins the Blue Ridge Elementary School. This too can be thought of as "zoning."



When speaking to Council Chairman George Blanchard about bringing this to Council, he asked about whether the property would need to be insured. The property should be handled the way Oconee County handles other vacant property owned by the County. George also asked about interim maintenance of the site pending library construction. This morning I spoke to Seneca Recreation Department Director Rick Lacey, and to City Administrator Greg Dietterick. Both agreed the City of Seneca would, at no cost to Oconee County, maintain the subject site until a library begins construction, at which time Oconee County would assume maintenance of the site. Agreed maintenance by Seneca includes "bush-hogging the site about once each month, or as needed." If you need this in writing from Seneca, I would be pleased to obtain the same.

There has also been some question of what can or should be done with the functionally obsolete and deteriorating library building, i.e., the building and property currently in use. Without solicitation, the Library Board of Trustees has been approached by at least three entities which have expressed an interest in the property. I suggest there would be a number of others if its availability should become known on a broad basis. In any event, the property has value to the taxpayers of Oconee County, and should be handled as with any Oconee County physical asset.

"Thanks" to each of you for working with us for the betterment of Oconee County as an above average place to live, work, and to raise a family. Finally, the SDOC and the OCPL Board of Trustees respectfully requests that Oconee County receive this property and Deed for the purpose intended.

cc: Dale Surrett, County Administrator
Brad Norton, Legal Council to Oconee County
Art Holbrooks, Oconee County Planning Director
Beth Hulse, Council Clerk
Dr. Michael Lucas, SDOC Superintendent
Michael Thorsland, Ph D, SDOC Assistant Superintendent
Dr. Harry B. Mays, Jr., SDOC Trustee Board Chairman
OCPL Board of Trustees
Sue Baldwin, Interim Library Director
Barbara Askew, President, Friends of the Oconee County Library

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COPY

This deed prepared by:
Ross Law Firm, PA
210 WS Broad Street
Walhalla, SC 29691
No title exam requested by Purchaser

Grantee's Address:

ENTER

STATE OF SOUTH CAROLINA)

TITLE TO REAL ESTATE

COUNTY OF OCONEE)

KNOW ALL MEN BY THESE PRESENTS, that the SCHOOL DISTRICT OF OCONEE COUNTY in the State aforesaid, for and in consideration of the sum of One Dollar (\$1.00) to it paid by OCONEE COUNTY in the State aforesaid (the receipt whereof is hereby acknowledged), subject to the reservations, covenants, easements granted, and other restrictions as described herein, have granted, bargained, sold and released and by these presents does grant, bargain, sell and release unto the said:

OCONEE COUNTY, its Successors and Assigns:

A tract of land located on South Oak Street in the County of Oconee, State of South Carolina containing 4.946 acres ± as shown by a Plat by Stephen R. Edwards, PLS No. 19881, Stephen R. Edwards & Associates, Inc. dated August 22, 2008, and filed with the Oconee County Register of Deeds in Plat Book _____ at page _____

This is the same property conveyed to the Grantor by Deed of Montez W. Jolly as Trustee, et al, dated October 15, 2007, filed with the Oconee Register of Deeds in Deed Book 1621 at page 123 and a portion conveyed by Deed of W. Alan Axon a/k/a William Alan Axon dated May 16, 2007, filed with the Oconee Register of Deeds in Deed Book 1586 at page 130.

Said property is subject to the sewer drainage (SD) as shown on said plat; and to any and all other easements and/or rights-of-way of record, as shown on said plat, or existing on the ground.

Parcel No. 520-52-04-009; 254-00-01-073 p/o; 520-52-04-005 p/o



THIS PROPERTY IS TO BE USED FOR THE CONSTRUCTION OF A PUBLIC LIBRARY AND IF THE CONSTRUCTION OF A LIBRARY IS NOT BEGUN WITHIN FIVE (5) YEARS FROM THE DATE HEREOF, THIS PROPERTY WILL REVERT TO THE SCHOOL DISTRICT OF OCONEE COUNTY.

THE PROPERTY MAY NOT BE USED BY OCONEE COUNTY FOR ANY PURPOSE OTHER THAN A PUBLIC LIBRARY AND MAY NOT BE LEASED OR SOLD WITHOUT THE WRITTEN PERMISSION OF THE SCHOOL DISTRICT OF OCONEE COUNTY.

TOGETHER with all and singular, the rights, members, hereditaments and appurtenances, subject to the reservations, covenants, easements granted, and other restrictions as described herein, to the said premises belonging or in anywise incident or appertaining.

TO HAVE AND TO HOLD all and singular the premises before mentioned, subject to the reservations, covenants, easements granted, and other restrictions as described herein, unto the said OCONEE COUNTY, its successors and assigns.

And the said SCHOOL DISTRICT OF OCONEE COUNTY does hereby bind itself and its Successors, to warrant and forever defend all and singular the said premises, subject to the reservations, covenants, easements granted, and other restrictions as described herein, unto the said OCONEE COUNTY, its Successors and Assigns, against itself and its Successors and Assigns, and against every person whomsoever lawfully claiming, or to claim, the same or any part thereof.

IN WITNESS WHEREOF SCHOOL DISTRICT OF OCONEE COUNTY has caused these presents to be executed in its name by its duly authorized officer(s) and its corporate seal to be hereto affixed this 30th day of September in the year of our Lord two thousand eight and in the two hundred thirty-third year of the Sovereignty and Independence of the United States of America.

Signed, Sealed and Delivered
in the presence of:

SCHOOL DISTRICT OF OCONEE COUNTY
(SEAL)

By: Michael Lucas
Dr. Michael Lucas
District Superintendent

By: Harry B. Mays Jr
Harry B. Mays, Jr. Trustee
Chairman of the Board

Attest:

By: Denise McCormick
Denise McCormick
Clerk

[Signature]
[Signature]
Witnesses



STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
ACKNOWLEDGMENT

I, Michael Thorndahl, a Notary Public for the State of SC, do hereby certify that MICHAEL LUCAS AS DISTRICT SUPERINTENDENT, HARRY B. MAYS, JR. AS CHAIRMAN OF THE BOARD AND DENISE MCCORMICK AS CLERK OF SCHOOL DISTRICT OF OCONEE COUNTY personally appeared before me this date and acknowledged on behalf of SCHOOL DISTRICT OF OCONEE COUNTY the due execution of the foregoing instrument.

Witness my hand and official seal this 20th day of September, 2008.

Michael Thorndahl (SEAL)
Notary Public of SC
My commission expires July 19, 2012



**SCHOOL DISTRICT OF
OCONEE COUNTY**

MANUALLY SURVEY JOB

SCHOOL DOWNSHIP, OCONEE COUNTY, SOUTH CAROLINA

STEPHEN R. EDWARDS & ASSOCIATES, INC.

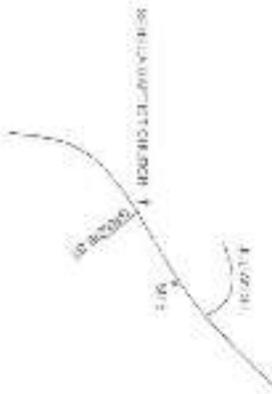
1025 W. MAIN ST., WEST LENOIR, S.C. 28655
(854) 776-1103

1011-06-23-003

JOS. HUBNER
28-12224447



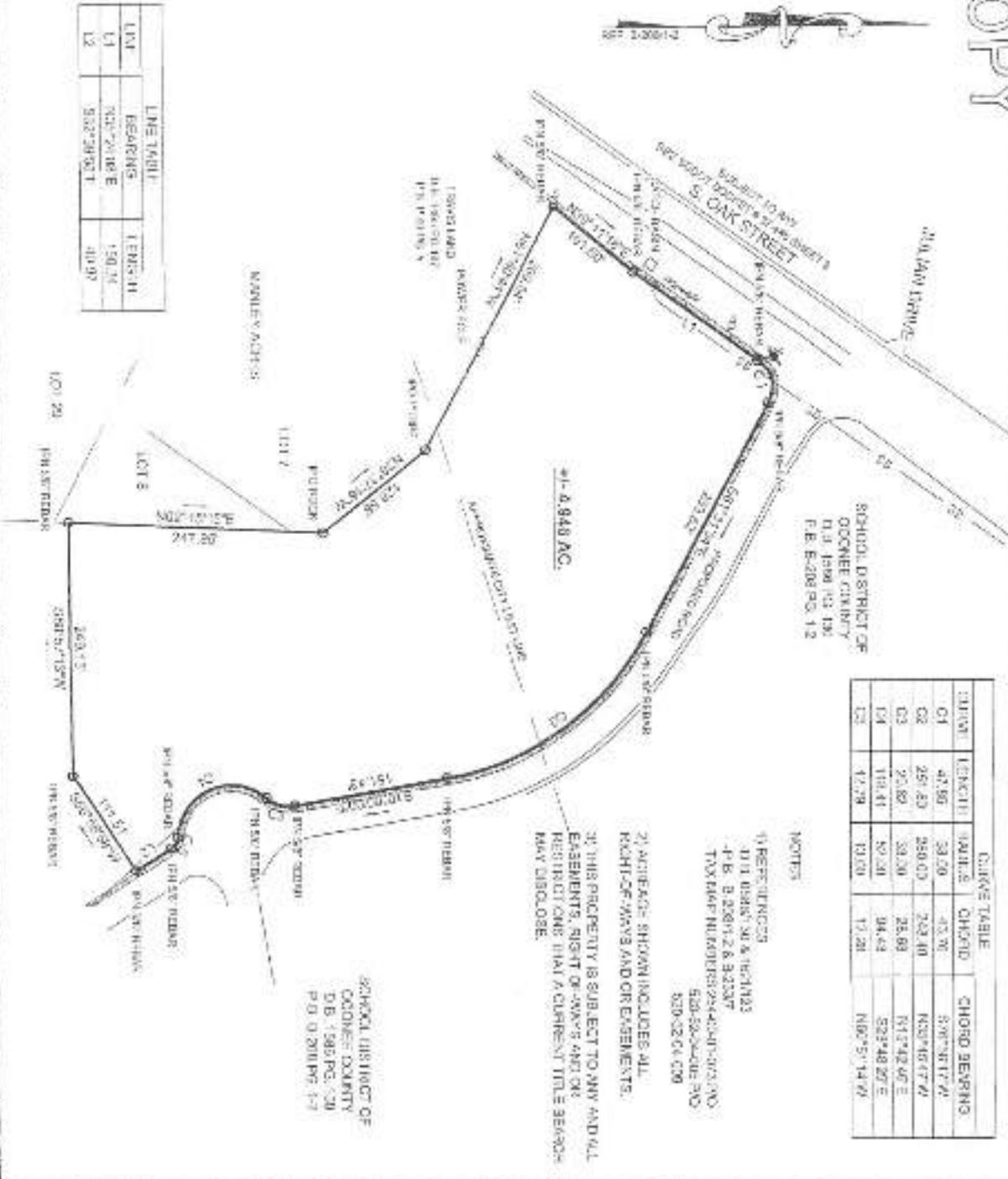
LOCAL STRIP MAP
PROJECT



THIS SURVEY WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS AND STANDARDS OF THE SOUTH CAROLINA SURVEYING BOARD AND THE PROFESSIONAL SURVEYORS ACT, CHAPTER 43, TITLE 43-10, OF THE SOUTH CAROLINA CODE OF LAWS. THE SURVEY WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS AND STANDARDS OF THE SOUTH CAROLINA SURVEYING BOARD AND THE PROFESSIONAL SURVEYORS ACT, CHAPTER 43, TITLE 43-10, OF THE SOUTH CAROLINA CODE OF LAWS.

Stephen R. Edwards
STEPHEN R. EDWARDS, PLS., S.C. 1998

COPY



LINE	BEARING	LENGTH
L1	N00°24'18"E	150.74
L2	S02°28'52"E	40.97

CHORD	LENGTH	SCALE	CHORD	CHORD BEARING
C1	47.86	53.70	43.70	S07°31'17"W
C2	251.83	250.03	243.40	N52°05'47"W
C3	21.80	33.30	25.85	N13°42'07"E
C4	108.41	52.28	94.43	S22°48'27"E
C5	47.29	10.00	13.28	N02°51'14"W

NOTES:
1) REFERENCES TO DISTRICT MAPS AND TAX MAP NUMBERS ARE FOR INFORMATION ONLY.
2) ACRES SHOWN INCLUDES ALL RIGHTS OF WAY AND EASEMENTS.
3) THIS PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS, RIGHTS OF WAY AND OR RESTRICTIONS THAT A CURRENT TITLE SEARCH MAY DISCLOSE.

SCHOOL DISTRICT OF
OCONEE COUNTY
D.B. 1585 PG. 29
P.D. 030195-17



From: ocscmanager@bellsouth.net [mailto:ocscmanager@bellsouth.net]
Sent: Wednesday, October 01, 2008 9:39 AM
To: Dale Surrent; Jim Alexander
Cc: Lwross
Subject: FW: GCCP Wastewater

Gentlemen,

Attached is the latest information on the Engineering changes and cost estimates for the Golden Corner Commerce Park sewer project. I have shared this with the Sewer Commissioners and have not received any negative feedback. Please review this information and comment on the same. Bob Froneberger is on vacation this week and will proceed with the modification of the PER for SCDHEC with your approval next week.

Thanks,

Bob

----- Forwarded Message: -----

From: "Bob Froneberger" <bfroneberger@wkdickson.com>
To: <ocscmanager@bellsouth.net>
Subject: GCCP Wastewater
Date: Thu, 25 Sep 2008 20:16:13 +0000

Bob

Attached are spreadsheet updates for Alternative 1 and 2 for the Golden Corner Commerce Park. When opening the file, be sure to open the different tab pages at the bottom.

Alternative 1 includes 3 phases with Phase 1 to be designed for 50,000 gpd with provisions for future expansion to 100,000 gpd. Our estimates were revised to include drip irrigation based on an application rate of 0.95 inches per week. We were able to increase the application rate based on using subsurface drip irrigation. This reduced the application site from 30 acres to 20 acres. For effluent storage, we assumed 7 days storage at 100,000 gpd (700,000 gallons) in consideration for a future expansion to 100,000 gpd. The revised probable cost of this Alternative 1 – Phase 1 is \$4,357,500 compared to a previous estimate of \$3,448,700. The estimated user cost based on an average flow of 50,000 gpd for the first 10 years increased from \$10.79/1000 gallons to \$11.36/1000 gallons.

Alternative 2 includes 3 phases with Phase 1 to be designed for 50,000 gpd with provisions for future expansion to 100,000 gpd and initiation of an effluent discharge Cleveland Creek in Phase 2. The Alternate 2- Phase 1 estimate includes drip irrigation based on an application rate of 0.95 inches per week and reduced the application site from 30 acres to 20 acres. Effluent storage included 7 days storage at 100,000 gpd (700,000 gallons) as in Alternate 1. The revised probable cost of Alternative 2– Phase 1 is \$4,357,500 compared to a previous estimate of \$3,448,700 (Same as Alt 1). The estimated user cost based on an average flow of 50,000 gpd for the first 10 years increased from \$10.79/1000 gallons to \$11.36/1000 gallons.

The increase in cost is attributed to the conversion to drip irrigation and replacement of the storage pond with an enclosed tank storage at the WWTP site.

I look forward to discussing these when I return the week of October 6. If these costs are agreeable, we will proceed with the PER modifications.

Bob Froneberger, P.E.
Project Manager, W.K. Dickson - Charlotte, NC
704-227-3403





**Oconee County Sewer Commission/
Oconee Joint Regional Sewer Authority**

P.O. Box 399, Seneca, SC 29679 • Ph: (864) 972-3900 • Fax: (864) 972-3917

Mr. Dale Surrett
Oconee County Administrator
415 S. Pine Street
Walhalla, SC 29691

October 21, 2008

RE: GCCP Sewer System

Dear Mr. Surrett,

Enclosed find additional information relative to the alternative for drip irrigation and a closed holding tank at the Golden Corner Commerce Park near Fairplay. This follows copies of details of that alternative forwarded to you by e-mail on October 1, 2008.

This alternative was developed after a presentation by W.K. Dickson at the August 5, 2008 County Council meeting of the option to use septic tanks at the site. Mr. Jim Alexander suggested that drip irrigation be used in lieu of spray irrigation for the first phase of the project. The estimated cost for this option is \$4,357,500.00 and will be included in the revised PER to be submitted to SCDHEC.

Attached also find a spreadsheet comparing the various alternatives reviewed by County Council since December of 2007. With the Council's approval, we are prepared to move forward with this project.

I will be available this evening to discuss this alternative. Thank you for your cooperation.

Sincerely,

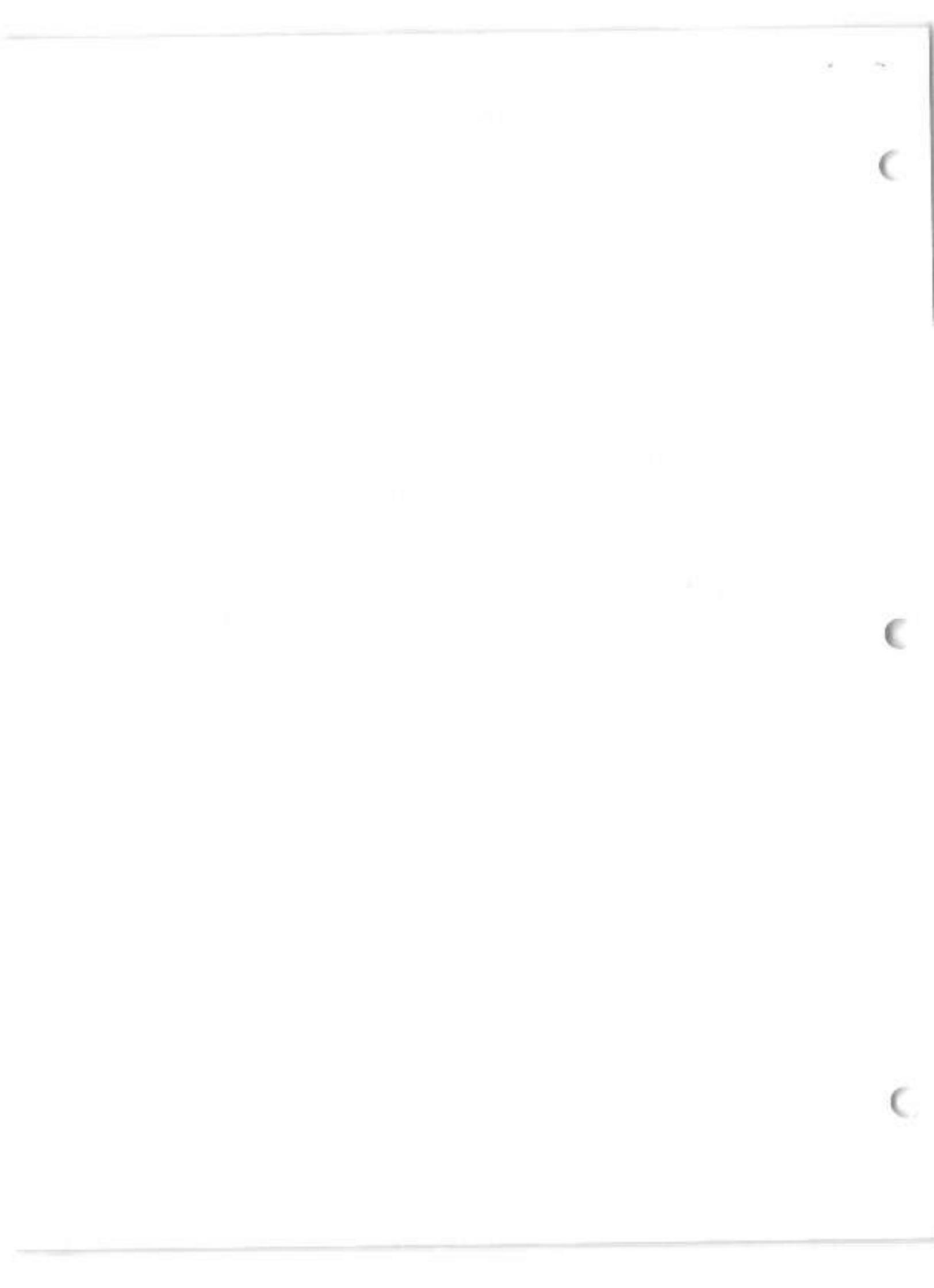
A handwritten signature in cursive script that reads "Robert C. Winchester".

Robert C. Winchester
General Superintendent, OCSC

RCW:ls

Encls.

Cc: County Council Members
Commissioners
Jim Alexander



**GOLDEN CORNER COMMERCE PARK
WASTEWATER CONVEYANCE, TREATMENT AND DISPOSAL EVALUATIONS**

Phase 1 - 50,000 GPD WWTP WITH SPRAY IRRIGATION EFFLUENT DISPOSAL:

GCCP Gravity Sewer Extending Up Highway 59 (6250 LF)	\$ 559,500
GCCP Influent Pump Station to WWTP	\$ 249,600
Phase 1 - 50,000 WWTP (Expandable to 100,000 GPD)	\$ 1,129,500
Dedicated 30 Ac. Spray Irrigation Land Application System (Including 3 MG Effluent Storage Pond)	\$ 745,700
Subtotal Probable Construction Cost:	<u>\$ 2,684,300</u>
Design & Construction Phase Engineering Cost (15%)	\$ 402,600
Owner Administration & Legal Cost (2.75%)	\$ 73,800
Land Cost (36 Ac @ \$8000/Ac)	\$ 288,000
Grand Total Cost:	<u>\$ 3,448,700</u>

Phase 1 - 50,000 GPD WWTP WITH DRIP IRRIGATION EFFLUENT DISPOSAL:

GCCP Gravity Sewer Extending Up Highway 59 (6250 LF)	\$ 559,500
GCCP Influent Pump Station to WWTP	\$ 249,600
Phase 1 - 50,000 WWTP (Expandable to 100,000 GPD & Including Tertiary Filter)	\$ 1,212,100
Dedicated 20 Ac. Drip Irrigation Land Application System (Including 0.7 MG Effluent Storage Tank)	\$ 1,502,800
Subtotal Probable Construction Cost:	<u>\$ 3,524,000</u>
Design & Construction Phase Engineering Costs	\$ 528,600
Owner Administration and Legal Costs	\$ 96,900
Land Cost (26 Ac @ \$8000/Ac)	\$ 208,000
Grand Total Alternative 1 - Phase I Cost:	<u>\$ 4,357,500</u>

THE HISTORY OF THE

of the world, and the progress of the human mind, from the earliest times to the present day. The history of the world is a long and varied one, and it is one which has attracted the attention of many of the greatest minds of all ages. The progress of the human mind is a process which has been going on since the beginning of time, and it is one which has been the result of the efforts of many of the greatest minds of all ages. The history of the world and the progress of the human mind are two things which are closely connected, and they are both of them of the greatest importance to the human race.

