



Oconee County Conservation Bank

Title: Grant Procedures
Policy No. 0003

Effective Date: March 2, 2021

Revision Date(s): April 6, 2021

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Attachments:

Application For Funding

Criteria Worksheet

Evaluation Scoresheet

Grant Agreement

Section 404 Findings Template

Purpose:

This policy provides guidelines for Applicants and governs the evaluation procedures used by the Oconee County Conservation Bank Board to process, award, and monitor grants.

Definitions:

1. The definitions set forth in Chapter 2, Article IV, Division 9, Section 2-399 of the Oconee County Code of Ordinances are incorporated by this reference.
2. "Applicant" means an Eligible OCCB Recipient applying for a grant related to a specific property.
3. "Application" or "application" means the attached Application For Funding.
4. "Blue Line Stream or Lake," as used in the application, means a stream or lake that appears as a broken or solid blue line (or a purple line) on a USGS map.
5. "Conservation Value" means either
 - a. the Fair Market Value of the property for a fee simple acquisition; or
 - b. the amount the Fair Market Value of the property will be reduced by the placement of a Conservation Easement on the property.

6. "Grant Agreement" means a binding contract between the Applicant and Oconee County that meets the requirements of OCCB Ordinance Section 2-404(c)(2).
7. "Inholding Land" means privately owned property that is 100% surrounded by Protected Land.
8. "Limited Access" means any public access that is less than access on a year-round and continual basis, i.e., access by the public for some limited time or seasonal period(s).
9. "Property/Project Name" means the common or colloquial name used to identify a specific piece of land or project that is the subject of an Application. Each Property/Project Name must be unique.
10. "Protected Land" means any land substantially protected from development or designated as scenic or protected through any federal, state, or local government law or private action.
11. "Scenic View" means a vista that includes mountain, river, lake, forest, pasture, agricultural, or other pastoral scenery.
12. "Small grant application" means an application for an interest in land if the amount requested is less than thirty thousand dollars (\$30,000.00) or ten percent (10%) of the Conservation Value, whichever is less.
13. "Unlimited Access" means any public access on a year-round and continual basis and, additionally, requires that such access is communicated to the public.

Policy:

Part One: Application Procedures

1. An Applicant may, but is not required to, submit a letter to the Board requesting the Board's examination of land or project that may be the subject of a future application for a preliminary review.
2. The Board will accept applications on or