THE HISTORY OF THE

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DJRSA - GOLDEN CORNER COMMERCE CENTER

COMPARISON OF COSTS FOR GCCC WWTP AND LAND APPLICATION SYSTEM

ITEM DESCRIPTION	12/10/07 ESTIMATE 125,000 GPD NIC	06/02/08 ESTIMATE 50,000 GPD (Phase I) \$ 559,500	05/02/08 ESTIMATE 100,000 GPD (Phase I & II) \$ 559,500	05/2008 ESTIMATE 11,500 GPD SEPTIC TKS & TRENCH INFILTRATION BENCH + SPRAY IRRIG. \$ 559,500	8/6/2008 ESTIMATE 50,000 GPD (Phase II) & 50,000 GPD (Phase II) \$ 249,500	9/24/2008 ESTIMATE 50,000 GPD (Phase II) & DRIP IRRIG. \$ 249,500
GCCC Gravity Sewer (3250 LF - 6" & 10")	NIC	\$ 249,500	\$ 249,500	\$ 249,500	\$ 249,500	\$ 249,500
GCCC Pump Sta. Incl. Emer. Generator	NIC	\$	\$	\$	\$	\$
WWTP						
Influent Pump Sta. (Excluding Emer. Gen.)	\$ 67,200	NIC	NIC	N/C	N/C	N/C
125,000 GPD WWTP w/ Conc. Tanks	\$ 1,209,200					
Phase I - 50,000 GPD WWTP w/ Slab Tanks & 100,000 GPD Surge & Sludge Holding	\$	\$ 1,128,500	\$ 1,120,500	\$ 1,120,500	\$ 1,120,500	\$ 1,121,100
Phase II Expansion to 100,000 GPD WWTP w/ Slab Tanks	\$	\$	\$ 161,800	\$	\$	\$
Land Application System						
Storage Pond (20 days @ 125,000 gpd = 3.75 MG)	\$ 244,600	\$	\$	\$	\$	\$
Storage Pond (30 days @ 100,000 gpd = 3 MG)	\$	\$ 201,500	\$ 201,500	\$	\$	\$ 700,000
Storage Tank (7 days @ 100,000 gpd = 0.7 MG)	\$	\$	\$	\$	\$	\$
Spray Irrigation - 43 Ac (0.75 in/wk & 125,000 gpd)	\$ 1,047,400	\$ 544,200	\$ 544,200	\$ 544,200	\$ 544,200	\$ 544,200
Spray Irrigation - 30 Ac (0.5 in/wk & 50,000 gpd)	\$	\$	\$ 512,400	\$	\$	\$
Spray Irrigation - 30 Ac (0.5 in/wk & 50,000 gpd)	\$	\$	\$	\$	\$	\$
Trench Infiltration System (0.3 gpd/ft & 11,400 gpd)	\$	\$	\$	\$	\$	\$
Drip Irrigation - 20 Ac (0.85 in/wk & 50,000 gpd)	\$	\$	\$	\$	\$	\$
Engineering, Design & Const. Phase Cost	\$ 2,559,400	\$ 2,694,200	\$ 3,378,300	\$ 1,009,000	\$ 2,884,300	\$ 3,624,000
Owner Cost	\$ 303,900	\$ 402,600	\$ 506,700	\$ 150,000	\$ 400,000	\$ 526,000
Land Cost	\$ 70,400	\$ 73,800	\$ 87,700	\$ 23,000	\$ 78,800	\$ 96,800
NIC	\$	\$ 285,000	\$ 528,000	\$ 480,000	\$ 288,000	\$ 204,000
GRAND TOTAL PROBABLE COST:	\$ 3,013,700	\$ 3,446,700	\$ 4,560,700	\$ 1,230,000	\$ 3,648,700	\$ 4,337,800
04/15/08 Estimate Less GCCC GS, PS & Land:	\$	\$ 2,351,600	\$ 3,163,600	\$ 373,000	\$ 2,661,600	\$ 3,340,400

1. *Staphylococcus aureus* (10⁸ CFU/ml)

2. *Escherichia coli* (10⁸ CFU/ml)

3. *Salmonella typhi* (10⁸ CFU/ml)

4. *Pseudomonas aeruginosa* (10⁸ CFU/ml)



**GOLDEN CORNER COMMERCE PARK
WASTEWATER CONVEYANCE, TREATMENT AND DISPOSAL EVALUATIONS**

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Grand Total Alternative 1 - Phase I Cost:	\$ 4,357,500

OPERATION & MAINTENANCE COST FIRST 10 YEARS (FLOW = 50,000 GPD)

Influent Pump Station	\$ 17,726
Gravity Sewer & Force Main	\$ 11,313
Spray Irrigation System	\$ 20,700
WWTP	\$ 157,533
	<u>\$ 207,272</u>
Estimated User Cost / 1000 Gallons @ 50,000 GPD:	\$ 11.36 /1000 Gal
Phase 1 Capital Cost Recovery (\$3,448,700 @ 5.25% & 20 Yrs)	\$ 357,315
Capital Cost Recovery / 1000 Gallons @ 50,000 GPD:	\$ 19.58 /1000 Gal
Construction Cost - 20 year Life Items & Engr / Owner Costs	\$ 2,087,200
Construction Cost - 40 year Life Items	\$ 2,062,300
Depreciation = Const Cost/Life x 57%/Yr	\$ 88,873 per Year
Depreciation Cost / 1000 Gallons @ 50,000 GPD:	\$ 4.87 /1000 Gal

$\frac{1}{x^2} = x^{-2}$
 $\frac{d}{dx} x^{-2} = -2x^{-3}$
 $= -2x^{-3}$
 $= -\frac{2}{x^3}$

$\frac{d}{dx} \frac{1}{x^2} = -\frac{2}{x^3}$
 $\frac{d}{dx} x^{-2} = -2x^{-3}$
 $= -\frac{2}{x^3}$

TABLE H.1.1 - PROBABLE CONSTRUCTION COST ALTERNATIVE 1 - PHASE 1

ON-SITE TREATMENT AND LAND APPLICATION SYSTEM

ITEM DESCRIPTION	#	UNITS	UNIT \$	TOTAL \$	
GCCC Gravity Sewer Extending Up Highway 69					
8" Gravity Sewer - 0 to 10'	1000	ft	40	\$ 40,000	
8" Gravity Sewer - 10' to 14'	1100	ft	45	\$ 49,500	
8" Gravity Sewer - 14' to 18'	1000	ft	50	\$ 50,000	
8" Gravity Sewer - 18' & >	200	ft	55	\$ 11,000	
10" Gravity Sewer - 1-10'	2950	ft	45	\$ 132,800	
4' Dia MH (@ 200' oc)	32	ea	2400	\$ 76,800	
Rock Allowance (@ 0.3 cy/ft)	1875	cy	70	\$ 131,300	
Mobilization @ 3.5%	1	ls		\$ 17,200	
Contingency (10%)				\$ 50,800	
Subtotal GCCC Gravity Sewer:				\$ 659,600	\$ 659,600
GCCC INFLUENT PUMP STATION					
PS Wet Well (10' Dia.) at Remote Site	1	ea	\$ 12,000	\$ 12,000	
Influent Pumps (Duplex 30 Hp) & Controls	2	ea	\$ 20,000	\$ 40,000	
Valve Vault	1	ea	\$ 6,400	\$ 6,400	
6" Ecc. Plug Valves	2	ea	\$ 1,250	\$ 2,500	
6" Check Valves	2	ea	\$ 2,500	\$ 5,000	
8" FM Ecc. Plug Valve	1		\$ 2,500	\$ 2,500	
Telemetry System	1	ea	\$ 15,000	\$ 15,000	
Emergency Generator	1	ea	\$ 75,000	\$ 75,000	
Site Electrical @ 10%	1	ls		\$ 15,800	
8" PVC Force Main to WWTP	1500	ft	\$ 30	\$ 45,000	
Mobilization @ 3.5%	1	ls		\$ 7,700	
Contingency (10%)				\$ 22,700	
Subtotal Influent Pump Station and Force Main				\$ 249,600	\$ 249,600
WWTP at Industrial Park Site- Phase I					
Pkg WWTP -100,000 gpd Surge & Sludge Holding Tk with: Initial 50,000 gpd (dual train 25,000 gpd) Anoxic Zone, Aeration and Clarifier w/ Blowers & Controls in Steel Tank;	1	ea	\$ 571,900	\$ 571,900	
Conc. WWTP Base Slab (2 @ 14' x 80' x 1')	62.2	cy	\$ 500	\$ 31,100	
Influent Static Screen	1	ea	\$ 26,800	\$ 26,800	
Influent Screen Foundation & Dupster Pad (20'x30'x1.25')	28	cy	\$ 500	\$ 14,000	
Microscreen Effluent Filter	1	ea	\$ 60,000	\$ 60,000	
UV Disinfection Equipment in SS Channel	1	ea	\$ 66,500	\$ 66,500	
UV Channel Conc. Foundation (Assume 8'x30'x1.25')	12	cy	\$ 500	\$ 6,000	
Prefabricated Utility Building (12' x 12')	1	Budget	\$ 10,000	\$ 10,000	
Emergency Generator	1	ea	\$ 75,000	\$ 75,000	
Telemetry System	1	ea	\$ 15,000	\$ 15,000	
10" PVC FM Eff. Piping to Spray Irrigation System	1500	ft	\$ 40	\$ 60,000	
Site Work @ 5%				\$ 40,800	
Site Electrical @ 10%				\$ 41,100	
Site Piping @ 5%				\$ 20,600	
Access Road	1	Budget	\$ 20,000	\$ 20,000	
Mobilization @ 3.5%	1	ls		\$ 37,300	
Contingency (10%)				\$ 110,200	
Subtotal -GCCC WWTP Construction Cost:				\$ 1,212,100	\$ 1,212,100

TABLE H.1.1 - PROBABLE CONSTRUCTION COST ALTERNATIVE 1 - PHASE 1

ON-SITE TREATMENT AND LAND APPLICATION SYSTEM

ITEM DESCRIPTION	#	UNITS	UNIT \$	TOTAL \$	
Dedicated Spray Irrigation Land Application System					
Effluent Storage @ WWTP Site (Assume 7 Days @ 0.1)	700,000	gallons	\$ 1.00	\$ 700,000	
Spray Irrig. Land Application System (50,000 gpd)	20	ac	\$ 30,000	\$ 600,000	
Spray Irrigation Pumps (Controls w/ Irr. System)	2	ees	\$ 10,000	\$ 20,000	
Mobilization @ 3.5%	1	ts		\$ 46,200	
Contingency (10%)	1	ts		\$ 136,800	
Subtotal - Land Application Construction Cost:				\$ 1,502,800	\$ 1,502,800
Subtotal GCCC Gravity Sewer, Phase I WWTP & Land Application Cost:					
					\$ 3,524,000
Engineering Costs					
Design Phase Engineering @ 10%				\$ 352,400	
Construction Administration/Observation Engr. @ 5%				\$ 176,200	
Subtotal Engineering Costs:				\$ 528,600	\$ 528,600
Owner Costs					
Legal, Appraisal & Owner Administration Fees @ 2.75%				\$ 96,900	
Land for WWTP	6	Ac	\$ 8,000	\$ 48,000	
Land for Wastewater Application System	20	Ac	\$ 9,000	\$ 180,000	
Right-of-way - Force Main		lf		\$ -	
Right-of-way - Gravity Sewer		lf		\$ -	
Subtotal Owner Costs:				\$ 304,900	\$ 304,900
Grand Total Probable Cost:					\$ 4,367,600

TABLE H.1.2 - PROBABLE CONSTRUCTION COST ALTERNATIVE 1 - PHASE 2

ON-SITE TREATMENT AND LAND APPLICATION SYSTEM

ITEM DESCRIPTION	#	UNITS	UNIT \$	TOTAL \$	
WWTP at Industrial Park Site- Phase II					
Pkg WWTP - Second 50,000 gpd (dual train 25,000 gpd) Anoxic Zone, Aeration and Clarifier w/ Blowers & Controls in Steel Tank	1	ea	\$ 133,000	\$ 133,000	
Conc. WWTP Base Slab (1' @ 14' x 60' x 1')	31.1	cy	\$ 500	\$ 15,600	
Effluent Filter Expansion	1	ea	\$ 60,000	\$ 60,000	
Site Work @ 5%				\$ 7,400	
Site Electrical @ 10%				\$ 8,300	
Site Piping @ 5%				\$ 4,200	
Mobilization @ 3.5%	1	ls		\$ 8,000	
Contingency (10%)				\$ 23,700	
Subtotal -GCCC WWTP Construction Cost:				\$ 260,200	\$ 260,200
Dedicated Spray Irrigation Land Application System					
Effluent Storage Tank (Capacity installed with Phase I)		gal			
Spray Irrig. Land Application System (50,000 gpd)	20	ac	\$ 30,000	\$ 600,000	
Mobilization @ 3.5%	1	ls		\$ 21,000	
Contingency (10%)	1	ls		\$ 82,100	
Subtotal - Land Application Construction Cost:				\$ 683,100	\$ 683,100
Subtotal GCCC Phase II WWTP & Land Application Cost:					\$ 943,300
Engineering Costs					
Design Phase Engineering @ 10%				\$ 94,300	
Construction Administration/Observation Engr. @ 5%				\$ 47,200	
Subtotal Engineering Costs:				\$ 141,500	\$ 141,500
Owner Costs					
Owner Administration Fees @ 2%				\$ 18,900	
Land for Wastewater Application System	20	Ac	\$ 8,000	\$ 160,000	
Subtotal Owner Costs:				\$ 178,900	\$ 178,900
Grand Total Probable Cost:					\$ 1,263,700



TABLE H.1.3 - PROBABLE CONSTRUCTION COST ALTERNATIVE 1 - PHASE 3

ON-SITE TREATMENT AND LAND APPLICATION SYSTEM

ITEM DESCRIPTION	#	UNITS	UNIT \$	TOTAL \$	
WWTP at Industrial Park Site- Phase II					
Pkg WWTP - 250,000 gpd WWTP w dual train 125,000 gpd Anoxic Zone, Aeration and Clarifier w Blowers & Controls in Conc. Tank)	1	ea	\$ 851,200	\$ 851,200	
Add 3rd Pump at Influent Pump Station	1	ea	\$ 20,000	\$ 20,000	
Conc. Tanks and Foundation	475.0	cy	\$ 500	\$ 237,500	
Conversion of Existing WWTP Tanks to Sludge Holding	1.0	Budget	\$ 20,000	\$ 20,000	
Tertiary Filtration	1.0	ea	\$ 93,100	\$ 93,100	
Duplex Pumps and Controls for Transfer to Reuse Tank	2.0	ea	\$ 15,000	\$ 30,000	
6' Dia. Pump Wet Well	1.0	ea	\$ 3,500	\$ 3,500	
Site Work @ 5%				\$ 62,800	
Site Electrical @ 10%				\$ 125,600	
Site Piping @ 5%				\$ 62,800	
Mobilization @ 3.5%	1	ls		\$ 52,700	
Contingency (10%)				\$ 155,900	
Subtotal -GCCC WWTP Construction Cost:				\$ 1,716,000	\$ 1,716,000
Reuse Drip Land Application System					
Effluent Holding Tank - (7 days @ 150,000)	1,050,000	gal	\$ 1.00	\$ 1,050,000	
Stone Foundation under Tank (2' thick x 160' Dia @ 100#/cy)	2,010	tons	\$ 30	\$ 60,300	
Hypochlorite Feed System	1	ea	\$ 30,000	\$ 30,000	
Reuse Irrig. Land Application System (150,000 gpd)	52	ac	\$ 30,000	\$ 1,590,000	
Mobilization @ 3.5%	1	ls		\$ 94,500	
Contingency (10%)	1	ls		\$ 279,500	
Subtotal - Land Application Construction Cost:				\$ 1,934,000	\$ 1,934,000
Subtotal GCCC Phase II WWTP & Land Application Cost:					\$ 3,649,000
Engineering Costs					
Design Phase Engineering @ 10%				\$ 364,900	
Construction Administration/Observation Engr. @ 5%				\$ 182,500	
Subtotal Engineering Costs:				\$ 647,400	\$ 647,400
Owner Costs					
Owner Administration Fees @ 2%				\$ 73,000	
Land for Wastewater Application System	52	Ac		\$ -	
Subtotal Owner Costs:				\$ 73,000	\$ 73,000
Grand Total Probable Cost:					\$ 4,269,400

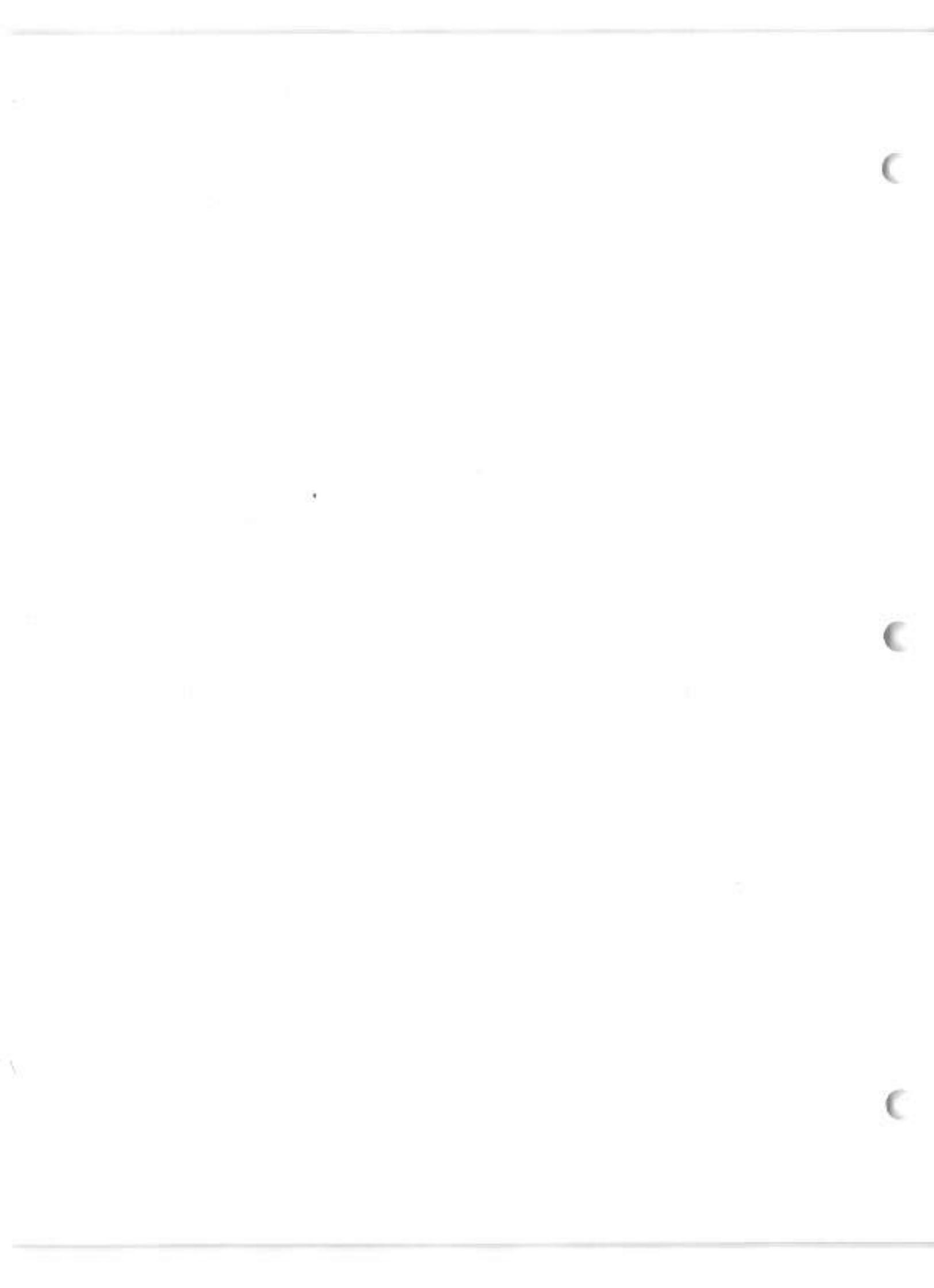


TABLE H 1.4 - PRESENT WORTH COST EVALUATION FOR ALTERNATIVE 1 (Page 1 of 3)

ITEM	DESCRIPTION	ANNUAL OPERATION HRS/YR	ANNUAL POWER COST	ANNUAL OPERATION COST	ANNUAL MAINTENANCE COST	TOTAL ESTIMATED O & M COST
PRESENT WORTH O&M OVER FIRST 10 YEARS @ Q AVERAGE @ WWTP = 60,000 GPD						
GCCP Influent Pump Sta	250 gpm @ TDH w/ 30 Hp motors @ an average flow of 50,000 gpd	1,178	\$ 1,832	\$ 12,000	\$ 3,864	\$ 17,726
Force Main to WWTP	1500 lf along GCCC RW				\$ 375	\$ 375
GCCP Gravity Sewer	6250 lf along Private RW				\$ 3,125	\$ 3,125
	6250 lf - TV & Clean				\$ 7,813	\$ 7,813
Spray Irrigation System Maintenance	40 ac average @ 24 hr/month ave			\$ 7,200	\$ 13,500	\$ 20,700
WWTP:						
Operation & Maintenance	4 Holiday x 7 day/Wk + 24 hr/mo maint			\$ 36,400	\$ 7,200	\$ 43,600
Travel Cost	24 miles/d x 7 days / wk x \$0.5/mile			\$ 4,380		\$ 4,380
Power Costs						
Aeration/Mix & Digestion	26 Dhp for 100,000 gpd plant	8760	\$ 11,889			\$ 11,889
Eff. UV Disinfection	24 Kw-hr	8760	\$ 21,024			\$ 21,024
Effluent Filter	2 Hp Drive & Backwash Pumps (4 Hp total)	2180	\$ 457	\$ 4,380	\$ 8,000	\$ 9,837
Eff. Pumps to Effluent Storage	10 Hp @ 200 gpm	1014	\$ 528			\$ 528
Spray Irrigation Pumps	20 Hp pumps @ 300 gpm & 50,000 gpd	722	\$ 754			\$ 754
Other Costs						
JV Lamp & Ballast Replacement Cost	Lamp @ 12000 lf life & Ballast @ 5 year life			\$ 5,180		\$ 5,180
Sudge Transportation to Concrass	47.5 hrs/day @ 2% Solids @ 0.340/gallon transp & treat			\$ 35,340		\$ 35,340
	(Based on 50,000 gpd Average Q)					
Contract Laboratory Analysis	Budget			\$ 25,000		\$ 25,000
Total Annual O&M Cost						\$ 207,272
Basis of O&M Cost Projections						\$ 11.36
						Estimated Cost User Cost / 1000 Gallons @ 50,000 gpd: \$

1. Pumping costs are based upon projected average flows over 10 year period.
2. Power costs for Pump Station is based upon \$0.10 kw-hr with 70% average pump motor efficiency.
3. Power cost for WWTP is based on \$0.10 kw-hr w/ 70% average motor efficiency.
4. Force main & gravity sewer line annual maintenance is based upon \$0.001/ft-year for mowing and inspection of field RW & \$0.25/ft-year for line in road RW.
5. Gravity sewer annual maintenance assumed television and cleaning of an average of 25% of the line per year @ \$1/ft.
6. Pump station maintenance assumed 8 hours per week routine DTM plus 16 hour per quarter or 480 hours per year @ \$25/hour.
7. Pump station maintenance costs for parts and materials assumed 2% of mechanical equipment cost per year for new pumps.



TABLE H.1.4 - PRESENT WORTH COST EVALUATION FOR ALTERNATIVE 1 (Page 2 of 3)

ITEM	DESCRIPTION	ANNUAL OPERATION HRS/YR	ANNUAL POWER COST	ANNUAL OPERATION COST	ANNUAL MAINTENANCE COST	TOTAL ESTIMATED O & M COST
PRESENT WORTH O&M YEAR 11-20 @ Q AVERAGE = 150,000 GPD						
GCCC Influent Pump Sta.	2600 gpm @ 17.5 HP w/ 30 Hp motors @ an average flow of 150,000 gpd		3510 \$	5,436 \$	12,000 \$	3,894 \$
Force Main to WWTP	1500 ft along GCCC RW					375 \$
GCCC Gravity Sewer	8250 ft along Private RW					3,125 \$
	6250 ft TV & Clean					7,813 \$
Spray Irrigation System Maintenance	80 ac @ 40 hr/month ave			12,000 \$	42,000 \$	54,000 \$
WWTP:						
Operation & Maintenance	5 Friday x 7 day/Wk = 72 hr/mo maint			45,500 \$	21,500 \$	67,000 \$
Power Costs						
WWTP:						
Operation & Maintenance	5 Friday x 7 day/Wk + 24 hr/mo maint			45,500 \$	7,200 \$	52,700 \$
Travel Cost	24 hr/mo x 7 days /wk x 50.5/mile			4,360 \$		4,360 \$
Dewater Costs						
Acidation/Mix & Digestion	52 Bhp for 100,000 gpd plant.		6760 \$	23,778 \$		23,778 \$
Effluent Filter	2 Hp Drive & Backwash Pumps (4 Hp total)		4380 \$	915 \$	7,500 \$	12,795 \$
Eff. Pumps to Effluent Storage	10 Hp @ 2000 gpm		3042 \$	1,598 \$		1,588 \$
Eff. UV Disinfection	24 Kw-hr		8750 \$	21,024 \$		21,024 \$
Spray Irrigation Pumps	20 Hp pumps @ 300 gpm & 150,000 gpd		2187 \$	2,262 \$		2,262 \$
Other Costs						
UV Lamp & Ballast Replacement Cost	Lamp @ 12000 hr life & Ballast @ 5 year life			5,180 \$		5,180 \$
Sludge Transportation to Conross	142.5 hrs/day @ 2% Solids @ 0.340/gallon transp & treat (Based on 150,000 gpd Average Q)			103,021 \$		103,021 \$
Contract Laboratory Analysis	Budget			25,000 \$		25,000 \$
Total Annual O&M Cost						\$ 408,529
					Estimated Cost User Cost / 1000 Gallons @ 150,000 gpd:	7.46

Basis of O&M Cost Projections

1. Pumping costs are based upon projected average flows over 10 year period
2. Power costs for Pump Stations is based upon \$0.10 kw-hr with 70% average pump motor efficiency.
3. Power cost for WWTP is based on \$0.10 kw-hr w/ 70% average motor efficiency.
4. Force main & gravity sewer line annual maintenance is based upon \$0.50/ft-year for moving and inspection of field RW & \$0.20/ft-year for line in road RW.
5. Gravity sewer annual maintenance assumed television and cleaning of an average of 25% of the line per year @ 55ft
6. Pump station maintenance assumed: 8 hours per week routine O&M plus 16 hour per quarter or 480 hours per year @ \$25/hour.
7. Pump station maintenance costs for parts and materials assumed 2% of mechanical equipment cost per year for new pumps.



TABLE H.1.4 - PRESENT WORTH COST EVALUATION FOR ALTERNATIVE 1 (Page 3 of 3)

Interest =	5.240%				
Period 1 - Phase 1 Const	20 years				
Period 2 - Phase 2 Const	15 years				
Period 2 - Phase 2 Const	10 years				
Salvage Value Phase 1 Structures, GS & FM (20 years of 50 Life) =	60% of Construction Cost @				
Salvage Value Phase 2 Mechanical Equip. (20 years life) =	5% of Construction Cost @				
Salvage Value Phase 2 Structures 15 Years of 50 Yr. Life	70% of Construction Cost @				
Salvage Value Phase 2 Mechanical Equip. Accrd at Yr. 5 (15 years of 20 year life)	30% of Construction Cost @				
Salvage Value Phase 3 Structures 10 Years of 50 Yr. Life	80% of Construction Cost @				
Salvage Value Phase 3 Mechanical Equip. Accrd at Yr. 10 (10 years of 20 year life)	55% of Construction Cost @				
Present Worth Phase I Capital Cost =					
Present Worth Phase II Capital Cost WWTP Expansion (5 years)	(P/F, 1, 5 years)	\$ 4,357,500 x		1 =	\$ 4,357,500
Present Worth Phase III Capital Cost WWTP Expansion (10 years)	(P/F, 1, 10 years)	\$ 1,283,700 x		0.7743 =	\$ 970,430
Present Worth O & M Cost (Years 0 - 10)	(P/F, 1, 10 years)	\$ 4,259,400 x		0.5555 =	\$ 2,368,445
Present Worth O & M Cost (Years 10 - 20)	(P/A, 1, 10 years) x (P/F, 1, 10 years)	\$ 237,272 x	7.0280	7.6288 =	\$ 1,811,245
Present Worth Salvage Value Conveyance Structures, GS & FM Phase I	(P/F, 1, 20 years)	\$ 3,524,000	60%	0.3584 =	(\$ 1,262,000)
Present Worth Salvage Value Conveyance & WWTP Mech. Equip. - Phase I	(P/F, 1, 20 years)	\$ 976,100	5%	0.3554 =	(\$ 346,800)
Present Worth Salvage Value Conveyance Structures, GS & FM Phase II	(P/F, 1, 20 years)	\$ 943,300	70%	0.3554 =	(\$ 336,300)
Present Worth Salvage Conveyance & WWTP Mech. Equip. - Phase II	(P/F, 1, 20 years)	\$ 141,300	50%	0.3584 =	(\$ 50,650)
Present Worth Salvage Value Conveyance Structures, GS & FM Phase III	(P/F, 1, 20 years)	\$ 3,649,000	80%	0.3584 =	(\$ 1,308,112)
Present Worth Salvage Conveyance & WWTP Mech. Equip. - Phase III	(P/F, 1, 20 years)	\$ 1,089,800	50%	0.3584 =	(\$ 388,587)
Present Worth Salvage Value Land Phase I	200,000 x			1 =	200,000
Present Worth Salvage Value Land Phase II	160,000 x			1 =	160,000
Total Alternative 1 Present Worth Cost =					\$ 9,048,530



TABLE NO. H.1. - ALTERNATIVE 1 COST SUMMARY

Item Description	Total
Alternative 1 - Phase 1 Probable Construction Cost:	
GCCC Gravity Sewer Extending Up Highway 59	\$ 559,500
GCCC INFLUENT PUMP STATION	\$ 249,600
WWTP at Industrial Park Site- Phase I	\$ 1,212,100
Dedicated Drip Irrigation Land Application System	\$ 1,502,800
Subtotal Probable Construction Cost:	\$ 3,524,000
Design & Construction Phase Engineering Costs	\$ 526,600
Owner Administration, Legal and Land Costs	\$ 304,900
Grand Total Alternative 1 - Phase I Cost:	\$ 4,357,500
Alternative 1 - Phase 2 Probable Construction Cost:	
WWTP at Industrial Park Site- Phase II	\$ 260,200
Dedicated Drip Irrigation Land Application System	\$ 683,100
Subtotal Probable Construction Cost:	\$ 943,300
Design & Construction Phase Engineering Costs	\$ 141,500
Owner Administration, Legal and Land Costs	\$ 178,900
Grand Total Alternative 1 - Phase II Cost:	\$ 1,263,700
Alternative 1 - Phase 3 Probable Construction Cost:	
WWTP at Industrial Park Site- Phase III	\$ 1,715,000
Rause Drip Land Application System	\$ 1,934,000
Subtotal Probable Construction Cost:	\$ 3,649,000
Design & Construction Phase Engineering Costs	\$ 547,400
Owner Administration, Legal and Land Costs	\$ 73,000
Grand Total Alternative 1 - Phase III Cost:	\$ 4,269,400
GRAND TOTAL PROBABLE CONSTRUCTION ALTERNATE 1 - PHASE I, II & III:	\$ 9,890,600
TOTAL PRESENT WORTH COST ALTERNATE 1	\$ 9,048,530



TABLE H 2.1 - PROBABLE CONSTRUCTION COST ALTERNATIVE 2 - PHASE 1

ON-SITE TREATMENT AND LAND APPLICATION SYSTEM WITH FUTURE DISCHARGE TO CLEVELAND CREEK

ITEM DESCRIPTION	#	UNITS	UNIT \$	TOTAL \$	
GCCC Gravity Sewer Extending Up Highway 88					
8" Gravity Sewer - 0 to 10'	1000	lf	40 \$	\$ 40,000	
8" Gravity Sewer - 10' to 14'	1100	lf	45 \$	\$ 49,500	
8" Gravity Sewer - 14' to 18'	1000	lf	50 \$	\$ 50,000	
8" Gravity Sewer - 18' >	200	lf	55 \$	\$ 11,000	
10" Gravity Sewer - 1-10'	2950	lf	45 \$	\$ 132,800	
4' Dia MH (@ 200' oc)	32	ea	2400 \$	\$ 76,800	
Rock Allowance (@ 0.3 cy/lf)	1875	cy	70 \$	\$ 131,300	
Mobilization @ 3.5%	1	ls		\$ 17,260	
Contingency (10%)				\$ 50,800	
Subtotal GCCC Gravity Sewer:				\$ 559,500	\$ 559,500
GCCC INFLUENT PUMP STATION					
PS Wet Well (10' Dia.) at Remote Site	1	ea	\$ 12,000	\$ 12,000	
Influent Pumps (Duplex 30 Hp) & Controls	2	ea	\$ 20,000	\$ 40,000	
Valve Vault	1	ea	\$ 6,400	\$ 6,400	
6" Ecc. Pulg Valves	2	ea	\$ 1,250	\$ 2,500	
6" Check Valves	2	ea	\$ 2,500	\$ 5,000	
8" FM Ecc. Pulg Valve	1		\$ 2,500	\$ 2,500	
Emergency Generator	1	ea	\$ 75,000	\$ 75,000	
Telemetry System	1	ea	\$ 15,000	\$ 15,000	
Site Electrical @ 10%	1	ls		\$ 15,800	
8" PVC Force Main to WWTP	1500	lf	\$ 30	\$ 45,000	
Mobilization @ 3.5%	1	ls		\$ 7,700	
Contingency (10%)				\$ 22,700	
Subtotal Influent Pump Station and Force Main				\$ 249,600	\$ 249,600
WWTP at Industrial Park Site- Phase I					
Pkg WWTP -100,000 gpd Surge & Sludge Holding Tk with Infilr 50,000 gpd (dual train 25,000 gpd) Anoxic Zone, Aeration and Clarifier w/ Blowers & Controls in Steel Tank)	1	ea	\$ 571,800	\$ 571,800	
Conc. WWTP Base Slab (2 @ 14' x 63' x 1')	62.2	cy	\$ 500	\$ 31,100	
Influent Static Screen	1	ea	\$ 26,800	\$ 26,800	
Influent Screen Foundation & Dupster Pad (20'x30'x1.25')	28	cy	\$ 500	\$ 14,000	
Microscreen Effluent Filter	1	ea	\$ 60,000	\$ 60,000	
UV Disinfection Equipment in SS Channel	1	ea	\$ 66,500	\$ 66,500	
UV Channel Conc. Foundation (Assume 8'x30'x1.25')	12	cy	\$ 500	\$ 6,000	
Prefabricated Utility Building (12' x 12')	1	Budget	\$ 10,000	\$ 10,000	
Emergency Generator	1	ea	\$ 75,000	\$ 75,000	
Telemetry System	1	ea	\$ 15,000	\$ 15,000	
10" PVC FM #1, Piping to Drip Irrigation	1500	lf	\$ 40	\$ 60,000	
Site Work @ 5%				\$ 46,800	
Site Electrical @ 10%				\$ 47,100	
Site Piping @ 5%				\$ 20,600	
Access Road	1	Budget	\$ 20,000	\$ 20,000	
Mobilization @ 3.5%	1	ls		\$ 37,300	
Contingency (10%)				\$ 110,200	
Subtotal -GCCC WWTP Construction Cost:				\$ 1,212,100	\$ 1,212,100



TABLE H 2.1 - PROBABLE CONSTRUCTION COST ALTERNATIVE 2 - PHASE 1

ON-SITE TREATMENT AND LAND APPLICATION SYSTEM WITH FUTURE DISCHARGE TO CLEVELAND CREEK

ITEM DESCRIPTION	#	UNITS	UNIT \$	TOTAL \$	
Dedicated Spray Irrigation Land Application System					
Effluent Storage Tank (7 Days @ 0.1 MG)	700,000	gallon	\$ 1.00	\$ 700,000	
Spray Irrig. Land Application System (50,000 gpd)	20	ac	\$ 30,000	\$ 600,000	
Spray Irrigation Pumps (Controls w/ in. System)	2	ea	\$ 10,000	\$ 20,000	
Mobilization @ 3.5%	1	ls		\$ 46,200	
Contingency (10%)	1	ls		\$ 136,800	
Subtotal - Land Application Construction Cost:				\$ 1,502,800	\$ 1,502,800
Subtotal GCCC Gravity Sewer, Phase I WWTP & Land Application Cost:					
					\$ 3,524,000
Engineering Costs					
Design Phase Engineering @ 10%				\$ 352,400	
Construction Administration/Observation Engr. @ 5%				\$ 176,200	
Subtotal Engineering Costs:				\$ 528,600	\$ 528,600
Owner Costs					
Legal, Appraisal & Owner Administration Fees @ 2.75%				\$ 96,900	
Land for WWTP		3 Ac	\$ 8,000	\$ 48,000	
Land for Wastewater Application System		20 Ac	\$ 8,000	\$ 160,000	
Right-of-way - Force Main		lf		\$ -	
Right-of-way - Gravity Sewer		lf		\$ -	
Subtotal Owner Costs:				\$ 304,800	\$ 304,800
Grand Total Probable Cost:					\$ 4,357,500



TABLE H 2.2 - PROBABLE CONSTRUCTION COST ALTERNATIVE 2 - PHASE 2

ON-SITE TREATMENT AND LAND APPLICATION SYSTEM AND DISCHARGE TO CLEVELAND CREEK

ITEM DESCRIPTION	#	UNITS	UNIT \$	TOTAL \$	
WWTP at Industrial Park Site- Phase II					
Pkg WWTP - Second 50,000 gpd (dual train 25,000 gpd) Anoxic Zone, Aeration and Clarifier w/ Blowers & Controls in Steel Tank	1	ea	\$ 133,000	\$ 133,000	
Conc. WWTP Base Slab (1 @ 14' x 80' x 1')	31.1	cy	\$ 500	\$ 15,600	
Pump to Filter System	2	ea	\$ 10,000	\$ 20,000	
Double Pass Reactive Filtration System for P Removal	1	ls	\$ 220,000	\$ 220,000	
10" PVC Effluent Pipe to Cleveland Creek	1200	lf	\$ 40	\$ 48,000	
Site Work @ 5%				\$ 7,400	
Site Electrical @ 10%				\$ 31,100	
Site Piping @ 5%				\$ 15,600	
Mobilization @ 3.5%	1	ls		\$ 17,200	
Contingency (10%)				\$ 50,800	
Subtotal -GCCC WWTP Construction Cost:				\$ 558,700	\$ 558,700
Dedicated Spray Irrigation Land Application System					
Drip Infg. Land Application System (50,000 gpd)		ac	\$ 30,000	\$ -	
Mobilization @ 3.5%	1	ls		\$ -	
Contingency (10%)	1	ls		\$ -	
Subtotal - Land Application Construction Cost:				\$ -	\$ -
Subtotal GCCC Phase II WWTP & Land Application Cost:					\$ 558,700
Engineering Costs					
Design Phase Engineering @ 10%				\$ 55,900	
Construction Administration/Observation Engr. @ 5%				\$ 27,900	
Subtotal Engineering Costs:				\$ 83,800	\$ 83,800
Owner Costs					
Owner Administration Fees @ 2%				\$ 11,200	
Land for Wastewater Application System		Ac	\$ 8,000	\$ -	
Subtotal Owner Costs:				\$ 11,200	\$ 11,200
Grand Total Probable Cost:					\$ 653,700



TABLE H 2.3 - PROBABLE CONSTRUCTION COST ALTERNATIVE 2 - PHASE 3

ON-SITE TREATMENT AND DISCHARGE TO CLEVELAND CREEK

ITEM DESCRIPTION	#	UNITS	UNIT \$	TOTAL \$
WWTP at Industrial Park Site- Phase III				
Pkg WWTP - 250,000 gpd WWTP w/ dual train 125,000 gpd Anoxic Zone Aeration and Clarifier w/ Blowers & Controls in Conc. Tank)	1	ea	\$ 851,200	\$ 851,200
Add 3rd Pump at Influent Pump Station	1	ea	\$ 20,000	\$ 20,000
Conc. Tanks and Foundation	475.0	cy	\$ 500	\$ 237,500
Conversion of Existing WWTP Tanks to Sludge Holding	1	Budget	\$ 20,000	\$ 20,000
Double Pass Reactive Filtration System for P Removal	1	ea	\$ 246,050	\$ 246,100
Pump to Filter System	1	ea	\$ 10,000	\$ 10,000
Site Work @ 5%				\$ 89,200
Site Electrical @ 10%				\$ 138,500
Site Piping @ 5%				\$ 96,200
Mobilization @ 3.5%	1	ls		\$ 58,200
Contingency (10%)				\$ 172,000
Subtotal -GCCC WWTP Construction Cost:				\$ 1,891,900
				\$ 1,891,900
Subtotal GCCC Phase II WWTP W/ Discharge:				\$ 1,891,900
Engineering Costs				
Design Phase Engineering @ 10%				\$ 189,200
Construction Administration/Observation Engr. @ 5%				\$ 94,600
Subtotal Engineering Costs:				\$ 283,800
Owner Costs				
Owner Administration Fees @ 2%				\$ 37,600
Subtotal Owner Costs:				\$ 37,600
Grand Total Probable Cost:				\$ 2,213,500



TABLE H 2.4 - PRESENT WORTH COST EVALUATION FOR ALTERNATIVE 2 (Page 1 of 3)

ITEM	DESCRIPTION	ANNUAL OPERATION HR/BIYR	ANNUAL POWER COST	ANNUAL OPERATION COST	ANNUAL MAINTENANCE COST	TOTAL ESTIMATED O & M COST
PRESENT WORTH O&M OVER FIRST 10 YEARS @ Q AVERAGE @ WWTP = 60,000 GPD						
	QCCP Influent Pump Sta.	1170 \$	1,032 \$	12,000 \$	3,994 \$	17,226
	Force Main to WWTP				375 \$	375
	QCCP Gravity Sewer				3,125 \$	3,125
	Spray Irrigation System Maintenance			7,200 \$	7,813 \$	7,813
	WWTP:				13,500 \$	20,700
	Operator & Maintenance			36,400 \$	7,200 \$	43,600
	Travel Cost			4,380		4,380
	Power Costs					
	Aeration/Mix & Digestion	8750 \$	11,889			11,889
	Effluent Filter	2190 \$	457 \$	4,380 \$	6,000 \$	9,837
	Eff. Pumps to Effluent Storage	1014 \$	529			529
	Eff. UV Disinfection	8780 \$	21,024			21,024
	Grp Irrigation Pumps	722 \$	754			754
	Other Costs					
	UV Lamp & Ballast Replacement Cost			6,160		6,160
	Sludge Transportation to Cameros			35,340		35,340
	Contract Laboratory Analysis					
	Budget			25,000		25,000
	Total Annual O&M Cost					\$ 207,272
	Basis of O&M Cost Projections					11.36
					O & M User Fee Per 1000 Gallons Based on 60,000 gpd	\$

1. Pumping costs are based upon projected average flows over 10 year period.
2. Power costs for Pump Stations is based upon \$0.10 kw-hr with 70% average pump motor efficiency.
3. Power cost for WWTP is based on \$0.10 kw-hr w/ 70% average motor efficiency.
4. Force main & gravity sewer line annual maintenance is based upon \$0.50/ft-year for mowing and inspection of field RMV & \$0.25/ft-year for line in road RMV.
5. Gravity sewer annual maintenance assumed television and cleaning at an average of 25% of the line per year @ 35hr.
6. Pump station maintenance assumed 8 hours per week routine O&M plus 16 hour per quarter at 480 hours per year @ \$25/hour.
7. Pump station maintenance costs for parts and materials assumed 2% of mechanical equipment cost per year for new pumps.



TABLE H 2.4 - PRESENT WORTH COST EVALUATION FOR ALTERNATIVE 2 (Page 2 of 3)

ITEM	DESCRIPTION	ANNUAL OPERATION HRS/YR	ANNUAL POWER COST	ANNUAL OPERATION COST	ANNUAL MAINTENANCE COST	TOTAL ESTIMATED O & M COST				
PRESENT WORTH O&M YEAR 11-20 @ Q AVERAGE = 150,000 GPD										
GCCP Influent Pump Sta.	250 gpm @ 170 ft TDH w/ 30 Hp motors @ an average flow of 150,000 gpd @ 50.1 kw-hr	3610	\$	5,466	\$	12,000	\$	3,584	\$	21,390
Force Main to WWTP	1500 ft along GCCP RW				\$	375	\$	375	\$	375
GCCP Gravity Sewer	6250 ft along GCCP RW				\$	3,125	\$	3,125	\$	3,125
	6250 ft -TV & Clean				\$	7,813	\$	7,813	\$	7,813
Spray Irrigation System Maintenance	30 ac @ 24 hr/month ave			\$	12,000	\$	8,000	\$	21,000	
WWTP										
Operation & Maintenance	5 Holiday x 7 day/Wk + 24 hr/mo maint			\$	45,500	\$	7,200	\$	52,700	
Reactive Filtration	4 hr/wk x 52			5900	\$	1,520	\$	12,620		
Chemical Cost for P Removal	Ferrous Sulfate				\$	3,500	\$	3,500		
Travel Cost	24 miles/d x 7 days / wk x \$0.5/mile			\$	4,380	\$		\$	4,380	
Power Costs										
Aeration/Mix & Digestion	52 Bhp for 100,000 gpd plant	8760	\$	23,778	\$		\$	23,778		
Eff. UV Disinfection	24 Kw-hr	8760	\$	21,024	\$		\$	21,024		
Eff. Pumps to Effluent Storage	10 Hp @ 200 gpm (Assume Ave of 100,000 Gal/Mo)	87	\$	35	\$		\$	35		
Drip Irrigation Pumps	20 Hp pumps @ 300 gpm @ 100,000 Gal/Mo	87	\$	70	\$		\$	70		
Reactive Filtration Airt				\$	2,561	\$		\$	2,561	
Other Costs										
UV Lamp & Ballast Replacement Cost	Lamp @ 12000 hr life & Ballast @ 5 year life			\$	5,180	\$		\$	5,180	
Solids Transportation to Consists	171 bus/day @ 2% Solids @ 0.340/gallon transp & treat (Based on 150,000 gpd Average Q w/ 20% and for P)			\$	127,225	\$		\$	127,225	
Ferrous Sulfate				\$	7,560	\$		\$	7,560	
Contract Laboratory Analysis	Budget			\$	50,000	\$		\$	50,000	
Total Annual O&M Cost										\$ 364,355
										6.65

O & M User Fee Per 1000 Gallons Based on 150,000 gpd: \$

- Basils of O&M Cost Projections
1. Pumping costs are based upon projected average flows over 10 year period.
 2. Power costs for Pump Stations is based upon \$0.10 kw-hr with 70% average pump motor efficiency.
 3. Power cost for WWTP is based on \$0.10 kw-hr w/ 70% average motor efficiency.
 4. Force main & gravity sewer line annual maintenance is based upon \$0.50/ft-year for mowing and inspection of field RW & \$0.25/ft-year for line in road RW.
 5. Gravity sewer annual maintenance assumed television and cleaning of an average of 25% of the line per year @ \$5/ft.
 6. Pump station maintenance assumed 8 hours per week routine O&M plus 16 hour per quarter or 480 hours per year @ \$25/hour.
 7. Pump station maintenance costs for parts and materials assumed 2% of mechanical equipment cost per year for new pumps.



TABLE H 2.4 - PRESENT WORTH COST EVALUATION FOR ALTERNATIVE 2 (Page 3 of 3)

Interest =	0.250%				
Period 1 - Phase 1 Const.	20 years				
Period 2 - Phase 2 Const.	15 years				
Period 3 - Phase 3 Const.	10 years				
Salvage Value Phase 1 Structures, GS & FM (20 years of 50 Year Life) =	50% of Construction Cost @	\$	3,524,000	(Excluding Engr & Owner Cost)	\$
Salvage Value Phase 1 Mechanical Equip (20 years life) =	5% of Construction Cost @	\$	978,100	(Excluding Engr & Owner Cost)	\$
		\$	<u>4,500,100</u>		
Salvage Value Phase 2 Structures 15 Years of 50 Yr. Life)	70% of Construction Cost @	\$	558,700	(Excluding Engr & Owner Cost)	\$
Salvage Value Phase 2 Mechanical Equip. Added at Yr. 5 (15 years of 20 year life)	30% of Construction Cost @	\$	184,100	(Excluding Engr & Owner Cost)	\$
		\$	<u>722,800</u>		
Salvage Value Phase 3 Structures 10 Years of 50 Yr. Life)	80% of Construction Cost @	\$	1,891,900	(Excluding Engr & Owner Cost)	\$
Salvage Value Phase 3 Mechanical Equip. Added at Yr. 10 (10 years of 20 year life)	55% of Construction Cost @	\$	1,265,800	(Excluding Engr & Owner Cost)	\$
		\$	<u>3,157,700</u>		
Present Worth Phase 1 Capital Cost =		\$	4,357,800	x	1 =
Present Worth Phase II Capital Cost WWTP Expansion (5 years)	(P/F, 1, 5 years)	\$	859,700	x	0.7743 =
Present Worth Phase III Capital Cost WWTP Expansion (10 years)	(P/F, 1, 10 years)	\$	2,218,500	x	0.6995 =
Present Worth O & M Cost (Years 0 - 10)	(P/A, 1, 10 years)	\$	207,272	x	7.6268 =
Present Worth O & M Cost (Years 10 - 20)	(P/A, 1, 10 years) x (P/F, 1, 10 years)	\$	354,335	x	0.6505 =
					7.6288
Present Worth Salvage Value Conveyance Structures, GS & FM Phase 1	(P/F, 1, 20 years)	\$	3,524,000	x	0.3584 =
Present Worth Salvage Conveyance & WWTP Mech. Equip. - Phase 1	(P/F, 1, 20 years)	\$	976,100	x	0.3534 =
Present Worth Salvage Value Conveyance Structures, GS & FM Phase 2	(P/F, 1, 20 years)	\$	558,700	x	0.3054 =
Present Worth Salvage Conveyance & WWTP Mech. Equip. - Phase 2	(P/F, 1, 20 years)	\$	184,100	x	0.3584 =
Present Worth Salvage Value Conveyance Structures, GS & FM Phase 2	(P/F, 1, 20 years)	\$	558,700	x	0.3584 =
Present Worth Salvage Conveyance & WWTP Mech. Equip. - Phase 2	(P/F, 1, 20 years)	\$	184,100	x	0.3584 =
Present Worth Salvage Value Land Phase 1		\$	208,000	x	1 =
Present Worth Salvage Value Land Phase II		\$	-	x	1 =
Total Alternative 1 Present Worth Cost =					\$ 8,569,358



TABLE NO. H 2. ALTERNATIVE 2 COST SUMMARY

Item Description	Total
Alternative 2 - Phase 1 Probable Construction Cost:	
GCCP Gravity Sewer Extending Up Highway 59	\$ 559,500
GCCP INFLUENT PUMP STATION	\$ 249,600
WWTP at Industrial Park Site- Phase I	\$ 1,212,100
Dedicated Spray Irrigation Land Application System	\$ 1,502,800
Subtotal Probable Construction Cost:	\$ 3,524,000
Design & Construction Phase Engineering Costs	\$ 528,600
Owner Administration, Legal and Land Costs	\$ 304,900
Grand Total Alternative 2 - Phase I Cost:	\$ 4,357,500
Alternative 2 - Phase 2 Probable Construction Cost:	
WWTP at Industrial Park Site- Phase II	\$ 558,700
Dedicated Spray Irrigation Land Application System	\$ -
Subtotal Probable Construction Cost:	\$ 558,700
Design & Construction Phase Engineering Costs	\$ 83,800
Owner Administration, Legal and Land Costs	\$ 11,200
Grand Total Alternative 2 - Phase II Cost:	\$ 653,700
Alternative 2 - Phase 3 Probable Construction Cost:	
WWTP at Industrial Park Site- Phase III	\$ 1,891,900
Subtotal Probable Construction Cost:	\$ 1,891,900
Design & Construction Phase Engineering Costs	\$ 283,800
Owner Administration, Legal and Land Costs	\$ 37,800
Grand Total Alternative 2 - Phase III Cost:	\$ 2,213,500
GRAND TOTAL ALTERNATE 2 - PHASE I, II & III:	\$ 7,224,700
TOTAL PRESENT WORTH COST ALTERNATE 2	\$ 8,309,366



Mail To: Duke Energy Carolinas, LLC
Records Management ST30C
P.O. Box 1007
Charlotte, NC 28201

Site 001514
Land Unit 1173982
Project No. 001514-373055
Siren No. 35

STATE OF SOUTH CAROLINA)

COUNTY OF OCONEE)

EASEMENT AGREEMENT

THIS EASEMENT AGREEMENT, made this _____ day of _____, 2008, by and between **OCONEE COUNTY**, hereinafter referred to as "Grantor", and **DUKE ENERGY CAROLINAS, LLC**, a NC limited liability company, herein after referred to as "Grantee";

WITNESSETH:

That for and in consideration of the sum of Ten (\$10.00) Dollars, receipt whereof is hereby acknowledged, Grantor has this day bargained and sold and by these presents does hereby grant, bargain, sell and convey unto Grantee, the rights and easements specified herein across and upon the property of Grantor in Oconee County, South Carolina, conveyed to the Grantor by deed recorded in Book 15-O, Page 84, in the Office of Clerk for Oconee County (the "Property").

Grantor hereby grants to Grantee a perpetual easement across, under, upon and over the Property, at the locations specified herein, to construct, maintain and operate a rotating siren rated at not more than 127 decibels, mounted, upon a utility pole (such siren and pole installation being the "Siren"), and to construct, operate and maintain across, under, upon and over the Property all equipment and utility connections required by Grantee for the operation thereof (such related equipment and connections collectively being the "Siren Equipment"). As used herein, the "Siren Easement Area" shall refer to those areas or parcels of land upon the Property containing 0.002 +/- acres, described as "Area Within Siren Easement = 100 SQ. FT. or 0.002 AC," all as shown on a plat of survey entitled "Easement to be Acquired from Oconee County Regional Airport," dated May 5, 2008, marked MAP: 001514-393093, by John F. Tinsley, PLS No. 16824 and recorded in Plat Book _____, Page _____. Grantee's rights hereunder shall include, but not be limited to, removing any and all trees and other vegetation from, and otherwise keeping clear, the circular area within a ten (10) foot radius from the Siren. Grantee shall be entitled at any time, and from time to time, to relocate the Siren to a location from within ten (10) feet of the location agreed upon by the parties, as provided above. Grantor may require Grantee to move the Siren to another site on Grantor's property if said Siren interferes with future operations of Grantor's airport.

Grantor hereby grants to Grantee a perpetual easement across and upon the portion of Property described as "Area within Access Easement = 4,882 SQ. FT. or 0.112 AC" on the Plat for the purposes of vehicular and pedestrian access as required by Grantee, and to the extent necessary, in Grantee's reasonable opinion, for the inspection, maintenance and operation of the Siren and Siren Equipment.

Further, Grantor hereby grants to Grantee and to all governmental agencies of the government having authority over emergency preparedness a perpetual easement across and upon the Property for the purpose of testing or sounding, at any time and without notice, the Siren for evacuation drills and similar exercises or as required in the event of any emergency situation.

Grantor acknowledges that title to the Siren and to the Siren Equipment placed or installed upon the Property by Grantee shall at all times remain in Grantee.

TO HAVE AND TO HOLD the said easement unto the Grantee, such agencies, and their successors and assigns, forever.

IN WITNESS WHEREOF, the said Grantor has caused this instrument to be executed by its duly authorized officials, on this _____ day of _____ in the year of our Lord two thousand eight and in the two hundred and thirty-second year of the Independence of the United States of America.

GRANTOR:

Oconee County

By: _____

Name: _____

Title: _____

Witness

Witness

STATE OF _____

COUNTY OF _____

This instrument was acknowledged before me on _____ by _____ as _____ for Oconee County.

Notary Public

My Commission Expires: _____

AGENDA ITEM SUMMARY
OCONEE COUNTY, SC

COUNCIL MEETING DATE: 10/21/08
COUNCIL MEETING TIME: 6:00 PM

ITEM TITLE OR DESCRIPTION:

The Oconee County Sheriff's Department respectfully requests permission to accept the 10th Judicial Circuit Law Enforcement Network Grant from the South Carolina Department of Public Safety.

BACKGROUND OR HISTORY:

The Law Enforcement Network Grant provides funds for local law enforcement networks in the state to participate in all aspects (enforcement, education, and media) of statewide campaigns such as, *Buckle Up South Carolina* and *Sober or Slammer*.

SPECIAL CONSIDERATIONS OR CONCERNS:

The Law Enforcement Grant will provide a total of \$24,000 for the 10th judicial circuit network. The Oconee County Sheriff's Department, as host agency, will receive \$6,000 and \$18,000 will be made available to other members of the network. The Oconee County Sheriff's Department will administer this grant.

STAFF RECOMMENDATION:

Accept 10th Judicial Circuit Law Enforcement Network Grant.

FINANCIAL IMPACT:

There is no local match required.

COMPLETE THIS PORTION FOR ALL GRANT REQUESTS:

Are Matching Funds Available: N/A

If yes, who is matching and how much: N/A

ATTACHMENTS

Law Enforcement Network Special Conditions

Submitted or Prepared By:

Veronda Holcombe-Lewis

Department Head/Elected Official

Approved for Submittal to Council:


Dale Surret, County Administrator

Reviewed By/ Initials:

_____ County Attorney

NP Finance

_____ Grants

C: Clerk to Council

Agenda Items Summary to be submitted to Administrator for review / approval no later than close of business on Wednesday prior to a Council meeting.



**Law Enforcement Network
Mini-Grant
Special Conditions
FFY 2009**

1. The mini grant award is contingent upon approval and availability of federal funds.
2. The LEN Coordinator and the appropriate financial staff person who will be handling the details of the grant for the LEN Coordinating Agency will attend a pre-work conference within one month of the mini-grant award.
3. Submit a copy of your agency's travel regulations by the date of the scheduled pre-work conference and updates when they occur.
4. The LEN Coordinating Agency's responsible person must submit, at a minimum, the quarterly Request for Payment (RFP) documents to the Office of Highway Safety for reimbursement of items/services purchased. If no funds have been expended, the agency should indicate thus on the RFP form. RFP's must distinguish between items requested for reimbursement for the coordinating agency and those requested for reimbursement for LEN support.
5. The LEN Coordinator shall submit to the Office of Highway Safety any required reports of enforcement, educational and media activity due by established deadlines for the Coordinating Agency and will make attempts to gather reports of enforcement, educational and media efforts from LEN member agencies. LEN Coordinators should utilize high-value incentive items as motivational tools to increase enforcement and improve reporting within the respective LEN's. The Office of Highway Safety will furnish each LEN Coordinator with a list of reporting agencies for a specific period of time as requested by the Coordinator.
6. The LEN Coordinating Agency shall participate in all aspects (enforcement, education and media) of the statewide *Buckle Up South Carolina. It's the law and it's enforced* campaign and will promote and encourage LEN members to participate also.
7. The LEN Coordinating Agency shall participate in all aspects (enforcement, education and media) of the *Sober or Slammer!* sustained DUI enforcement campaign to include at least one (1) DUI enforcement activity per month and an additional four (4) nights of DUI enforcement activity during the Christmas/New Year's 2008-2009 and the Labor Day 2009 crackdowns. Periodic use of the Breath Alcohol Testing (BAT) Mobile unit is encouraged during the sustained DUI enforcement campaign. The LEN Coordinating Agency will promote the *Sober or Slammer!* campaign among LEN members and encourage multi-jurisdictional enforcement efforts.



LEN
Mini-Grant
Special Conditions
Page 2

8. The Office of Highway Safety encourages LEN's to meet monthly. However, the LEN Coordinating Agency shall agree to conduct at least bi-monthly meetings of the Law Enforcement Network. The meetings are required to be planned with a written agenda and sign-in sheet.
9. The LEN Coordinator, when issuing incentive awards having a value of \$1,000 or more, will submit a copy of a property transfer to OHS indicating the agency receiving the award from the host agency.



**AGENDA ITEM SUMMARY
OCONEE COUNTY, SC**

**COUNCIL MEETING DATE: 10/21/08
COUNCIL MEETING TIME: 6:00 PM**

ITEM TITLE OR DESCRIPTION:

Oconee County Emergency Services respectfully requests permission to apply for the Target Safety Online Fire & EMS Training Grant.

BACKGROUND OR HISTORY:

Target Safety, in partnership with the International Association of Fire Chiefs, is providing a competitive grant for online training. Awardees of the grant will be able to access a customized training website with online training courses including, National Fire Protection Association (NFPA) firefighter courses, EMS continuing education, safety, HazMat, etc.

SPECIAL CONSIDERATIONS OR CONCERNS:

Target Safety is a training partner of the NFPA and provides tools that enable fire departments to maintain compliance, promote safety, reduce losses, and properly manage the documentation of all firefighter training.

STAFF RECOMMENDATION:

Apply for the Target Safety Online Fire & EMS Training Grant.

FINANCIAL IMPACT:

No local match.

COMPLETE THIS PORTION FOR ALL GRANT REQUESTS:

Are Matching Funds Available: N/A

If yes, who is matching and how much: N/A

ATTACHMENTS

Submitted or Prepared By:

Veronda Holcombe-Lewis

Department Head/Elected Official

Approved for Submittal to Council:



Dale Surrentt, County Administrator

Reviewed By/ Initials:

____ County Attorney

AVP Finance

____ Grants

C: Clerk to Council

Agenda Items Summary to be submitted to Administrator for review / approval no later than close of business on Wednesday prior to a Council meeting.



**AGENDA ITEM SUMMARY
OCONEE COUNTY, SC**

COUNCIL MEETING DATE: October 21, 2008
COUNCIL MEETING TIME: 6:00 PM

ITEM TITLE OR DESCRIPTION:

Request for approval of Arts & Historical grant request of \$2,000.00 to Oconee Conservatory of Fine Arts for 2008-2009 season advertising and programming costs. Request approved in Arts & Historical Committee on 10-02-08 by a unanimous vote.

BACKGROUND OR HISTORY:

Since their inception in 2006, the Oconee Conservatory of Fine Arts inception has served over 80 students in over 100 different classes.

SPECIAL CONSIDERATIONS OR CONCERNS:

The Oconee Conservatory of Fine Arts will be working to expand participation in group classes in the 2008-2009 season. This funding will help to support quality instruction of a wide variety of music, drama and visual arts programming and advertising.

STAFF RECOMMENDATION:

Approval of Arts & Historical Committee grant request of \$2,000.00 for advertising and programming for the 2008-2009 season.

FINANCIAL IMPACT:

\$2,000.00 to be paid out of budgeted line item 010-202-30022-00213.

COMPLETE THIS PORTION FOR ALL GRANT REQUESTS:

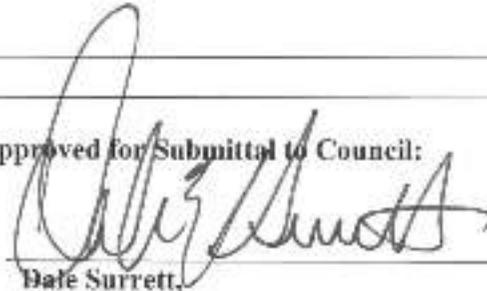
Are Matching Funds Available: Yes
If yes, who is matching and how much: \$17,000
\$14,000-Oconee Conservatory
\$1,000-SC Arts & Historical Commission
\$2,000-Donations

ATTACHMENTS:

Submitted or Prepared By:
Phil Shirley
Director of Parks, Recreation & Tourism

(Department Head/Elected Official)

Approved for Submittal to Council:


Dale Surratt,
Oconee County Administrator

Reviewed By/ Initials:

_____ County Attorney _____ Finance _____ Grants _____ Procurement



Handwritten scribbles or faint marks at the bottom center of the page.

Oconee Conservatory of Fine Arts

PO Box 488 Walhalla, South Carolina 29691
OCFA@bellsouth.net

July 1, 2008

To the Oconee Arts and Historical Commission:

Tabled - Ben
More information
8/7/08

Thank you for your support. The funds you have given us have been used for a variety of start up and programming needs. Your support is needed and greatly appreciated.

We are asking for \$2000 from the Oconee Arts and Historical Commission to be used for programming for the coming 2008-2009 season.

Since our inception in 2006 we have served over 80 students in over 100 different classes. These have been primarily individual instrumental lessons. We have also had our first summer camp for elementary aged beginner musicians - Music For You! - with 30 participants.

This season we will be working to expand participation in group classes. We have several highly qualified instructors excited to teach visual art, introduction to music, pottery, drama and creative writing. We have had students from pre-kindergarten to older adult inquire about such classes. Unfortunately we have not been able to fill these classes with enough students to pay the teacher for their time. It is important to get these classes started, even with a few students, so the public is aware of their existence and to build a reputation for their quality, consistency and regular scheduling. These classes build on one another so a student can progress within a chosen discipline, they are six weeks long and offered twice a semester, these classes also follow an approved curriculum approved by the IRS for our establishment as a not for profit school. This year we also look to establish a Community Orchestra for past and current musicians.

Your funds will go toward:

- Fliers for distribution in the schools (similar to a distribution we have already done for Music For You! camp)
- Advertising in local print media
- Supporting instructor wage for classes that are not quite full
- Establishment of the Oconee Community Orchestra

This funding will allow us to support quality instruction a wide variety of music, drama and visual arts programming.

Thank you for your continued support,


Frances Devoe, Director of Operations
Oconee Conservatory of Fine Arts



**AGENDA ITEM SUMMARY
OCONEE COUNTY, SC**

COUNCIL MEETING DATE: October 21, 2008

COUNCIL MEETING TIME: 6:00 PM

ITEM TITLE OR DESCRIPTION:

Request for approval of Arts & Historical grant request of \$5,000.00 to the Battle of Oconee Committee to help fund the Second Annual Battle of Oconee. Request approved in Arts & Historical Committee on 10-02-08 by a unanimous vote.

BACKGROUND OR HISTORY:

The Second Annual Battle of Oconee is a historical living history, presenting the spectator with a glimpse into the past – the early 1860's during The War Between the States.

SPECIAL CONSIDERATIONS OR CONCERNS:

The Battle of Oconee is important as a historical living history and will also become a tourist attraction which will generate money for the local economy.

STAFF RECOMMENDATION:

Approval of Arts & Historical Committee grant request of \$5,000.00 to help fund the Second Annual Battle of Oconee.

FINANCIAL IMPACT:

\$2,000.00 to be paid out of budgeted line item 010-202-30022-00213.

COMPLETE THIS PORTION FOR ALL GRANT REQUESTS:

Are Matching Funds Available: No

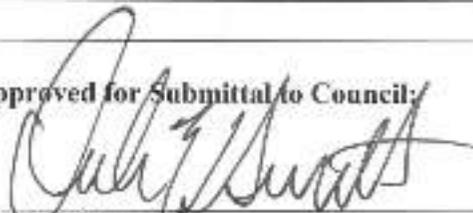
If yes, who is matching and how much:

ATTACHMENTS:

Submitted or Prepared By:

Phil Shirley
Director of Parks, Recreation & Tourism
(Department Head/Elected Official)

Approved for Submittal to Council:


Dale Surratt,
Oconee County Administrator

Reviewed By/ Initials:

_____ **County Attorney** _____ **Finance** _____ **Grants** _____ **Procurement**
_____ **Other:** _____



Gerald K. Rackley, Chairman
The Battle of Oconee Committee
PO Box 53
Seneca, South Carolina 29679

September 1, 2008

The Arts and Historical Commission
Walhalla, South Carolina

To Whom It May Concern:

We would like to be considered for a commission grant to help fund the Second Annual Battle of Oconee. The Battle of Oconee Committee Membership is made up of civil war re-enactors who are committed to correct historical impressions and to honor the valor of our ancestors who fought for their family, their home, their state, and the South.

As a historical living history, we present to the spectator a glimpse into the past (the early 1860's during The War Between the States). We will take the spectator back in time to a Confederate military camp where they will see A-frame tents, smoke from the cooking fires, and soldiers cleaning their rifles or talking about the next battle. They may see soldiers performing military drill and demonstrations. Also, the spectators will see ladies in historical dress performing the jobs that needed to be done around the camp. Spectators will also be able to visit a Union camp. They will see the same basic things and jobs taking place. For a soldier of the North or the South, life was the same.

Then the spectator will be transported to the battlefield where they will see the Confederate and Union soldiers locked in battle. They will hear the rifles fire and the artillery boom. They will see the smoke and watch the Confederate Cavalry meet the Union Cavalry on the field. They will hear sabers striking sabers as men fight on horseback.

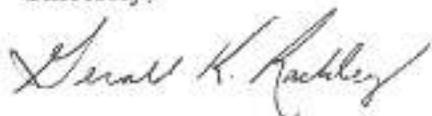
After the battle is over, and the South has won, the spectator can visit one of the army sutlers and see the civil war uniforms, boots, rifles, blankets, etc. On Saturday night, we will have a dance with live period music. This dance is open to the public.

After the last event, we had many spectators tell us how much they enjoyed the re-enactment. We feel that The Battle of Oconee is important as a historical living history and will also become a tourist attraction which will generate money for the local economy.



Last year we applied for a \$16,000 state grant which we received. This year, with limited state funds available, we were unable to receive funding. It is for all the above reasons we would like to request a \$5,000 grant.

Sincerely,

A handwritten signature in cursive script that reads "Gerald K. Rackley".

Gerald K. Rackley
Chairman
Battle of Oconee Committee



**AGENDA ITEM SUMMARY
OCONEE COUNTY, SC**

COUNCIL MEETING DATE: October 21, 2008
COUNCIL MEETING TIME: 6:00 PM

ITEM TITLE OR DESCRIPTION:

Request for approval of Arts & Historical grant request of \$1,500.00 to the Oconee Heritage Center to help fund the canoe restoration project for the historical canoe retrieved by the Oconee Heritage Center upon permission from the SC office of State Archaeology. Request approved in Arts & Historical Committee on 10-02-08 by a unanimous vote.

BACKGROUND OR HISTORY:

The Oconee Heritage Center requests assistance in the cost of the canoe restoration project. This canoe was found in the Keowee River just below the Duke Energy Dam in early July and will undergo a restoration that will preserve the canoe for exhibit in the Oconee Heritage Center.

**SPECIAL CONSIDERATIONS OR CONCERNS:
STAFF RECOMMENDATION:**

Approval of Arts & Historical Committee grant request of \$1,500.00 to the Oconee Heritage Center to help fund the canoe restoration project.

FINANCIAL IMPACT:

\$1,500.00 to be paid out of budgeted line item 010-202-30022-00213.

COMPLETE THIS PORTION FOR ALL GRANT REQUESTS:

Are Matching Funds Available: No
If yes, who is matching and how much:

ATTACHMENTS:

Submitted or Prepared By:

Phil Shirley
Director of Parks, Recreation & Tourism
(Department Head/Elected Official)

Approved for Submittal to Council:


Dale Surratt,
Oconee County Administrator

Reviewed By/ Initials:

_____ County Attorney _____ Finance _____ Grants _____ Procurement
_____ Other: _____





Oconee Heritage Center

123 Brown Square Drive • Walhalla, South Carolina

3 September 2008

Oconee County Arts and Historical Commission
Luther Lyle
415 Pine Street
Walhalla, SC 29691

Dear Arts and Historical Commission,

Several weeks ago, the Oconee Heritage Center was fortunate enough to be involved in another canoe restoration project- this time on the Keowee River. Due to concerns related to the decreasing water levels and the fact that this canoe was quickly becoming public knowledge, the OHC had to move quickly in relocating this canoe to the museum for safety.

In 2004, this commission awarded some funds for the initial preservation of the first canoe. The OHC would respectfully like to request funding support for the preservation of this canoe as well. The first phase of construction of the preservation tank was completed the day of the move out of necessity. The next phase will be to again insulate, cover, heat and filter this second tank. The OHC would like to request \$1,500 toward this phase of the preservation process.

Both canoes at the OHC have already proven to bring in large numbers of visitors and we expect this to continue. We are very fortunate in that we are able to be a part of this process and we appreciate your support.

Sincerely,

Nicholas Gambrell
Director/Curator

MAILING ADDRESS • PO BOX 395 • WALHALLA, SC • 29691

(864) 638-2224

www.oconeeheritagecenter.org



**AGENDA ITEM SUMMARY
OCONEE COUNTY, SC**

COUNCIL MEETING DATE: October 21, 2008
COUNCIL MEETING TIME: 6:00 PM

ITEM TITLE OR DESCRIPTION:

Request for approval of Arts & Historical grant request of \$1,500.00 to the Fair Play Fire Department to help fund the entertainment for the Annual Bluegrass and Gospel Festival. Request approved in Arts & Historical Committee on 10-02-08 by a unanimous vote.

BACKGROUND OR HISTORY:

The Fair Play Fire Department requests assistance in the cost of their annual Blue Grass Festival.

**SPECIAL CONSIDERATIONS OR CONCERNS:
STAFF RECOMMENDATION:**

Approval of Arts & Historical Committee grant request of \$1,500.00 to the Fair Play Fire Department to help fund the Annual Bluegrass and Gospel Festival.

FINANCIAL IMPACT:

\$1,500.00 to be paid out of budgeted line item 010-202-30022-00213.

COMPLETE THIS PORTION FOR ALL GRANT REQUESTS:

Are Matching Funds Available: Yes

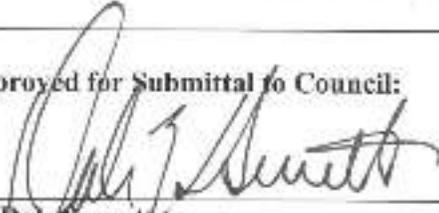
If yes, who is matching and how much: Oconee County Local TAX - \$5,000.00

ATTACHMENTS:

Submitted or Prepared By:

Phil Shirley
Director of Parks, Recreation & Tourism
(Department Head/Elected Official)

Approved for Submittal to Council:


Dale Surratt
Oconee County Administrator

Reviewed By/ Initials:

_____ County Attorney _____ Finance _____ Grants _____ Procurement
_____ Other: _____



Fair Play Fire Department, Inc.
P. O. Box 133
Fair Play, SC 29643-0133

864/972-0350

A 501(c)(3) Corporation

August 19, 2008

Luther Lyles, Chairman
Oconee Arts and Historical Commission
65 Plantation Road
Walhalla, SC 29691

Dear Mr. Lyles:

The Fair Play Fire Department holds an annual bluegrass and gospel festival each year as a major fund-raising event. This event raises money for fire department operating expenses and provides an important portion of our annual income.

The festival has grown significantly over the past ten years to an attendance of 1,000. We attribute the growth to the quality of the entertainment which costs around \$1,800.00 to cover the singing groups' expenses and sound system. This is a great event for the Fair Play area as well as for Oconee County. In order for us to continue providing quality entertainment to make this the best event possible, we are requesting \$1,500.00 from the Arts and Historical Commission to help fund this event. The county residents look forward to this festival each year and Commission's help will enable it continue and grow.

If you have any questions, please feel free to call me at 972-1982.

Sincerely,



Steven Zahn, Secretary

cc: Frank Ables, Councilman District Five





Boards & Commissions

Boards & Commissions	Meeting Date to Appointment	George Blanchard District I	Tommy Crumpton District II	Mario Suarez District III	Marion Lyles District IV	Frank Ables District V	Delegation Office	Other
Aeronautics Commission	February 2012							
Anderson-Oconee Behavioral Health Services Commission	May 2011	2011: Harold Alley, Wanda Long, Joan Black, Jere DuBois, Fred Hamilton, Billie Welsh, Robert Blassingame						
Arts & Historical Commission	March 2010	2010: Rick Berthea	2012: Luther Lyle	2010: Al Robinson	2012: Barbara Waters	2012: Henry Richardson	At Large: 2010 - Jenny Bagwell & 2012 - Stan Dubose	
Assessment Appeals, Board of		N/A	N/A	N/A	N/A	N/A	Board Full	
ATAX Committee	June 2008	Not by District, by Industry	Ginger Pope	2009: Geri McSwain	2010: Gerald Foster, Glen Abbot	2012: N/A	2011: Joanne Blake, Barbara Laughter, Doyle Burdon	
Building Codes Appeal Board	January 2011	2011: Roger Mize	2011: Neal Workman	2011: Sam Shaw	2011: Vinson Smith	2011: Forrest Fuller		
Disabilities & Special Needs, Board of		N/A	N/A	N/A	N/A	N/A	Board Full	
Economic Development Commission	November 2008	2012: Kim Alexander	2010: Harold Gibson	Hank Field	2010: Sam Dickson	2010: Buddy G. Herring		
Emergency Services Commission	January 2009	2011: Roger Garsi	2009: Jess Nevell	2011: Jay Heatherington	2009: Nick Williams	2009: Tim Grant	Terms co-terminus w/ council members term	
Firemen's Insurance & Inspection Fund Board	August 2009	2009: Larry Harden, Dewitt Mize, Chris Smith, Richard Timms, Charles Bobby Williams						
Infrastructure Advisory Commission **	N/A	County Council Chairman + Council Appoints 3: Economic Development Director + two - at present = Art Holbrooks / Planning, Dale Surratt / Administrator FY: B. Norton attends in an advisory role						
Keowee Fire Tax District Commission		All Members elected to 4-yr term in November General Election / 2 in 2008, 3 in 2010, etc.						
Library Board	November 2008	Carol Baumgardner, Raymond Morrison, Hector Torres						
Parks, Recreation & Tourism Commission	October 2010	2010: Erin Mckergow	2012: Dwight Addis	2010: Wayne Frady	2010: Mildred Spensman	2010: John Carter	2010: Belina George	
Planning Commission	April 2009	2009: William Nelson	2009: Randy Abbott	2009: Bill Evatt	2011: Tommy Abbott	2009: Ryan Honea	2009: Rex Ramsay / Howard Moore	
SC ACOG Board	September 2010	2010: Bob Winchester / Citizen Representative						
Sewer Commission		2010: George Blanchard / Council Representative						
Water Board		Council will no longer appoint - Oconee Joint Regional Sewer Authority [OURS]						
Zoning Board of Appeals	N/A	Inactive Board w/o members - may appoint in future if needed.						
	February 2012	2012: Gary Winters	2012: Sammy Lee	2012: Gary Littlefield	2012: Clark Wilmont	2012: Eric Mollin	At Large: 2012 Berry Nichols & Paul Rickett	
** Infrastructure Advisory Commission members serve until replaced								
Council does not appoint this Board/Commission								
OPEN SEAT for this Board/Commission in current yr.								
PAST DUE APPOINTMENT for Board/Commission								



October 13, 2008

Oconee County Council
415 S. Pine Street
Walhalla, SC 29691

Dear County Councilman,

This letter is to inform you that I will no longer be able to serve on the Board of Zoning Appeals due to changes in schedule and available time. I have enjoyed working on behalf of the citizens of Oconee County and with the other Board members and wish everyone the best. My current term expires in this November, and with the end of my term I respectfully resign my appointment.

Respectfully,



Clark Wilmot

cc.

Dale Surrent, County Administrator
Art Holbrooks, Planning Director
Elizabeth G. Hulse, County Council Clerk

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worklink

Connecting Companies & Employees

Anderson • Greenville • Pickens SC

October 2, 2008

Dale Surrett, County Administrator
Oconee County Council
415 South Pine Street
Walhalla, SC 29691

Dear Mr. Surrett:

The WorkLink Workforce Investment Board was filled and certified by the Governor on August 15, 2000. It is the responsibility of the County Councils to appoint all members of the Workforce Investment Board. Oconee County has the following positions that need to be filled: one (1) business position and one (1) Appalachian Council of Governments partner position.

The following individuals submitted applications and have agreed to fill existing vacancies for a three-year period:

Business Sector

Leon Harris, Manufacturing Manager (Business Sector)

Timken

P.O. Box 100

Walhalla, SC 29691

ACOG Partner

Bennie L. Cunningham (Appalachian Council of Governments Partner)

P.O. Box 1086

Seneca, SC 29679

Their applications are attached to this letter for your review. **Additionally, the following individual has agreed to be reappointed for another three-year term:**

Jim Alexander (Private Sector)

Please notify me in writing if they are approved and appointed. Thank you for your continued support of the Board's work. If you have any questions, you may contact me at (864) 646-1458.

Sincerely,



Nita Colman
Executive Director

Enclosure: Applications

511 Wistinghouse Road Pendleton SC 29670 P: 864.646.1515 F: 864.646.2814 Relay Service Dial 711 (TTY)

100



WORKLINK WORKFORCE INVESTMENT BOARD
WORKFORCE INVESTMENT ACT
Board Member Application

Applicant Name LEON HARRIS

Position MFG. MGR. Mailing Address PO Box 100

Business/ Organization TIMKEN WALHALLA, SC 29691

Phone 864-718-2315 County of Residence ANDERSON

Fax 864-638-2434 E-mail LEON.HARRIS@TIMKEN.COM

Category Represented: Check all that apply (see attachment for description of categories)

- Education One-Stop Partner
- Labor Organization Specify _____
- Community Based Organization
- Economic Development Other
- Business Specify _____

Has the applicant previously served on the Private Industry Council or Workforce Investment Board?

Yes If so when: ~~2000~~ 2000-2006

Describe how this applicant represents the indicated category:

MANAGER IN PRIVATE INDUSTRY

Describe the policy-making authority of this applicant as a category representative:

FULL AUTHORITY AS A VOTING MEMBER
OF THE WORKLINK BOARD.

Nominating Entity _____ Contact _____

Mailing Address _____ Phone _____

_____ Fax _____

E-mail _____



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WORKLINK WORKFORCE INVESTMENT BOARD
WORKFORCE INVESTMENT ACT
Board Member Application

Applicant Name Bennie L. Cunningham
Position Board Member Mailing Address P.O. Box 1086
Business/Organization COB Seneca, S.C. 29679
Phone 882-4807 County of Residence Oconee
Fax _____ E-mail _____

Category Represented: Check all that apply (see attachment for description of categories)

- Education
- Labor Organization
- Community Based Organization
- Economic Development
- Business
- One-Stop Partner
Specify WIA / Admin Entry
- Other
Specify _____

Has the applicant previously served on the Private Industry Council or Workforce Investment Board?

NO If so when: _____

Describe how this applicant represents the indicated category:

Describe the policy-making authority of this applicant as a category representative:

Nominating Entity _____ Contact _____
Mailing Address _____ Phone _____
_____ Fax _____
E-mail _____

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ATAX COMMISSION:

Phil Shirley, PRT Director, along with ATAX Commission Chair recommend Mr. John Carter [who has also expressed interest in being on the ATAX Committee] to fill the vacant seat on this commission. He owns Mountain Lakes Vacation Rentals in Fair Play. Mr. Carter also serves on the PRT Commission.



Mail To: Duke Energy Carolinas, LLC
Records Management ST30C
P.O. Box 1007
Charlotte, NC 28201

Site 001514
Land Unit 1173982
Project No. 001514-373055
Siren No. 35

STATE OF SOUTH CAROLINA)

EASEMENT AGREEMENT

COUNTY OF OZONE)

THIS EASEMENT AGREEMENT, made this _____ day of _____, 2008, by and between **OCONEE COUNTY**, hereinafter referred to as "Grantor", and **DUKE ENERGY CAROLINAS, LLC**, a NC limited liability company, herein after referred to as "Grantee";

WITNESSETH:

That for and in consideration of the sum of Ten (\$10.00) Dollars, receipt whereof is hereby acknowledged, Grantor has this day bargained and sold and by these presents does hereby grant, bargain, sell and convey unto Grantee, the rights and easements specified herein across and upon the property of Grantor in Oconee County, South Carolina, conveyed to the Grantor by deed recorded in Book 15-O, Page 84, in the Office of Clerk for Oconee County (the "Property").

Grantor hereby grants to Grantee a perpetual easement across, under, upon and over the Property, at the locations specified herein, to construct, maintain and operate a rotating siren rated at not more than 127 decibels, mounted, upon a utility pole (such siren and pole installation being the "Siren"), and to construct, operate and maintain across, under, upon and over the Property all equipment and utility connections required by Grantee for the operation thereof (such related equipment and connections collectively being the "Siren Equipment"). As used herein, the "Siren Easement Area" shall refer to those areas or parcels of land upon the Property containing 0.002 +/- acres, described as "Area Within Siren Easement = 100 SQ. FT. or 0.002 AC," all as shown on a plat of survey entitled "Easement to be Acquired from Oconee County Regional Airport," dated May 5, 2008, marked MAP: 001514-393093, by John F. Tinsley, PLS No. 16824 and recorded in Plat Book _____, Page _____. Grantee's rights hereunder shall include, but not be limited to, removing any and all trees and other vegetation from, and otherwise keeping clear, the circular area within a ten (10) foot radius from the Siren. Grantee shall be entitled at any time, and from time to time, to relocate the Siren to a location from within ten (10) feet of the location agreed upon by the parties, as provided above. Grantor may require Grantee to move the Siren to another site on Grantor's property if said Siren interferes with future operations of Grantor's airport.

Grantor hereby grants to Grantee a perpetual easement across and upon the portion of Property described as "Area within Access Easement = 4,882 SQ. FT. or 0.112 AC" on the Plat for the purposes of vehicular and pedestrian access as required by Grantee, and to the extent necessary, in Grantee's reasonable opinion, for the inspection, maintenance and operation of the Siren and Siren Equipment.

Further, Grantor hereby grants to Grantee and to all governmental agencies of the government having authority over emergency preparedness a perpetual easement across and upon the Property for the purpose of testing or sounding, at any time and without notice, the Siren for evacuation drills and similar exercises or as required in the event of any emergency situation.



Grantor acknowledges that title to the Siren and to the Siren Equipment placed or installed upon the Property by Grantee shall at all times remain in Grantee.

TO HAVE AND TO HOLD the said easement unto the Grantee, such agencies, and their successors and assigns, forever.

IN WITNESS WHEREOF, the said Grantor has caused this instrument to be executed by its duly authorized officials, on this _____ day of _____ in the year of our Lord two thousand eight and in the two hundred and thirty-second year of the Independence of the United States of America.

GRANTOR:

Oconee County

Witness

By: _____

Witness

Name: _____

Title: _____

STATE OF _____

COUNTY OF _____

This instrument was acknowledged before me on _____ by _____ as _____ for Oconee County.

Notary Public

My Commission Expires: _____



SOUTH CAROLINA DEPARTMENT OF REVENUE

AUDIT REPORT

October 20, 2008

INTRODUCTION

The Oconee County Treasurer, Gregorie W. Nowell, as well as the County Auditor, Linda Nix, and the County Administrator, Dale Surrett, have requested that the South Carolina Department of Revenue (SCDOR) review the ad valorem tax collections received by Oconee County to determine if millage calculations have been overstated in the tax years addressed in this report. The property tax years in question are 2005, 2006, and 2007, further designated on the Local Government Report as 06/30/2006, 06/30/2007, and 06/30/2008 respectively.

The genesis of the issues at hand was an error in Duke's assessment for tax years 2003, 2004 and 2005. The County Auditor incorrectly computed the manufacturer's exemption that Duke was entitled to pursuant to S.C. Code Ann. Section 12-37-220(A)(7) (2000). This error resulted in assessments understating Duke's tax liability for 2003, 2004, and 2005. The County Auditor corrected the assessments as soon as she became aware of the problem and Duke promptly paid all amounts due in January 2006. The aggregate amount of these payments was \$14,520,056.50. This payment has become widely known as the "Duke windfall payment".

Also during the 2006 tax year, Oconee County implemented a reassessment program. Pursuant to S.C. Code Ann. Section 12-37-251(E) (Supp. 2007), millage must

be rolled back in a year of reassessment in order to prevent the over collection of taxes resulting from the newly appraised values. The Oconee millage for 2005 was 216.6 mills. The Oconee County Council rolled back that millage in 2006 to 204 mills by ordinance dated September 19, 2006.

On or about September 2008, the Oconee County Treasurer alleged in certain newspaper articles that the millage rate was improper resulting in taxpayers in the county being overcharged \$10,000,000. He further alleged that the "Duke windfall payment" in combination with the \$10,000,000 resulted in taxpayers being over-billed by approximately \$24,000,000. He alleged that this over collection encompassed a three year period from 2005 to 2007, with the total over collection being \$72,000,000.

Per the request of the above referenced county officials, a review has been performed by SCDOR to determine the merits of these allegations. SCDOR personnel visited the Oconee County offices on September 9 and 10, 2008. Interviews were held with the County Finance Director, the County Administrator, the County Auditor, and the County Treasurer to reach an understanding as to what transpired during the time period in question. Each county official was very cooperative and forthcoming in providing all information requested. Copies of the county and school budgets were supplied for each of the tax years under review. Since that time, SCDOR has reviewed this information, conducted additional inquiries, and collected additional documentation as required. After careful consideration of all pertinent information, SCDOR has reached a conclusion with regard to the allegations made. A full explanation is contained herein.

ISSUES AUDITED

1. How did the error resulting in the "Duke windfall payment" happen and was the tax due ultimately correctly calculated?
2. Did the County Auditor correctly compute the tax liability of other taxpayers receiving the manufacturer's exemption?
3. Based upon the collections reported in the 06/30/2006 local government reports, did the county charge a millage in excess of that authorized by state law?
4. Did the county properly account for the "Duke windfall payment"?
5. Did the County Auditor properly compute roll back millage in 2006, taking into account the "Duke windfall" payment and appropriately set the millage rate for 2007 within the limitations of S. C. Code Ann. Section 6-1-320 (Supp. 2007)?

SCDOR FINDINGS

1. **How did the error resulting in the "Duke windfall payment" happen and was the tax due ultimately correctly calculated?**

Duke Energy represents the county's largest taxpayer and Duke was eligible during the years in question for the manufacturer's exemption found in S.C. Code Ann. Section 12-37-220 (A)(7) (2000). This exemption is only applicable to county taxes, not school taxes or municipal taxes.¹ Beginning in the 2003 tax year, SCDOR changed the format of the assessment certification to the counties for utilities. This certification identifies the amount of assessment subject to the manufacturer's exemption. The County Auditor

¹ Municipal taxes may also be exempted by ordinance pursuant to S.C. Const. Art. X, Section 3(g), however, there is no indication that such was done in this case or that a municipal tax is involved.

mistakenly exempted this assessment from all levies, both county and school, and attributes the oversight to the change in the SCDOR assessment format for utility properties that differed from previous years.

The error in the Duke assessment was not realized until December of 2005 and involved property tax years 2003 through 2005. Once this error was discovered, the County Auditor immediately calculated the taxes due and issued a bill to Duke for three years totaling \$14,520,056.50. *Please see Exhibit 1 and 1a which show SCDOR's calculation of the tax and the supplemental bills issued to Duke in the same amount.* SCDOR finds that the supplemental bills sent to Duke were correctly calculated.

2. Did the County Auditor correctly compute the tax liability of other taxpayers receiving the manufacturer's exemption?

SCDOR randomly selected 10 manufacturers in Oconee County and audited the computation of the manufacturer's exemption. This was done in an effort to insure that the Duke error was an isolated case. No errors were found in the computation of the manufacturer's exemption or the tax bills for all ten. Accordingly, SCDOR believes that the Duke error was an isolated occurrence.

3. Based upon the collections reported in the 06/30/2006 local government report, did the county charge a millage in excess of that authorized by state law?

The County Treasurer has questioned whether the millage rate charged in the above year were in excess of those authorized by law. S.C. Code Ann. Section 12-43-285 (Supp. 2007) addresses such situations as follows:

(B) If a millage rate is in excess of that authorized by law, the county treasurer shall either issue refunds or transfer the total amount in excess

of that authorized by law, upon collection, to a separate, segregated fund, which must be credited to taxpayers in the following year as instructed by the governing body of the political subdivision on whose behalf the millage was levied. An entity submitting a millage rate in excess of that authorized by law shall pay the costs of implementing this subsection or a pro rata share of the costs if more than one entity submits an excessive millage rate.

SCDOR has been unable to substantiate that the millage rate set by Oconee County for the 2005 tax year exceeded that authorized by law. In order to put this millage issue in perspective, SCDOR reviewed the budgets for 2003 through 2007. *Please see Exhibit 2 for the budgets and collections for years 2003 through 2007.* These documents show that the county under-billed Duke for a period of three years, however, the budget and millage rate were based on the inclusion of the correct assessment. The error in the tax billed to Duke contributed to a total budget shortfall in the 2003 tax year of \$4,071,881.

In tax year 2004, county council trimmed the total budget (county and school) by \$650,498 in light of the previous year's shortfall. This helped to avert another year's shortfall and allowed the county to have a surplus of \$263,655.

In the 2005 tax year, county council increased the millage rate to 216.6 mills based on the best information available at that time. It should be noted that at this time, no one was aware of the Duke error. Evidence that the county was unaware of the Duke assessment omission can be found within the budget report which the county adopted on June 29, 2005, page A-9, Section 3 (b) regarding fiscal challenges specifically addressed as tax collections. It states in part, "For the past two years, and likely for the 2004-2005² fiscal year, we have discovered that the actual tax roll has not reached the level planned when the millage was set. This has resulted in the collections coming in at a figure less

² It should be noted that this statement was being made in June 2005 before the end of the 2004-2005 fiscal year.

than the revenue used to prepare the budget. Through a preliminary investigation, we have discovered that the primary issue is the difficulty in projecting the taxes to be paid by manufacturing and utility taxpayers which are passed through the State Department of Revenue." Subsequently, the Duke error was discovered, corrected, and billed on December 22, 2005, resulting in an additional payment of \$14,520,056.50 being received by the county on January 17, 2006. This payment is properly allocated to the respective tax years as follows:

\$7,962,391.45	2005 tax year
\$4,213,873.40	2004 tax year
\$2,343,791.65	2003 tax year

It is significant to note that even though the county council increased millage for the 2005 tax year, the county would have still experienced a shortfall of \$1,855,633.00 if the unplanned Duke payment had not been received. Due to the "Duke windfall payment" the county ended the budget year with a total surplus of \$12,664,422.00. The 2006 and 2007 millage is addressed in #4 below.

4. Did the county properly account for the "Duke windfall payment"?

The County Treasurer alleged that the 2006 "Duke windfall payment" should have been rebated to the taxpayers since it was additional revenue that the county had not budgeted for. To the casual observer, the spike in collections exceeding budgetary requirements for the year is excess funds that should be rebated to the taxpayers. However, a more in depth look at the facts proves that the county properly accounted for these funds.

On March 21, 2006, the county passed a supplemental budget to account for the expenditure of the \$14,520,056.50 payment received from Duke. *Please see Exhibit 3*

which is the supplemental budget, Notice of Public Hearing, Agenda Summary and Ordinance 2006-03 indicating passage of the supplemental budget. As this exhibit indicates, the bulk of the money went to the school district and totals \$9,512,270 with these funds being applied to school operations and school debt. The county's portion of the Duke payment is \$4,827,895, with a major portion (\$4,496,853) initially being designated to the fund balance until it could be properly allocated. The detail of the allocation of these funds is shown in *Exhibit 4* and indicates that the county used their portion of the Duke payment to reduce bonded indebtedness and to fund certain capital budget expenditures such as communication towers; a fire truck; court house 4th floor renovations; capital infrastructure for DSS, I-85, and animal control; and other items listed on the Capital Projects Expenditure Summary. See *Exhibit 4*. To properly fund all the items listed in the Capital Projects Expenditure Summary, the county transferred an additional \$66,711 from the undesignated fund balance along with the \$4,496,853 as shown on the fund balance for a total of \$4,563,564. *Exhibit 4* also identifies the apportionment of the "Duke windfall payment" between the county, the schools and Tri-County Tech as follows; \$4,827,895 for county expenditures, \$9,512,270 for school debt service, and \$179,892 Tri-County Technical College for debt service and operations expenditures.

Oconee County was authorized to adopt a supplemental budget pursuant to S.C. Code Ann. Sections 4-9-130 and 4-9-140 (1986). As such, there was no requirement that the "Duke windfall payment" be rebated to the taxpayers. SCDOR finds no issue with Oconee's treatment of this money.

5. **Did the County Auditor properly compute roll back millage in 2006, taking into account the “Duke windfall” payment and appropriately set the millage rate for 2007 within the limitations of S. C. Code Ann. Section 6-1-320 (Supp. 2007)**

The last issue concerns the computation of rollback millage for 2006 (the year of implementation of Oconee’s reassessment program) and its continuing affect on the 2007 millage. The Oconee Treasurer raised this issue because the collections reported on the 6/30/06 and 6/30/07³ Local Government Reports were similar in amount, despite the Duke Windfall payment.

SCDOR has calculated the rollback millage for the 2006 tax year (6/30/07 fiscal year) and such calculations are contained within this report as *Exhibit 5*. According to these calculations, the rollback millage rate could have been set by the county council to be as high as 212.4 mills (70.9 mills county + 141.5 mills school). The actual millage rate was set at 204 mills (69.7 mills county + 134.3 mills school). Based on this observation, it appears that the county acted in a fiscally responsible manner in enacting a budget that met the county’s financial needs even though the county could have raised the millage rate higher to support a larger budget.

The 2007 tax year millage was also examined to determine if it was legally set within the constraints of Section 6-1-320. Based on a CPI factor of 3.2%, and the growth factor for both county and school of 1.3%, the millage rate for county operations in the incorporated areas could have been set as high as 72.6 mills and for the unincorporated

³ The Oconee Treasurer provided collections for 06/30/08 on what appeared to be a Local Government Report form. Such form was unsigned and was unofficial since such has not yet been reported to SCDOR in the Local Government Reports. However, the Treasurer’s point in providing this was that an incorrect millage in 2006 would also impact the 2007 year. SCDOR has taken this into account in this report.

areas as high as 75.5 mills. It should be noted that the 2007 millage for unincorporated areas includes 2.9 mills for a fire levy, hence the difference between 72.6 mills and 75.5 mills as discussed above. It should also be noted that calculations for Oconee schools include the entity known as Tri County Tech. The millage rate for county bonds remained the same in 2007 as in 2006 at a rate of 3.4 mills. The school operating millage was 115.6 mills in 2006 tax year and could have been set as high as 120.8 mills for 2007. Oconee set the millage at only 111.9 mills, which is below the millage rate for 2006. The school bond millage rate did increase from 18.7 mills in 2006 to 31.7 mills in 2007, but, bonds are not subject to the millage cap. Thus, the millage rate increase from 204.0 mills in 2006 to either 213.1 or 216.0 depending on whether in the incorporated or unincorporated areas was well within the increase allowed by S.C. Code Ann. Section 6-1-320 (Supp. 2007).

Based upon the millage calculations performed by SCDOR, SCDOR finds no issue with the millage rates set by county council for the 2006 reassessment or for 2007. In fact, each year is below the maximum millage rate that could have been applied which indicates fiscal restraint on the part of county council.

CONCLUSION

In summary, SCDOR finds no support for the allegations levied by the Oconee County Treasurer. A meeting was held with the Oconee County Treasurer in Columbia on September 25, 2008 for the purpose of ascertaining if he had any additional information to provide in support of his allegations. He did not provide any additional

information. SCDOR has examined the pertinent information and finds that the Treasurer's allegations are without merit.

(Exhibit 1)

The error associated with the Duke Energy assessments began in 2003. For 2003 Duke's assessment was certified as assessment "county wide" and assessment "subject to MFG exemption". Based on assessments furnished to the county, the Duke assessed value should have been calculated as follows:

2003

101,024,810 x 205 mills(full levy)	\$20,710,086.05
11,433,130 x 139.7 (65.3 mills exempt)	1,597,208.26
City portions	<u>176,578.73</u>
Correct amount that should have been billed	\$22,483,873.04

Billed by county originally	\$20,140,081.39
Additional billing after correction	<u>2,343,791.65</u>
Correct amount paid	\$22,483,873.04

2004

109,468,800 x 205 mills(full levy)	\$22,441,104.00
20,555,480 x 137(68 mills exempt)	2,816,100.76
City portions	<u>189,168.84</u>
Correct amount that should have been billed	\$25,446,373.60

Billed by county originally	\$21,232,500.20
Additional billing after correction	<u>4,213,873.40</u>
	\$25,446,373.60

2005

\$102,175,210 x 216.6 mills(full levy)	\$22,131,150.49
36,760,810 x 143.6(73 mills exempt)	5,278,852.32
City portions	<u>192,950.10</u>
Correct amount that should have been billed	\$27,602,952.91

Billed by county originally	\$19,640,561.46
Additional billing after correction	<u>7,962,391.45</u>
	\$27,602,952.91

Exhibit 1 (Continued)

Total amount rebilled as a result of the error:

2003	\$2,343,791.65
2004	\$4,213,873.40
<u>2005</u>	<u>\$7,962,391.45</u>
Total	\$14,520,056.50

OCONEE COUNTY, S.C.

Exhibit 1 (a)

RECEIPT NUMBER		PROPERTY VALUATION	TAX LEVY	PROPERTY TAX	LESS EXEMPTION	NET TAX
001457-05-6		11,733,130	205.0	2343,791.50		2343,791.65
OCONEE COUNTY						
CITY OF						
DISTRICT	NO. ACRES	NO. LOTS	ADDITIONAL VALUE OF IMPROVEMENTS	REAL VALUATION	PERSONAL ASSESSMENT	PAY THIS AMOUNT BY JAN 15, 2006
07				11,733,130		2343,791.65
SCHOOL DISTRICTS		SCHOOL DISTRICT	COUNTY	COUNTY	TO COUNTY	PROPERTY
00174.38		0002	OCONEE	OCONEE	11,733,130	07197.07
NAME AND ADDRESS OF PROPERTY OWNER(S)		TOTAL PAID				2343,791.65
DUKE ENERGY CORPORATION KELLEY J VOELKEL PO BOX 1244 CHARLOTTE NC 28201-1244		DUP RCPT DATE 01/17/2006 PAID				JD
		*** NOT FOR VEHICLE TAXES ***				2005
BCTAX 737-0000007		TAX RECEIPT - KEEP THIS COPY FOR YOUR RECORDS				
PAY BY 1-31-06 W/O PENALTY		OCONEE COUNTY TREASURER ANNE C DODD				
03 TAXES CHARGED IN 05		SEE REVERSE SIDE				

OCONEE COUNTY, S.C.

RECEIPT NUMBER		PROPERTY VALUATION	TAX LEVY	PROPERTY TAX	LESS EXEMPTION	NET TAX
001458-05-6		20,555,430	205.0	4213,873.40		4213,873.40
OCONEE COUNTY						
CITY OF						
DISTRICT	NO. ACRES	NO. LOTS	ADDITIONAL VALUE OF IMPROVEMENTS	REAL VALUATION	PERSONAL ASSESSMENT	PAY THIS AMOUNT BY JAN 15, 2006
07				20,555,430		4213,873.40
SCHOOL DISTRICTS		SCHOOL DISTRICT	COUNTY	COUNTY	TO COUNTY	PROPERTY
75935.34		0002	OCONEE	OCONEE	20,555,430	10877.74
NAME AND ADDRESS OF PROPERTY OWNER(S)		TOTAL PAID				4213,873.40
DUKE ENERGY CORPORATION KELLEY J VOELKEL PO BOX 1244 CHARLOTTE NC 28201-1244		DUP RCPT DATE 01/17/2006 PAID				JD
		*** NOT FOR VEHICLE TAXES ***				2005
BCTAX 737-0000007		TAX RECEIPT - KEEP THIS COPY FOR YOUR RECORDS				
PAY BY 1-31-06 W/O PENALTY		OCONEE COUNTY TREASURER ANNE C DODD				
04 TAXES CHARGED IN 05		SEE REVERSE SIDE				

OCONEE COUNTY, S.C.

RECEIPT NUMBER		PROPERTY VALUATION	TAX LEVY	PROPERTY TAX	LESS EXEMPTION	NET TAX
001453-05-6		56,760,910	216.5	7962,391.45		7962,391.45
OCONEE COUNTY						
CITY OF						
DISTRICT	NO. ACRES	NO. LOTS	ADDITIONAL VALUE OF IMPROVEMENTS	REAL VALUATION	PERSONAL ASSESSMENT	PAY THIS AMOUNT BY JAN 15, 2006
07				56,760,910		7962,391.45
SCHOOL DISTRICTS		SCHOOL DISTRICT	COUNTY	COUNTY	TO COUNTY	PROPERTY
21579.53		0002	OCONEE	OCONEE	56,760,910	18360.43
NAME AND ADDRESS OF PROPERTY OWNER(S)		TOTAL PAID				7962,391.45
DUKE ENERGY CORPORATION KELLEY J VOELKEL PO BOX 1244 CHARLOTTE NC 28201-1244		DUP RCPT DATE 01/17/2006 PAID				JD
		*** NOT FOR VEHICLE TAXES ***				2005
BCTAX 737-0000007		TAX RECEIPT - KEEP THIS COPY FOR YOUR RECORDS				
PAY BY 1-31-06 W/O PENALTY		OCONEE COUNTY TREASURER ANNE C DODD				
04 TAXES CHARGED IN 05		SEE REVERSE SIDE				

2,343,791.65+
4,213,873.40+
7,962,391.45+
15,520,056.50+ ✓

Year	Village	Year Ended	County	School	Special	Total
2003	205	30 June 2004				
		Collections	22,376,280.00	50,516,323.00	357,174.00	73,249,777.00
		Budgets	24,210,541.00	53,111,117.00	-	77,321,658.00
				Deficit		(4,071,881.00)
2004	205	30 June 2005				
		Collections	24,124,464.00	52,407,206.00	403,145.00	76,934,815.00
		Budgets	23,849,125.00	52,822,035.00		76,671,160.00
				Surplus		263,655.00
2005	216.6	30 June 2006*				
		Collections	29,888,966.00	64,901,855.00	428,460.00	95,219,281.00
		Budgets	25,537,773.00	57,017,086.00	-	82,554,859.00
				Surplus		12,664,422.00
2006	204	30 June 2007				
		Collections	30,776,179.00	64,420,648.00	492,987.00	95,689,824.00
		Budgets	28,650,793.00	59,904,104.00	-	88,554,897.00
				Surplus		7,134,927.00
2007	216	30 June 2008				
		Collections	32,436,233.00	56,817,919.00	519,667.00	89,773,819.00
		Budgets	29,950,473.00	58,836,606.00	-	88,787,079.00
				Surplus		986,740.00

**OCONEE COUNTY COUNCIL
ORDINANCE 2006-03**

BE IT ORDAINED, by Oconee County Council in Council duly assembled, upon Second reading:

SECTION I:

This Ordinance shall be known as "THE 2005-2006 SUPPLEMENTAL APPROPRIATIONS ORDINANCE 2006-03 FOR OCONEE COUNTY".

SECTION II:

The purpose of this Ordinance is to amend and modify the 2005-2006 APPROPRIATIONS ORDINANCE FOR OCONEE COUNTY, Ordinance 2006-03 and to make appropriations, both supplemental and primary, from current revenue for the remaining portion of fiscal year 2005-2006 and to transfer funds from department accounts to other authorized uses as stated herein and to implement, approve and ratify the policies and other programs authorized by the Oconee County Council, and other matters relating thereto.

SECTION III:

The modifications set forth on Exhibit A attached hereto are approved. In the aggregate, the adopted fiscal year 2005-2006 budget stands at:

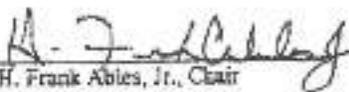
County Operations	\$ 34,947,848.00
School Operations	\$ 48,605,948.00
TCTC Operations	\$ 823,444.00
Vehicle Road Maintenance Fee	\$ 490,000.00

If these changes are adopted as recommended, the new amended budget will be:

County Operations	\$ 39,469,701.00
School Operations	\$ 57,045,037.00
TCTC Operations	\$ 968,961.00
Vehicle Road Maintenance Fee	\$ 0.00

SECTION IV:

Unless specifically modified, amended or deleted herein, all appropriations of funds created by the "APPROPRIATIONS ORDINANCE FOR OCONEE COUNTY" (Ordinance 2005-10 & Ordinance 2005-11) are hereby ratified and shall remain in full force and effect as originally adopted. All other sections of Ordinance 2005-10 and Ordinance 2005-11 not modified, directly or by implication shall likewise remain in full force and effect.


H. Frank Ables, Jr., Chair
Oconee County Council

Attest:


Opal O. Green, Clerk to Council

1st Reading: 2/21/06
2nd Reading: 3/7/06
Public Hearing: 3/21/06
Third Reading: 3/21/06

MEMORANDUM

Oconee County
Finance Department

TO:
FROM: Phyllis E. Lombard, CGFO
DATE: March 6, 2006
RE: Public Hearing for Amended
Appropriations Ordinance

Phyllis E. Lombard, CGFO
Director of Administrative
Services & Finance

Legal Ad – Please advertise in the next issue of your newspaper.

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

PUBLIC NOTICE

Phone: 864.638.4620
Fax: 864.638.4672

E-mail:
plombard@oconeesc.com

Tabitha McCall
Administrative Assistant
tbmccall@oconeesc.com

The Oconee County Council will conduct a public hearing Tuesday, March 21, 2006 at 7PM in the Council Chambers, 415 South Pine Street, Walhalla, South Carolina for the purpose of receiving written and/or oral comments regarding the proposed 2005-2006 Amended Appropriations Ordinance for Oconee County (Ordinance 2006-03) as amended. A copy of the proposed ordinance is available for review in the Oconee County Finance Department, 415 South Pine Street, Walhalla, South Carolina on Monday through Thursday between the hours of 8:00 a.m. and 6:00 p.m. (excluding legal holidays) and the Walhalla Library.



**AGENDA ITEM SUMMARY
OCONEE COUNTY, SC**

**COUNCIL WORKSHOP MEETING DATE: March 21, 2006
COUNCIL WORKSHOP MEETING TIME: 7:00 PM**

ITEM TITLE OR DESCRIPTION:

Third and Final Reading of, "THE 2005-2006 AMENDED APPROPRIATIONS ORDINANCE 2006-03 FOR OCONEE COUNTY",

BACKGROUND OR HISTORY:

Section 4-9-130 of the South Carolina Code of Laws requires that the county budget ordinance be approved like any other ordinance, which includes three (3) public readings and a public hearing which we typically conduct at the 2nd reading of the ordinance. This section specifically refers to annual operating and capital budgets.

Section 4-9-140 of the South Carolina Code of Laws also contains the following budget requirements:

- Supplemental or Amended appropriations must be approved in the same manner as the initial budget. These include appropriations (revenues or expenditures) received and approved following adoption of the initial budget from unanticipated revenue sources.

ADDITIONAL REVENUE; DUKE ENERGY TAXES RECEIVED:

During the month of December 2005, it was discovered through a telephone inquiry from Duke Energy to the county Auditor's office that Duke had been billed less than normal from the county the past three (3) years. An internal review was conducted and it was determined that the manufacturing exemption assessment for Duke Energy was not calculated correctly by the County Auditor's office. As a result, additional taxes were due from Duke Energy. In accordance with South Carolina Code of Laws 12-39-210 and 12-39-220, the County Auditor charged the omitted property assessment to Duke Energy as this was an error on the part of the county (South Code of Laws 12-54-85). As a result, on January 16, 2006, the county received an additional and unanticipated revenue windfall of \$14,520,056.50 which must be appropriated before it can be distributed or expended. The distribution of these additional tax revenues from Duke are shown below:

BUDGET AMENDMENT FOR 3 YEARS ADDITIONAL INCREMENT OF TAXES PAID BY DUKE ENERGY (RECEIVED ON 1/16/06):

Fiscal Year	County Operations	County Debt	TCTC Operations	TCTC Debt	School Operations	School Debt	Total
2003	\$718,000.55	\$28,582.83	\$25,152.89	\$5,716.57	\$1,440,574.38	\$125,764.43	\$2,343,791.65
2004	\$1,336,106.20	\$61,666.44	\$43,166.51	\$10,277.74	\$2,476,935.34	\$285,721.17	\$4,213,873.40
2005	\$2,536,495.89	\$147,043.24	\$77,197.70	\$18,380.41	\$4,521,579.83	\$861,694.58	\$7,982,391.45
Total	\$4,590,602.64	\$237,292.51	\$145,517.10	\$34,374.72	\$8,439,089.35	\$1,073,180.18	\$14,520,066.50

*Included in county operations is 1 MILL for Economic Development (see Exhibit A \$68,749).

Grand total for all additional Duke utility revenue is \$14,520,056.50.

4827,895

BUDGET AMENDMENT FOR LESS REVENUE; VEHICLE ROAD MAINTENANCE FEE RESCINDED:

Included in the adopted 2005-2006 Budget Ordinance was the imposition of a \$15 vehicle road fee which whose collection was rescinded by Council on September 20, 2005. This action removed \$490,000 in anticipated revenue from the budget necessitating this amendment.

BUDGET AMENDMENT FOR ADDITIONAL POSTAGE EXPENSE:

\$25,000 in postage was inadvertently deleted from the Pine Street postage account and should be added back.

SPECIAL CONSIDERATIONS OR CONCERNS:

In order to continue to honor the February 21, 2006 written request of Dr. Valerie Truesdale, School Superintendent to expedite the budget amendment process to appropriate the recently received additional Duke Power proceeds, we ask that the Council approve the following schedule of dates needed to complete the process:

1 st Reading Title Only	February 21, 2006
2 nd Reading	March 7, 2006 3PM
Public Hearing &	March 21, 2006 7PM
3 rd & Final Reading	March 21, 2006 7PM

STAFF RECOMMENDATION:

Staff recommends that this ordinance be approved on third and final reading.

FINANCIAL IMPACT:

The modifications set forth on Exhibit A to Ordinance 2006-03 (attachment 2) are recited below. In the aggregate, the adopted fiscal year 2005-2006 County Council budget currently stands at:

County Operations	\$ 34,947,848.00
School Operations	\$ 48,605,948.00
TCTC Operations	\$ 823,444.00
<i>Vehicle Road Maintenance Fee</i>	<i>(\$ 490,000.00)</i>
<i>Assessment Postage</i>	<i>\$ 25,000.00</i>

If the recommended budget amendments are adopted, the new County Council amended FY 2005-2006 budget totals will be:

County Operations	\$ 39,469,701.00
School Operations	\$ 57,045,037.00
TCTC Operations	\$ 968,961.00

ATTACHMENTS:

1. Ordinance 2006-03 to amend the FY 2005-06 budgets for the Oconee County School District and County Council
2. Exhibit A
3. Dr. Truesdale Letter dated February 21, 2006.

Exhibit A Oconee County Amended Budget Ordinance 2006-03

Page 1

Code	Description	Ordinance 2005-10	Ordinance 2006-03	Amended Budget
County Revenues				
010-080-00870-75003	County Operations	\$ 23,781,000	\$ 4,521,853	\$ 28,312,853
010-080-00876-76003	Economic Development	\$ 355,000	\$ 68,749	\$ 423,749
090-080-00874-76003	County Debt			
	GO Bond 2002	\$ 641,220	\$ 105,510	\$ 746,730
060-080-00873-76003	Courthouse 2001	\$ 69,924	\$ 89,794	\$ 169,718
080-080-00872-76003	Lila Doyle 2000	\$	\$ 31,989	\$ 31,989
	Total County Revenues	\$	\$ 4,827,895	
County Expenditures				
010-080-00805-08999	Fund Balance	\$ 23,781,000	\$ 4,486,853	\$ 28,267,853
010-707-80707-00000	Economic Development	\$ 355,000	\$ 68,749	\$ 423,749
010-717-40033-00000	County Debt			
	Postage	\$ 130,000	\$ 25,000	\$ 155,000
090-874-55100-00000	GO Bond 2002	\$ 641,220	\$ 105,510	\$ 746,730
090-873-55100-00000	Courthouse 2001	\$ 69,924	\$ 89,794	\$ 169,718
090-872-55100-00000	Lila Doyle 2000	\$	\$ 31,989	\$ 31,989
	Total County Expenditures	\$	\$ 4,827,895	
Total Fiduciary Funds				
School District Revenue				
014-080-00880-76003	School District Operations	\$ 48,805,948	\$ 8,439,089	\$ 57,045,037
School Debt				
014-080-00881-76003	94 School Debt	\$	\$ 51,449	\$ 51,449
014-080-00882-76003	95 School Debt	\$	\$ 84,803	\$ 84,803
014-080-00883-76003	98 School Debt	\$	\$ 57,721	\$ 57,721
014-080-00884-76003	01 School Debt	\$ 480,138	\$ 227,900	\$ 1,567,300
014-080-00885-76003	03 School Debt	\$ 1,338,400	\$ 271,997	\$ 2,174,485
014-080-00886-76003	04 School Debt	\$ 1,802,488	\$ 158,746	\$ 1,442,834
014-080-00888-76003	05 School Debt	\$ 1,284,088	\$ 220,565	\$ 2,574,735
	Total School District Revenue	\$ 2,354,170	\$ 9,512,270	

4,521,853

23,781,000 + 2,354,170 = 26,135,170 + 2,174,485 = 28,309,655 + 28,312,853 = 56,622,508

no account to Capital Items in the 2006-03 BUDGET

Exhibit A Oconee County Amended Budget Ordinance 2006-03
Page 2

Code	Description	Ordinance 2005-11	Ordinance 2006-03	Amended Budget
School District Expenditure				
014-802-60099-00000	School District Operations	\$ 48,605,948	\$ 8,439,089	\$ 57,045,037
	School Debt			
014-881-55100-00000	94 School Debt	\$	\$ 51,449	\$ 51,449
014-885-55100-00000	95 School Debt	\$	\$ 84,803	\$ 84,803
014-883-55100-00000	96 School Debt	\$ 460,138	\$ 57,721	\$ 517,859
014-884-55100-00000	01 School Debt	\$ 1,339,400	\$ 227,900	\$ 1,567,300
014-885-55100-00000	03 School Debt	\$ 1,902,488	\$ 271,987	\$ 2,174,485
014-888-55100-00000	04 School Debt	\$ 1,254,068	\$ 158,746	\$ 1,412,834
014-888-55100-00000	05 School Debt	\$ 2,354,170	\$ 220,565	\$ 2,574,735
Total School District Expenditure		\$ 9,512,270	\$ 9,512,270	

Code	Description	Ordinance 2005-11	Ordinance 2006-03	Amended Budget
Tri County Technical College Revenue				
014-080-00876-76003	TCTC Operations	\$ 823,444	\$ 145,517	\$ 968,961
014-080-00877-76003	TCTC Debt	\$ 278,210	\$ 34,375	\$ 312,585
Total Tri County Technical College Revenue		\$	\$ 179,892	

Code	Description	Ordinance 2005-11	Ordinance 2006-03	Amended Budget
Tri County Technical College Expenditure				
014-804-80200-00000	TCTC Operations	\$ 823,444	\$ 145,517	\$ 968,961
014-877-55100-00000	TCTC Debt	\$ 278,210	\$ 34,375	\$ 312,585
Total Tri County Technical College Expenditure		\$	\$ 179,892	

11 827,895.00+
9 512,270.00+
179,892.00+
14 520,057.00+

11
||

Code	Description	Ordinance 2005-10	Ordinance 2006-03	Amended Budget
Special Revenue Fund				
Revenue	Vehicle Road Maintenance Fee	\$ 490,000	\$ (490,000)	\$
Expenditure	Vehicle Road Maintenance Fee	\$ 490,000	\$ 490,000	\$
<i>No general ledger posting required for the special revenue fund</i>				
Total Amendments		\$ 14,520,057	\$ 14,520,057	

FEE
NOT
Implemented

* Extra dollars will be applied to other bonds, not Lisa Doyle or 1994 and 1995 School Bond Debt, as these have been paid in full or defeased

BUDGET INCREASES FOR REASSESSMENT / DUKE ENERGY BACK TAXES

	Budget	Number of Mills	Supplemental	Actual
FY05 (06 Tax Roll)	\$ 22,649,738			\$ 23,725,107
INCREASE FROM FY05 TO FY06				\$ 1,141,262
FY06 (05 Tax Roll)	\$ 23,791,000	65.0		\$ 29,436,317
INCREASE FROM FY06 TO FY07				\$ 3,076,580
FY07 (08 Tax Roll)	\$ 26,867,580	64.3		\$ 30,738,875
INCREASE FROM FY07 TO FY08				\$ 1,348,451
FY08 (07 Tax Roll)	\$ 28,216,031	64.1		\$ 1,584,123
INCREASE FROM FY08 TO FY09				\$ 1,584,123
FY09 (08 Tax Roll)	\$ 29,800,154	64.1		\$ 470,007
Total	\$ 4,563,564			\$ 4,271,501

Item	Amount
Staff Increase	\$ 180,000
Road Deputy II	\$ 310,000
Inv Sergeant Fraud Crimes	\$ 335,000
Fire Emergency Dispatcher	\$ 3,000,000
Correctional Officer I (2 positions)	
Secretary I (25.5 hours)	
Assistant Solicitor	
Database Administrator	
Systems Administrator	
Planner	
Staff Increase	\$ 538,564
Staff Increase	\$ 220,000
County wide capital expenditure items were upgraded and/or replaced (see tab 2)	
Total	\$ 4,563,564

Duke Energy Back Taxes

In FY08 when the taxes were paid the money was added to undesignated fund balance to be allocated in the FY07 Capital Budget as follows:

Communications Tower	
Keowee Ebenezer Fire Truck	
Courthouse modifications	
Capital Infrastructure	
I-85 Infrastructure	
DSS	
Animal Control	
Information Technology upgrades	
In-house fueling system (Spartanburg)	
Total	

CAPITAL PROJECTS REVENUE SUMMARY

DESCRIPTION	FY 2007
Local Revenues (80)*	\$4,563,564
State Revenues (81)	300,000
TOTAL	4,863,564

Duke money 4,496,853
- 66,711

State Aid State Revenue

*Duke Energy "back-in-use" \$4,496,853

CAPITAL PROJECTS EXPENDITURE SUMMARY

DESCRIPTION	FY 2007
Communication Towers	160,000
Fire Truck Knowee Ebenezer	310,000
4 th Floor Main Courtroom	335,000
Capital Infrastructure (DSS, I-85, Animal Control)*	3,000,000
GIS Mapping Phase III & Final	350,000
GIS Fire Suppression	91,584
Digitize of Land Use Map	97,000
In-House Fueling Services	220,000
SWAG Agreement	300,000
TOTAL	4,863,564

4,563,564

* The allotment for each project will be determined by the Buildings & Grounds Committee.

Local Revenue

Duke Money

4,496,853

* Undesignated Fund Balance

66,711 ✓

State Revenue

300,000

4,863,564

It took an additional \$66,711 from the General Fund to support the Capital Expenditures

**Rollback Calculations 2006
(Oconee County)**

Formula for rollback calculation: Prior year property tax revenues
New reassessed values minus growth

Prior year collections for county : \$29,888,966 (2005 local government report) Of this total amount of collections, 94.5% was for operations (69 mills for operating divided by total county mills of 73). The remaining 4 mills were designated for debt service.

\$29,888,966	
<u> X 94.5%</u>	
\$28,245,072	Total prior year property collections for operations

Total new reassessed values minus growth = \$432,278,470 (Sept. 15 letter to county council from Linda Nix, auditor)

<u>28,245,470</u>	=	.0653	expressed as 65.3 mills
432,278,470			

65.3 Mills
<u>X 1.034 (CPI for 2006)</u>
67.5 Maximum millage allowed

County Council adopted 66.3 mills for operations in 2006 which is 1.2 mills less than the current statutes allow.

For 2006 millage rate for County (operations plus debt service)

66.3 Operating
<u>+ 3.4 Debt service</u>
69.7 Total county millage

**Rollback Calculations 2006
(Oconee School District)**

Prior year collections for schools : \$64,901,855 (2005 local government report). Of this total amount of collections, 87.1% was for operations (125.1 mills includes operating mills for the school and Tri County Tech divided by total school mills of 143.6). The remaining 18.5 mills are for debt service for the school and Tri County Tech.

\$64,901,855 Total school collections
 X 87.1%
 \$56,529,515 Total prior year collections for operations

Total new assessed values minus growth = \$475,631,650 (Sept. 15 letter to county council from Linda Nix, Auditor)

$\frac{\$56,529,515}{\$475,631,650} = .1188$ expressed as 118.8 mills

118.8 Mills
 X 1.034 (CPI for 2006)
 122.8 Maximum millage allowed

County Council adopted 115.6 mills for school plus Tri County Tech operations in 2006 which is 7.2 mills less than the current statutes allow.

For 2006 millage rate for School and Tri County Tech (operations plus debt service)

115.6 Operating
 18.7 Debt service
 134.3 Total school millage

For the 2006 Rollback millage the county levied total millage of:

69.7 County purposes
134.3 School purposes
 204 Total rollback millage

(County Council had the option of setting total millage at 212.4 under current statutes)

2007 Millage Calculation

66.3 Prior year's County operating millage
X 1.045 (CPI 3.2% plus growth of 1.3%)
 69.2 Maximum millage rate for county operations
+ 3.4 Mills for debt service
 72.6 Maximum millage rate for incorporated areas of County (2007)
 Or 75.5 Maximum millage rate for unincorporated areas w/fire levy of 2.9 mills

115.6 Prior year's School operating millage
X 1.045 (CPI 3.2% plus growth of 1.3%)
 120.8 Maximum millage rate for school operations
+ 31.7 Mills for debt service
 152.5 Maximum millage rate for School (2007)

Maximum millage that could have been levied: 225.1
 Or for unincorporated areas millage w/fire levy 228.0

County Council set the 2007 millage rate for County and School at 213.1 mills for incorporated areas and 216 mills for the unincorporated areas with the additional 2.9 mills fire levy implemented for this year.

<u>Incorporated Areas:</u>	<u>Mills</u>	<u>Unincorporated Areas:</u>	<u>Mills</u>
County operations	66.1	* County operations	69.0
County bonds	3.4	County bonds	3.4
School operations (includes Tri County Tec)	111.9	School operations (includes Tri County Tec)	111.9
School bonds (includes Tri County Tec)	31.7	School bonds (includes Tri County Tec)	31.7
<u>Total</u>	<u>213.1</u>	<u>Total</u>	<u>216.0</u>

* County operations for unincorporated areas includes a fire levy of 2.9 mills

Using either millage levied by County Council, the county is well below the maximum millage it could have levied per S. C. Code of Laws 6-1-320.



September 5, 2008

Child-support cases clog jail

Parents behind in court-ordered payments cost \$214,000 a month

By Paul Alongi
STAFF WRITER

Among the inmates clogging Greenville County's overcrowded jail are parents serving sentences for up to a year for failing to pay child support.

If all 138 were freed, the overcrowding problem would be nearly cut in half. It costs taxpayers \$51.78 a day to house each one of them, or about \$214,000 for that number of prisoners each month.

Inmates can walk out of jail when they pay off their debts, but their options for making money are limited behind bars.

While the jail links inmates with jobs, the work-release program often has more applicants than positions, said jail administrator Scotty Bodiford.

Libba Patterson, the former director of the state Department of Social Services, said most jailed parents don't have the means to comply with the court's order to pay child support.

"We don't need to be building more jails on account of this population because this is not a population that is dangerous to the public," said Patterson, now a University of South Carolina law professor.

Parents who fail to pay child support long enough end up in jail because a Family Court judge issues a civil contempt citation.

Family Court Judge R. Kinard Johnson of Greenville said a small fraction of parents sentenced to jail for failing to pay child support end up serving time.

Some have had the money in their pockets, waiting to see if the judge would jail them, Johnson said. Others have come up with the money by Friday "so they could get out for the weekend parties," he said.

"Money flows like tap water when we lock the door on them," he said.

Inmates who are employed when they go to the Detention Center can keep their jobs if their employers agree to meet jail guidelines, Bodiford said.

The jail will help unemployed inmates get jobs with private employers, but it's ultimately up to the employer to decide who to hire, he said. While the number of available jobs fluctuates with the seasons, about 77 inmates are now in the work release program, Bodiford said.

Inmates who can't find jobs with private employers can reduce their sentences by working for the county in maintenance, food service and other areas – unless a judge specifically makes an exception, Bodiford said.

Bodiford said most of the inmates serving time on child-support citations could be "any guy that could be walking down the street right now." They owe anywhere from less than \$100 to tens of thousands of dollars, he said.

"I think a lot of them just spend their money on other things," Bodiford said.

The Detention Center, which has a capacity of 1,231, housed 1,527 inmates when Bodiford pulled the statistics Aug. 28. That left the jail overcrowded by 296 inmates.

State Sen. Ralph Anderson, D-Greenville, said a key part of the problem is people who go to prison for drug offenses and other crimes often are unable to find jobs after their release.

"If you put down that you've been in prison, you don't get an interview," he said.

Anderson said churches ought to ask the business community to be more accepting of ex-prisoners.

Another option that has been considered, although not for years, is to put more child-support debtors on home incarceration with electronic monitoring, Bodiford said. It would cost the inmate \$7.95 a day, or about \$240 a month, for the monitoring fee, he said.

"Some of these guys, their child support isn't that much a month," Bodiford said.

State Sen. Mike Fair, R-Greenville, said monitoring could be an alternative, and that the offender should continue to pay the fee. The "bracelet at least allows the offender to work, so it is preferred."

Patterson said the state should reconfigure its child-support system. Debt should be forgiven in some cases, more inmates should go on electronic monitoring and more violators should be steered into parenting and job-training programs, she said.

The system "is working really well with middle- and upper-income persons," Patterson said. "It was actually designed with those people in mind. But with low-income persons, it really doesn't fit as much."



OCONEE COUNTY REGIONAL AIRPORT

October 13, 2008

To: Oconee County Council
Mr. George Blanchard, Chairman

From: Oconee County Aeronautics Commission
Mr. Tom Luke, Chairman

RE: Status of Airport Property Acquisition

Chairman Blanchard:

Over six months ago Oconee County Council became aware of an opportunity to procure 11.23 acres of land adjacent to the Oconee County Airport for future development. The acreage was determined to be of high priority for the future growth and expansion of the airport. Members of the Aeronautics Commission were informed County attorney Brad Norton was delegated to take the necessary legal steps to ultimately appraise and ultimately procure the land parcel. The Oconee County Aeronautics commission would respectfully request an update on the status of the acquisition process for the 11.23 acre parcel.

As you may be aware, both the Pickens County and Anderson County Airports have committed to multi-million dollar development projects that will ultimately make them highly competitive and more attractive to corporate and general aviation aircraft operators. If Oconee County Airport is to maintain its prominent status in the SC upstate aviation community, we the members of the Oconee County Aeronautics Commission feel the acquisition of the 11.23 acres should be a top priority issue for County Council.

Respectfully,

Mr. Thomas Luke
Chairman
Oconee County Aeronautics Commission

Mr. Dan Suddeth
Vice Chairman,
Oconee County Aeronautics Commission

Mr. Robert Edwards
Oconee County Aeronautics Commission

Mr. Fred Golden
Oconee County Aeronautics Commission

Mr. Wayne Rohletter
Oconee County Aeronautics Commission

Mr. Paul Mack
Oconee County Aeronautics Commission





C. Earl Hunter, Commissioner

Promoting and protecting the health of the public and the environment.

October 6, 2008

Mr. Dale Surrett
Oconee County Administrator
415 South Pine Street
Walhalla, SC, 29691

Dear Mr. Surrett:

Thank you for your letter regarding the implementation of our Tobacco Free Campus policy on the Great American Smokeout Day. We anticipated the policy would generate many questions about its implementation, especially in our counties where we share space and facilities with other agencies.

We are not requesting that County government take any responsibility toward enforcing this policy. It is not intended to be a harsh or punitive policy. As an agency entrusted with a mission to promote health and protect the environment, we felt it was important to at least attempt to recognize the hazards of tobacco use especially to non-users of tobacco. The majority of our employees do not smoke and some have asked for protection against second-hand smoke.

Our employees will be asked to not gather on adjoining County property to smoke. It would be great to have County property tobacco-free as well. We are offering our employees assistance with smoking cessation and celebrating with them when they do. As you know, our state health plan will be adopting increased premiums for smokers in 2010.

Thank you for forwarding our policy to County Council. Please feel free to contact Bob Craig at 864-260-5546 for additional information.

Sincerely,

Becky F. Campbell

Becky F. Campbell, PhD, RN
DHEC Region 1 Health Director

Both.
Please place on CC agenda under Admin. report.
Be

SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

Region 1

Serving Abbeville, Anderson, Edgefield, Greenwood, Laurens, McCormick, Oconee, and Saluda Counties

Anderson Public Health Office • 220 McGee Road • Anderson, SC 29625 • Phone: (864) 260-5541 • Fax: (864) 260-5676 • www.scdhcc.gov





Oconee County
Administrator's Office

Dale Surrett
County Administrator

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

Phone: 864-638-4245
Fax: 864-638-4276

Stephanie Matheson
Senior Administrative Assistant
smatheson@oconeesc.com

September 30, 2008

Becky F. Campbell, PhD, RN
DHHC Region 1 Health Director
220
McGee Road
Anderson, SC 29625

Re: Great American Smokeout Day

Dear Ms. Campbell:

I am in receipt of your letter of September 16 regarding your desire to designate the grounds of the Oconee Health Department as tobacco free. You mention parking lots, sidewalks, and breezeways. In that these areas are to some degree in the public right of way, the request may be too broad.

I would ask that you define what role you are requesting County government take in enforcing this proposed rule. I would also ask that if you implement this policy on your employees that you direct them that they not gather on adjoining County property to engage in tobacco use. When I receive your reply, I will forward your request to County Council for their review.

I appreciate your advanced notice of this plan. Please feel free to contact me if you have any questions.

Sincerely,

Dale Surrett
County Administrator







OCONEE COUNTY REGIONAL AIRPORT

October 13, 2008

To: Oconee County Council
Mr. George Blanchard, Chairman

From: Oconee County Aeronautics Commission
Mr. Tom Luke, Chairman

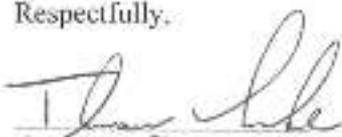
RE: Status of Airport Property Acquisition

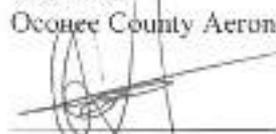
Chairman Blanchard:

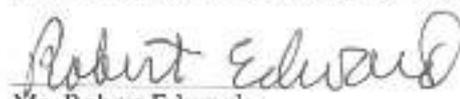
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As you may be aware, both the Pickens County and Anderson County Airports have committed to multi-million dollar development projects that will ultimately make them highly competitive and more attractive to corporate and general aviation aircraft operators. If Oconee County Airport is to maintain its prominent status in the SC upstate aviation community, we the members of the Oconee County Aeronautics Commission feel the acquisition of the 11.23 acres should be a top priority issue for County Council.

Respectfully,

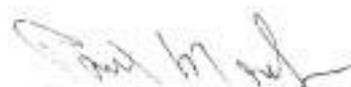

Mr. Thomas Luke
Chairman
Oconee County Aeronautics Commission


Mr. Dan Suddeth
Vice Chairman,
Oconee County Aeronautics Commission


Mr. Robert Edwards
Oconee County Aeronautics Commission


Mr. Fred Golden
Oconee County Aeronautics Commission


Mr. Wayne Rohlfert
Oconee County Aeronautics Commission


Mr. Paul Mack
Oconee County Aeronautics Commission





PUBLIC HEARING
OCTOBER 21, 2008

SPEAKING IN SUPPORT FOR THE ZONING ENABLING ORDINANCE



PUBLIC HEARING
ZONING ENABLING ORDINANCE
OCTOBER 21, 2008
6:00 P.M.

NAME: Ryan Howe
(Please Print)

ADDRESS: 110 Adair Dr
Fair Play SC

Please check one box:

Speaking in support for ZEO
 Speaking against the ZEO

Please be advised that Council will randomly select from these forms to determine the speakers for tonight's public hearing.



PUBLIC HEARING
ZONING ENABLING ORDINANCE
OCTOBER 21, 2008
6:00 P.M.

NAME: Angela Vinney
(Please Print)

ADDRESS: _____

Please check one box:

Speaking in support for ZEO
 Speaking against the ZEO

Please be advised that Council will randomly select from these forms to determine the speakers for tonight's public hearing.





PUBLIC HEARING
 ZONING ENABLING ORDINANCE
 OCTOBER 21, 2008
 6:00 P.M.

NAME: STEVE MACLEOD
 [Please Print]

ADDRESS: 606 COLLEGE CT
SENECA

Please check one box:

Speaking in support for ZEO
 Speaking against the ZEO

Please be advised that Council will randomly select from these forms to determine the speakers for tonight's public hearing.



PUBLIC HEARING
 ZONING ENABLING ORDINANCE
 OCTOBER 21, 2008
 6:00 P.M.

NAME: Dick Hughes
 [Please Print]

ADDRESS: 935 W. Pine Grove Rd
Seneca, SC

Please check one box:

Speaking in support for ZEO
 Speaking against the ZEO

Please be advised that Council will randomly select from these forms to determine the speakers for tonight's public hearing.



PUBLIC HEARING
 ZONING ENABLING ORDINANCE
 OCTOBER 21, 2008
 6:00 P.M.

NAME: JIM COOPER
 [Please Print]

ADDRESS: 316 WILLOW OAK
SENECA, SC

Please check one box:

Speaking in support for ZEO
 Speaking against the ZEO

Please be advised that Council will randomly select from these forms to determine the speakers for tonight's public hearing.



PUBLIC HEARING
 ZONING ENABLING ORDINANCE
 OCTOBER 21, 2008
 6:00 P.M.

NAME: J HAROLD THOMAS
 [Please Print] 375 BRISTOL DR

ADDRESS: POB 309
WALHATA SC

Please check one box:

Speaking in support for ZEO
 Speaking against the ZEO

Please be advised that Council will randomly select from these forms to determine the speakers for tonight's public hearing.





PUBLIC HEARING
 ZONING ENABLING ORDINANCE
 OCTOBER 21, 2008
 6:00 P.M.

NAME: George Cleveland
 [Please Print]

ADDRESS: 219 SAVANNAH DR.
SENECA SC

Please check one box:

Speaking in support for ZEO
 Speaking against the ZEO

Please be advised that Council will randomly select from these forms to determine the speakers for tonight's public hearing.



PUBLIC HEARING
 ZONING ENABLING ORDINANCE
 OCTOBER 21, 2008
 6:00 P.M.

NAME: Louis R. Watson
 [Please Print]

ADDRESS: 902 Southwind Ct.
Seneca SC 29672

Please check one box:

Speaking in support for ZEO
 Speaking against the ZEO

Please be advised that Council will randomly select from these forms to determine the speakers for tonight's public hearing.



PUBLIC HEARING
 ZONING ENABLING ORDINANCE
 OCTOBER 21, 2008
 6:00 P.M.

NAME: BEN TURETZKY
 [Please Print]

ADDRESS: Keweenaw Key

Please check one box:

Speaking in support for ZEO
 Speaking against the ZEO

Please be advised that Council will randomly select from these forms to determine the speakers for tonight's public hearing.



PUBLIC HEARING
 ZONING ENABLING ORDINANCE
 OCTOBER 21, 2008
 6:00 P.M.

NAME: GARY OWENS
 [Please Print]

ADDRESS: 208 E WYANDOTT
SALEM

Please check one box:

Speaking in support for ZEO
 Speaking against the ZEO

Please be advised that Council will randomly select from these forms to determine the speakers for tonight's public hearing.





PUBLIC HEARING
 ZONING ENABLING ORDINANCE
 OCTOBER 21, 2008
 6:00 P.M.

NAME: PETER LEROY
 [Please Print]

ADDRESS: 750 NAVIGATORS PT
SENECA SC 29072

Please check one box:

Speaking in support for ZEO
 Speaking against the ZEO

Please be advised that Council will randomly select from these forms to determine the speakers for tonight's public hearing.



PUBLIC HEARING
 ZONING ENABLING ORDINANCE
 OCTOBER 21, 2008
 6:00 P.M.

NAME: Linda Lovely
 [Please Print]

ADDRESS: 710 Navigators Pt
Seneca, SC

Please check one box:

Speaking in support for ZEO
 Speaking against the ZEO

Please be advised that Council will randomly select from these forms to determine the speakers for tonight's public hearing.



PUBLIC HEARING
 ZONING ENABLING ORDINANCE
 OCTOBER 21, 2008
 6:00 P.M.

NAME: Jack Ruddle
 [Please Print]

ADDRESS: 5 Bram Row Court
Salmon

Please check one box:

Speaking in support for ZEO
 Speaking against the ZEO

Please be advised that Council will randomly select from these forms to determine the speakers for tonight's public hearing.





PUBLIC HEARING
OCTOBER 21, 2008

SPEAKING AGAINST THE ZONING ENABLING ORDINANCE



PUBLIC HEARING
ZONING ENABLING ORDINANCE
OCTOBER 21, 2008
6:00 P.M.

NAME: JEMMY BARWETT
[Please Print]

ADDRESS: 633

Please check one box:

- Speaking in support for ZEO
- Speaking against the ZEO

Please be advised that Council will randomly select from these forms to determine the speakers for tonight's public hearing.



PUBLIC HEARING
ZONING ENABLING ORDINANCE
OCTOBER 21, 2008
6:00 P.M.

NAME: FRED ASTIN
[Please Print]

ADDRESS: 1507 Hendon Drive
Walhalla

Please check one box:

- Speaking in support for ZEO
- Speaking against the ZEO

Please be advised that Council will randomly select from these forms to determine the speakers for tonight's public hearing.





PUBLIC HEARING
 ZONING ENABLING ORDINANCE
 OCTOBER 21, 2008
 6:00 P.M.

NAME: DEJOE Blackston
 [Please Print]

ADDRESS: _____

Please check one box:

- Speaking in support for ZEO
 Speaking against the ZEO

Please be advised that Council will randomly select from these forms to determine the speakers for tonight's public hearing.



PUBLIC HEARING
 ZONING ENABLING ORDINANCE
 OCTOBER 21, 2008
 6:00 P.M.

NAME: JOHN LITTLE
 [Please Print]

ADDRESS: _____

Please check one box:

- Speaking in support for ZEO
 Speaking against the ZEO

Please be advised that Council will randomly select from these forms to determine the speakers for tonight's public hearing.



To: Oconee County Council

October 21, 2008

Subject: Comments re. Zoning Enabling Ordinance

I have been out of the country from Oct. 3 through Oct. 17 and unable to attend the Planning Commission's special meeting on Oct. 6 and the regular meeting on Oct. 13. I did not receive a copy of the Commission's recommended changes to the draft Zoning Enabling Ordinance until this past Saturday when I picked up my mail. I have many concerns about these recommended changes and would like to address four items in particular.

1. A proposal to rezone a Planning District begins with a property owner's petition which would require signatures of 30% of all properties in the district. The original draft called for 15%. In the Key Findings Report of the consulting firm retained to assist in developing the ordinance (Benchmark CMR, Inc.) it is noted that the 15% minimum is consistent with state statues and code for initiating a referendum for the entire county. Further, the consultants opined that a 30% requirement "may be cumbersome and extremely difficult to ever obtain". This is supposed to be an enabling ordinance and not a "disabling" ordinance.

2. Also under the Property Owners Petition section there is specific language for the petition that the property owners must sign. However, I believe this language needs to be expanded a little so that property owners fully understand that a request to consider rezoning in no way commits the property owner to support a rezoned map. After all, no one can make a reasoned and rational decision on rezoning without knowing the details of such rezoning.

3. The Comment Period describes the procedures for sending to all property owners and asking for "their opinion of the proposed changes". Then, a minimum 51% of those responding must support the proposed amendments to the official zoning map before the Planning Commission will recommend adoption of the amendments to County Council. If 51% support is not obtained the process ends and cannot be resumed for a minimum of two years. I see the potential for serious problems as this section is worded. The Planning Department will request "opinions" from property owners but then must determine if the response supports the proposal or not. There could be a large range of opinions. Some may suggest support but with some reservation. But there is no explicit process to modify the proposal in response to such situations. This section needs further clarification.

4. My biggest surprise and disappointment in reading the Planning Commission's recommendation to County Council was the removal of all Overlay Districts. The most recent comprehensive plan for the county placed high priorities on protecting the lakes and promoting quality commercial and industrial development. The lake Overlay District and the I85 corridor Overlay District



respond to both objectives. For the Planning Commission to throw out the overlays without coming up with some alternatives is, in my opinion, a dereliction of our responsibilities.

For me the interminable process to create a zoning program has been the most frustrating and difficult assignment the Planning Commission has had in all of the years since it was created. We have been at this for over a year and a half. And what we have come up with is a complex and convoluted document that is over 70 pages long. If that is what is required to be legally bulletproof, so be it. But I sure wish it could have been simpler. A means to manage county growth, which is the purpose of reasonable zoning, should have been in place a long time ago. The county is way behind the curve in this most important area.

Respectfully submitted;

Bill Nelson





October 21, 2008

TO: All Members of Oconee County Council

FROM: Angela Viney
Director, Sustainable Communities Program
Upstate Forever

RE: Recommended Changes to the draft Zoning Enabling Ordinance
dated October 3, 2008

After carefully reviewing the draft Zoning Enabling Ordinance dated October 3, 2008, Upstate Forever respectfully offers the following comments and suggested changes for your consideration.

1. All Residents of Oconee County Should Be Allowed to Petition for Rezoning and to Serve on the District Planning Advisory Committees.

Article 8 of the current draft allows only property owners to petition for rezoning and to serve on the district planning advisory committees. This is fundamentally unfair to the thousands of Oconee County residents who do not own real property yet have a direct interest and stake in the future of the communities where they live. According to the U.S. Census Bureau, 18% of the housing units in Oconee County are renter occupied. If only half of those units have two adults in the household, nearly 9,000 residents of the County will not be able to fully participate in the rezoning process. This represents approximately 13% of the County's entire population.

Like most areas in the United States, Oconee County is working hard to attract and retain young people. Many young people do not have the resources to purchase real property, but no one would deny that they are critically important residents of the county—indeed, they represent the future. On the other end of the spectrum are many senior citizens who have chosen to give up property ownership for an easier lifestyle that does not include the maintenance of a home and yard. Some of these citizens are lifelong residents of Oconee County.

The property ownership requirement is unfair in another way since some properties in Oconee County are owned by people who do not even live in the county.

In short, the right to petition for rezoning and to serve on the advisory committees should be given to all citizens of Oconee County, whether or not they own real property.

We also are concerned as to how a property owner policy would be administered. Who exactly is a "property owner"? For example, if a property is owned by three members of a family, are all of them required to sign the petition?

We urge you to adopt a policy that gives all registered voters in Oconee County the right to petition for rezoning and to serve on the district planning advisory committees. Such a policy would not only be fair and equitable to all residents of the County but also would be much easier to administer.

2. County Council's Consideration of the Proposed Zoning Map Should Not Be Conditioned on Approval of a Majority of Property Owners.

The Planning Commission has recommended that County Council cannot even consider a proposed zoning map unless it is first approved by a majority of property owners in the district. The views of property owners are certainly important and should be considered, but these owners should not be given what is essentially a veto right on zoning in the area. In fact, this is probably a violation of the South Carolina Comprehensive Planning Act, which provides that the elected leaders of local governments have the ultimate authority to make land use decisions.

3. Height Limits Should Not Be Deleted.

We understand that the Planning Commission has recommended the deletion of the height limits in all districts. We urge you not to accept this recommendation. Removing height limits in all districts leaves the door open for high rise developments on the lakes and inappropriate and incompatible structures in other areas. The County should not have an across-the-board rule that prohibits all height restrictions, but rather a flexible policy that allows restrictions in some cases.

4. The Overlay Districts Should Be Removed Until Specific Standards Are Developed.

We know that the proposed overlay districts have caused confusion and controversy in Oconee County. In Upstate Forever's previous comments on the ordinance, we recommended that each overlay district have clear and specific standards that have been subject to public review and comment before they are incorporated in the ordinance. We continue to believe that it is important to proceed in this manner.

The lack of standards, however, should not delay approval of the ZEO. Thus, we urge you to approve the ZEO and at the same time initiate the process for drafting, and obtaining public input on, the standards for each unique overlay district. After that process has been completed, the ZEO can be amended to incorporate the standards.

Also the overlay districts, as currently written into the ZEO, are not complete. There needs to be inclusion of all overlay districts within the County to include a Highway 11 Overlay and an overlay

that incorporates all Lakes. Currently, only a Lake Overlay for Keowee and Jocassee and an I-85 Overlay are addressed in the ZEO.

5. The County Should Consider Adoption Of A Buffer Ordinance.

There is overwhelming evidence that healthy, well-vegetated buffers along rivers, streams and lakes provide a wide range of human and ecological benefits: They increase property values, absorb polluted runoff, slow down floodwaters, reduce erosion, improve water quality, and provide habitat for wildlife.

We urge you to request the Planning Commission to initiate a public process for drafting, reviewing and discussing a reasonable buffer ordinance in Oconee County. At a later date you can approve the ordinance and incorporate it in the ZEO.

6. Other Comments.

(a) For small area rezonings, the minimum percentage for property owners required to sign the petition should be changed from 60 to 51.

(b) In the Community Commercial District, we recommend that the minimum lot size of one acre for both residential and nonresidential development be deleted in order to encourage pedestrian friendly design, that multi-family uses be allowed, and that "mixed use" be defined in Article 12.

A few days ago, Upstate Forever sent you the growth projection study for Oconee County that was recently completed by Dr. Craig Campbell with Clemson University. The study will be released to the public on Friday, October 24, but we wanted you to see it before then. The projections are a shocking "wake-up call" on what is happening in Oconee County. If current trends continue, there will be 124,000 acres of developed land in the county by 2030—an increase of almost 900% since 1990!

With such rapid growth and change, there can no longer be any doubt that Oconee County needs a strong, effective and fair zoning ordinance. Zoning is an essential tool for managing growth, for ensuring that development proceeds in an orderly and sensible manner, for reducing fiscal impacts on local governments in providing services to citizens, and for maintaining and improving the quality of life in Oconee County.

Oconee County is truly South Carolina's "Golden Corner"—with its wonderful natural resources, productive farmlands, beautiful lakes, and vibrant cities and towns. Zoning will help keep it that way.

Thank you for your hard work in serving the people of Oconee County and for considering our views on this important ordinance.

Please
Destroy all
other copies
and use this one

TALKING POINTS

I am Fred Astin, Director of Missions for the Beaverdam Baptist Association. I represent 70 SBC churches, 68 of which are in Oconee County, and in this case the religious community.

I am not here to discuss the overall concept and pro's and con's of the proposed Zoning Enabling Ordinance 2007-18 but to register a voice of concern about certain provisions of the ordinance and to urge you to amend it to address these. It has come to my attention there are issues with the ordinance that could have an adverse effect on the religious community within our county.

Having read through the ordinance I found it difficult to find a clear definition of the term "places of worship". A clear definition is crucial to my concern. It appears with out ~~a~~ such there will be room for interpretation i.e. does this mean Home Bible Studies, House Churches, Prayer Meetings, religious rallies, or evangelistic events? Oconee County churches practice these on a regular basis. Technically these could be classified as "places of worship".

The second issue is more fundamental. There are three districts where places of worship are not approved. I see no reason for excluding places of worship from these especially if a broad interpretation of the term is employed. We feel exclusion in these areas is a challenge to our faith and freedom of religion and the right to assemble (a Constitutional Bill of Rights issue). What is the logic permitting places of worship in rural residential districts and not in the three excluded districts one also being a residential district. I urge you to reconsider and include places of worship as an approved function in all the proposed districts. I cannot imagine a place of worship as being a detriment to any of these districts.

Thirdly, the issue of a ban on fund raising in some districts again if strictly enforced would not allow events for benevolent needs and even annual drives that some of our fire and rescue units conduct or Red Cross, Cancer, March of Dimes or similar campaigns. Surely you did not mean this.

Fourth, the permit process for certain events seems to be a burdensome prospect. What will be the procedure, who grants the permits, what is the fee, etc? Our churches hold many outdoor events ~~which easily could be denied~~ *such as*

Handwritten scribbles or marks in the top right corner.



~~These~~ Festivals, Block Parties and ~~such~~ other events. Does this mean they will have to have a permit to conduct these events even on their on property.

I have not addressed the exclusion of group homes in certain districts but that is a potential problem as well. If properly managed, these facilities are an asset to our county and will greatly assist people in need. Compassion and a caring spirit should rule out in these cases.

These are concerns we have which we feel need to be addressed before we are comfortable with this proposed ordinance.

Fred Astor

TO OCONEE COUNTY OCONEE COUNTY COUNCILMEN; BY JOHN W. LITTLE,
210 LITTLE LN., SENECA, SC 29672 OCTOBER 21, 2008

GENTLEMEN,

GOVERNMENT CAN'T DICTATE CLEANLINESS, MORALS AND PRIDE.
GOVERNMENT CAN'T BE "BIG BROTHER" TO OUR CITIZENS.

ZONING IS NOT PROTECTION BUT REGULATION. ZONING AND GRAFT ARE
SYNONOMOUS.

WE ALREADY HAVE IN PLACE ENOUGH REGULATIONS FROM DUKE POWER
COMPANY, CORP. OF ENGINEERS, FERC, OCONEE COUNTY CODES AND DHEC
TO PROTECT OCONEE COUNTY.

IN PRESENT FORM, "ZEO" LACKS NEEDED SUBSTANCE AND IS DIRECTED
TO STOP CONDOS ON LAKE KEOWEE AND JOCASSEE.

I HAVE OFFERED INPUT ON THE ZONING ISSUE FOR THE PAST YEAR.
INITIALLY, I WASN'T TOTALLY AGAINST THIS ZONING. HOWEVER, AFTER
MUCH RESEARCH AND EVALUATION, I DON'T THINK OCONEE COUNTY
NEEDS IT!

INDUSTRY REPRESENTATIVES TELL ME THEY LOCATE IN OCONEE BECAUSE
OF LACK OF LABOR UNIONS, OUR WORK FORCE, QUALITY OF OUR
CITIZENS, OUR RECREATION RESOURCES AND WATER.
NOT ONE MENTIONS "ZONING", IT'S IMPLEMENTATION OR ABSCENSE!

WHEN COUNCIL INITIATED "FAST TRACK" ZONING , THEY WENT AGAINST
THEIR INITIAL DIRECTIVE TO THE PLANNING COMMISSION JUST TO
SATISFY A GROUP OF LAKE KEOWEE RESIDENTS. IN ESSENCE, YOU
CREATED A MESS.

THE BEST WAY TO RESOLVE THIS MESS IS TO SLOW DOWN, RE EVALUATE
THIS ORDINANCE AND LET NEW COUNCIL SOLVE THIS ISSUE.

ACCORDING TO MR NORTON, THE ONLY WAY TO HAVE A COUNTY
ORDINANCE TO RESTRICT SOMETHING THAT TAXPAYERS FEEL IS
DETRIMENTAL TO OUR COUNTY, IS TO ESTABLISH ZONING. PERSONALLY, I
DON'T KNOW. HOWEVER, PRESENT ZEO DOESN'T ADDRESS POTENTIAL
INDUSTRIES WHICH ARE CONTRIBUTORS OF HARMFUL EFFLUENTS INTO
OUR SOIL AND WATER. IT CONTAINS REGULATIONS NOT SUITABLE NOR
NEEDED BY OUR TAXPAYERS AND COMMUNITY.



GENTLEMEN, THIS ORDINANCE IS A COPY WHICH COST OCONEE TAXPAYERS A BUNDLE. PERSONALLY, I DON'T THINK YOU HAVE RESPECTED THE WORK OF OUR PLANNING COMMISSION, WHO CONCIENIOUSLY HAVE TRIED TO "DO WHATS RIGHT". I THINK YOU ARE MIS LED.

AS I HAVE STATED BEFORE, ZONING IS SYNONOMOUS WITH GRAFT. ZONING IS UMBRELLA OF UNNECESSARY REGULATIONSWHICH OFFERS MORE TAX BURDEN TO OUR TAXPAYERS.

IGNORANCE SURROUNDING THIS ISSUE IS RAMPART AMONG COUNCIL, "ADVOCATES FOR QUALITY DEVELOPMENT" AND "FOLKS". ONE COUNCILMAN PRONOUNCES ZONING AS PROTECTION OF OCONEE STATION, SUMTER NATIONAL FOREST, OCONEE STATE PARK, AND OTHER ENTITIES WHIICH ARE ALREADY PROTECTED BY EXISTING LAWS. THIS IS ONE EXAMPLE OF IGNORANCE ASSOCIATED WITH THIS ISSUE WHICH HAS BEEN THRUST UPON YOU BY CERTAIN INDIVIDUALS.

AS A CONCERNED TAXPAYER IN THESE TRYING TIMES, I BEG YOU TO QUIT WASTING MY MONEY PURSUING MORE REGULATION AND COST TO THE TAXPAYERS OF THIS COUNTY.

THANK YOU,

JOHN W. LITTLE



COMMENTS ON PROPOSED ZONING ENABLING ORDINANCE

I am here tonight to comment on the proposed Zoning Enabling Ordinance(ZEO). I am however not sure what is being proposed. We have the 72 page draft of the ZEO and 13 pages of recommendations from the Planning Commission and Planning Department staff. The Council has not indicated what if any changes are going to be made to the ZEO. I respectfully request that the Council carefully review these proposed recommendations as well as the comments made by the public tonight before enacting the third and final reading on this ZEO.

I understand the frustration concerning this issue since it has been discussed now for over 30 years. My only concern is that we have a ZEO that balances the rights of property owners and the protection offered by a zoning ordinance. This process should fully involve the public so that their wishes and desires are incorporated to the fullest extent possible. I recommend that the Planning Department conduct community meetings now that we have a working document, including those communities that have already had previous meetings.

I also hope that whatever ZEO is enacted that it will be able to be easily modified with community input so that it will reflect the character of this county that we all love. It is my understanding that the section that allows rezoning to be initiated by the County Council is a matter of law. If this is true then it is my concern that it will be used judiciously if at all.

As to the proposed overlays, I feel that the overlays for lakes Keowee and Jocassee have had considerable input by the affected communities and therefore should be retained. If the property owners on Lake Hartwell also desire an overlay, then it should be considered. I still feel that the standards for the proposed overlay for the Carolina Gateway sub district are overly restrictive and will discourage businesses from coming to Oconee County rather than encourage them.

I thank you for the opportunity to express my views to the Council

Richard Hughes



Comments on the ZEO

FOLKS has actively supported land use controls since our birth because they would protect the most important natural resource in the Upstate. That support was publicly made with regard to the adoption of the Comprehensive Plan - a document that describes the road map to the future evolution of Oconee County and will soon be in the process of updating as required by State Law. Among "commitments" contained in the Comprehensive Plan is the "consideration of county-side zoning in 2007".

We are a little off the original time line target but significant work has been done by the Planning Commission and the County Council with a tremendous amount of input from interested citizens of the County. There are obvious differences of opinion over the issue of land use controls and how they might be implemented but the bottom line is that if we do not implement controls, we will live with the effects of development by default and they will not be pretty and they will not help to secure a bright future for Oconee County.

An odd consequence of the current financial situation is that we have been given some breathing time but that will not last forever. We still have the opportunity to decide where we would like to steer different types of development by providing the required infrastructure in those places; we still have the opportunity to have some control over the urban sprawl that is rapidly eating up open space; we still have the opportunity to exercise some control over what at least some of the Lake Keowee shoreline will look like; so we still have the opportunity to help secure that bright future for Oconee County.

In these comments, reference has been made to Oconee County's future and that is because right now it is Oconee County that is considering adopting a Zoning Enabling Ordinance. The issue with Lake Keowee is that it will be actions taken by both Oconee County and Pickens County that will determine the role that Lake Keowee plays in the future development of the two county area. It was disconcerting to read last week that Pickens County had stricken the 65' height restriction from their Development Standards ordinance.

We have and continue to work towards protective zoning for the lake and still favor the Overlay Districts. Much work is still in front of us and in that vein; we are asking both Oconee County and Pickens County Planning Departments and County Councils to work together towards uniform standards around the lake. This is not something new; in fact early in FOLKS life there was just such an effort made by the Counties, Greenville Water System, Seneca Utilities, Duke Power and FOLKS. That effort did not succeed. We still have a need for such an effort and ask that it be made. The Lake doesn't know where the problems come from - they are just problems.

Ben. Terezhky

Comments on ZEO to Oconee County Council
October 21, 2008 6pm

Good Evening. Mr. Chairman, thank you for the opportunity to address the Zoning Enabling Ordinance this evening. My name is Gary Owens. I am currently serving as the President of the Wynward Pointe Owners Association. Wynward Pointe is comprised of 117 lots and homes located on Lake Keowee.

I am here to voice my support for the ZEO and strongly recommend your passage of it. Over the last two meetings, the Oconee County Planning Commission has made several recommendations to amend the ZEO. Having attended the last two meetings, I am sad to say that it appears that the Planning Commission has authored several of the amendments in a not so veiled attempt to undermine and roadblock the intent of the ZEO as drafted by this Council on October 3, 2008. I would like to address a few specific amendments submitted by the Planning Commission that I strongly urge you to ignore:

Section 8.5, b, 1: The Council draft suggests that 15% of the owners need to sign a petition supporting a zoning change. The Planning Commission recommended this figure be 30%. I recommend that you return to the original 15%, which many counties in the state use as a standard.

by 'ste forever ✓
Planning Commission Recommendation 5 states: "Remove all height limits in all districts". This change is not acceptable to me, my neighbors, or other lake area property owners. It is an attempt to remove one of the important tenants of zoning and is one of the key issues that brought the need for zoning to the attention of this County Council. This recommendation must be ignored.

Planning Commission Recommendation 6 states: "Remove all Overlay Districts from the Zoning Ordinance". This change is not acceptable to me, my neighbors, or other lake area property owners. As in recommendation 5, it is a not so veiled attempt by the Planning Commission to completely unwind the protections being sought in the Zoning Enabling Ordinance. Without the Overlays (or a suitable replacement methodology).....there are no teeth in the ZEO. Again, this is not acceptable to those of us (your constituents) who reside on the lake. Please retain Article 11 or at least Article 11.1 (Lake Overlay) to insure the protections of height, density, and buffer are realized in the ZEO.

Section 8.5, b, 2: In the original draft of October 3, 2008, under "Method 2-Small Area Rezoning", you have a requirement for 60% of the property owners to sign a petition for area rezoning. It seems to me that this figure should be the same as the 15% requirement noted under "Method I-Planning District Initiated by Citizens". I recommend this change.

Finally, I have been in constant communication with many of the other Presidents of lake development owner associations. I can fairly state that I have received many, many positive words and notes of support and encouragement regarding zoning being passed in Oconee County. We, collectively, represent thousands of residents and constituents who



*PC note:
Council should hold
At least to small minority
to benefit Council -*

are fully expecting the ZEO to pass to enable the protections required (height, density, and buffer zone) for our properties on Lake Keowee.

** ask lake area owners to
stand...*

We appreciate all of your hard work and encourage you to pass the ZEO, with the changes noted above, on November 6, 2008.

Thank you.

*— Who support ZEO
w/ overlays + assoc
protections.*

1941
1942
1943

1944
1945
1946

Jerry Owens

Gentlemen,

Tonight, some opponents of zoning will argue that this Council should **not** enact the Zoning Enabling Ordinance because three of you are short-timers. I strongly disagree.

Unlike the candidates, you have the benefit of years of Council experience in dealing with the problems faced by a County that has a half-empty toolbox when it comes to land use planning. As elected officials, you've talked individually with hundreds of residents. You **know** the majority of lakeside property owners favor passage of the ZEO **with** a lake overlay. You know if the overlay is removed, developers can lay siege to the Planning Department in an effort to get half-baked projects grandfathered. We are beyond the original timeline set for zoning. We need zoning and the lake overlay now.

Oconee residents have long championed home rule—letting folks at the local level decide what's best for their communities. **That's democracy**, and it describes the ZEO.

While the ZEO grandfathers all **CURRENT** land uses, it lets property owners request protections to control **NEW** uses. This gives people the power to protect their property. **That's freedom**. Freedom for each individual fire district to choose a path forward and preserve the qualities that make our home unique.

Without ZEO, uncontrolled growth and greed can decide Oconee's future. Without the option to zone, your new next-door neighbor might be a junkyard, a strip mine, a go-cart track, or heavy industry. I've been at those Council meetings when you've been forced to shake your heads and tell beleaguered property owners, "Sorry, we can't help."

Now you can. ZEO is a tool. It lets us plan where new industry should locate. Where agriculture interests should be king. Where homeowners should enjoy peace and quiet.

The ZEO draft you are considering requires a petition to even **START** a zoning discussion. Then it surveys all affected property owners. Every owner has an opportunity to express his views. The process provides ample opportunities for public input through petitions, surveys, public meetings and public hearings.

What's the alternative? Without the ZEO, there is **NO—ZERO**—public input. Let me repeat: Without zoning, property owners have no input regarding land use. All decisions are made by developers. Property owners have no say in the County's future.

Pass the ZEO as prepared by your Planning Department and the County's able consultant—chosen, I might add, by Planning Commission members.

Zoning can help us **SAVE THE BEST OF OCONEE COUNTY!** Thank you.

Linda Lovely
710 Navigators Pointe
Seneca, SC 29672



**WRITTEN COMMENTS SUBMITTED ON OCTOBER 21, 2008
FOR THE PUBLIC HEARING ON THE ZONING ENABLING ORDINANCE**

We would ask the Council to please consider making the following changes in the final draft of the document:

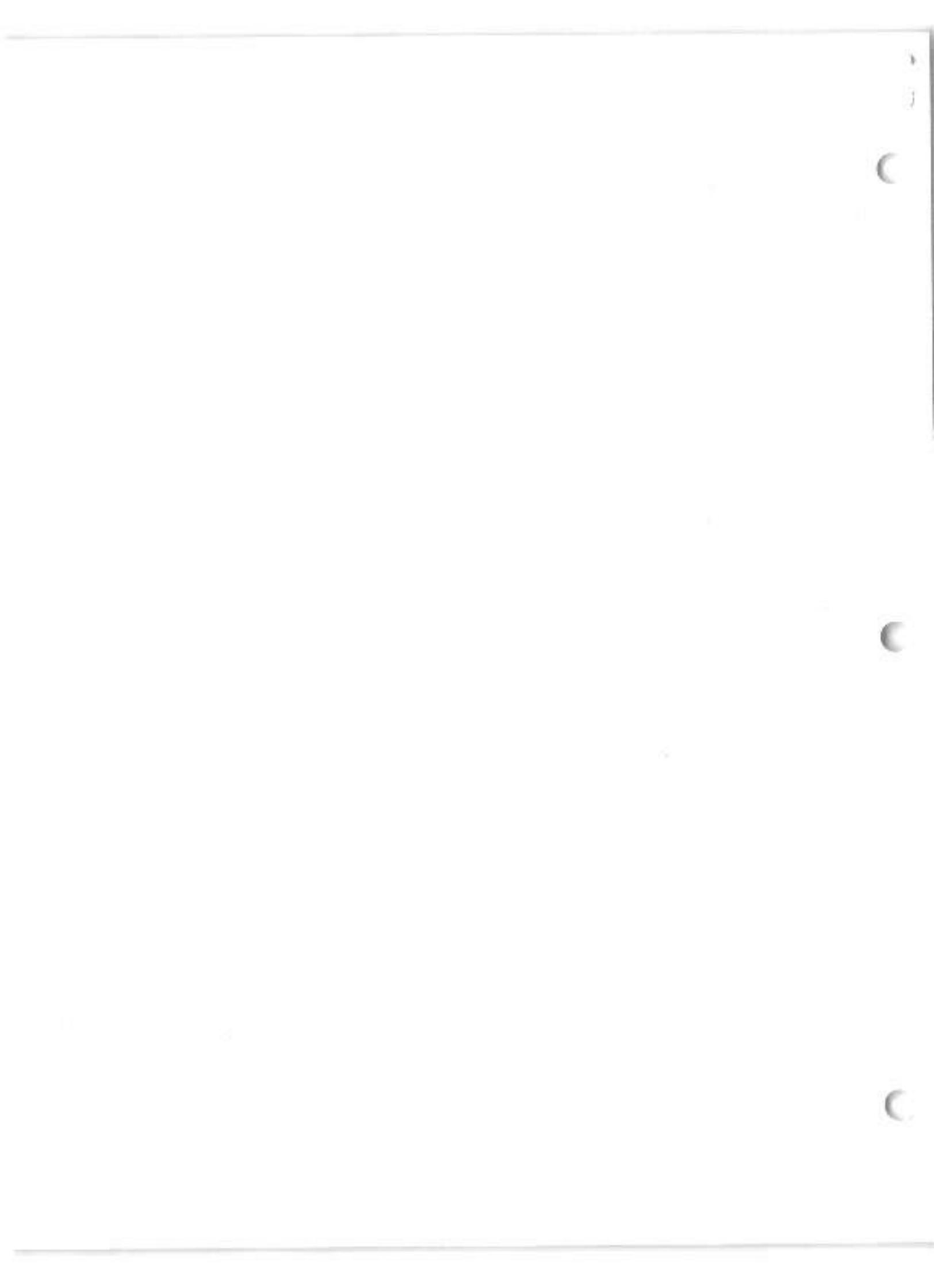
Definitions: Please add a definition for **Timeshare/Interval Ownership Project**. This type of project, which typically buys, sells, trades and markets owner weeks in its buildings, needs to be defined. In addition, the descriptions of individual districts should then state how Timeshares should be treated in terms of permitted uses. Given the transient nature of the occupants and brief length of stay, it can be argued that Timeshare usage should be governed in a manner similar to Hotel usage.

Petition Wording, Section 8.5, Method 1.a.: The ZEO dictates that any petition to rezone a fire district use the following words: "I hereby certify that I own a parcel lying within the _____ Planning District, and I support the consideration of rezoning the entire district." This wording implies that every parcel within the Planning District **MUST** be zoned something other than Control Free. However, according to the ZEO, the Planning Department would work with citizens in the district to produce a zoning map, which could incorporate a variety of subdistricts within the greater Planning District, and one (or more) of these subdistricts could remain Control Free. This would eliminate the opportunity for citizens to request a zoning change that impacts less than 100% of the district.

The following change in required petition wording would be more accurate and clearer: "I hereby certify that I own a parcel lying within the _____ Planning District, and I support the study of land use needs to determine if there is value in rezoning the district as a whole or in creating a zoning map that creates and selectively rezones certain subdistricts."

Small Area Rezoning: The requirement to obtain signatures from 60 percent of the owners in the proposed district is the equivalent to a "poison pill." Remember that fewer than 25 percent of registered voters come to the polls in a typical Oconee County election. And these are people who live here. Consider the difficulty of reaching and obtaining 60 percent of the signatures of all owners in an area, especially given the likelihood that a number of the owners may live out-of-town and/or be corporate entities. This percentage should be substantially lowered.

Appointment of District Planning Advisory Committee: An effort should be made to avoid the possibility that the membership of this Committee could be stacked with individuals who did not sign the citizen petition, thereby sabotaging the effort. This could be accomplished by adding the following sentence in the description of the nomination/selection process: "At least four of the seven Commission members named must be chosen from the group of citizens initiating the petition."



REJECT the Following Recommended Changes by Planning Commission:

- **Leave In Lake Overlay**—The Planning Commission’s argument that owners of affected properties should have an opportunity to vote on a lake overlay is specious. If the Lake Overlay is removed, there is no opportunity for those within its boundaries to vote to impose an overlay. Only if the overlay were converted to a district would an owner referendum be possible. With the exception of one or two vocal opponents, the individuals who own property within the lake overlay have supported it overwhelmingly through petitions and through their HOAs.
- **Section 8.5, Method 1.b.1 Petition Percentage:** A recommendation to require 30 percent of owners to sign a petition for zoning to be considered within a Planning District makes little sense. The consultant’s recommendation of 15 percent should remain. People within the Planning District need to be involved in the process and contribute to a zoning map before the approval percentage becomes relevant. The minimum number of owners requesting consideration of a zoning change should remain 15% as written in the consultant’s draft. 15% is a typical standard used throughout South Carolina and we believe nearby Anderson returned to 15% after it tried a 30% approach.
- **Leave In Height Restrictions**—The 65-foot height restriction should be kept within the building parameters for all districts in **unincorporated** Oconee County. We believe only one hospital building currently exceeds this height. Developers who want to build higher than this can build inside cities where the supporting infrastructure is more likely to be in place and/or make a case for a special exemption.
- **Make Certain The Referendum Is Advisory**—The Commission would require 51% approval in a property owner referendum for the Commission to recommend adoption of zoning in a district. According to the Commission’s language, if the referendum failed to achieve that percentage, the matter would be considered ended. This effectively creates a referendum that bars Council from considering zoning requests from citizens. We believe that only “advisory” referendums are permissible by law, and this would seem to make the proposed survey more than advisory and illegal.

Council is the only body empowered by state law to enact zoning. The original draft already called for the Planning Department to survey owners during a comment period after the proposed zoning map was created. However, the original draft (correctly) left off the percentage threshold to ensure the results were considered strictly advisory.



- **Section 8.5, b.9.** The Commission's suggestions to amend this paragraph have several serious flaws, and we believe all words after the first sentence should be deleted. The Commission's suggested wording relies on the 51% approval issue, it mandates that if any one zoning initiative fails then any further attempt for that or any other issue must wait two years, and specifies the clock starts from the date the PC Chair announces results. That eliminates any other worthy idea from being considered for two years. This would give a Commission chair the power to postpone an announcement as long as he likes, thereby extending the time period before another request for change could be considered.

The Commission can make their RECOMMENDATION based on the survey. However, the matter must then be sent to Council to act on behalf of citizens as required by law.

- **Nonconforming Business:** The Commission's suggested change regarding expansion of a nonconforming business seems to be worded poorly and open for legal debate. It appears one of the Commissioners has been approached by someone with a potential and unique problem and they are trying to solve it rather than let the proposed process handle variances.

Submitted by the Board of Directors
Advocates for Quality Development, Inc.



Beth Hulse

From: kalyco2@aol.com
Sent: Tuesday, October 21, 2008 12:51 PM
To: Beth Hulse
Subject: ZEO

Dear Council Members,

You are about to make a decision that will stunt Oconee County forever or push it forward. If this county does not approve the ZEO, WITH overlays, you will have stopped it from being the beautiful place it is now. There will be no mountain or lake views, just lots of tall buildings and condominiums. We cannot be there in person tonight, but please know that Oconee County needs this ordinance NOW! Thank you, Lyle and Linda Caswell

BUY [Indiana Jones and the Kingdom of the Crystal Skull](#) on DVD today!

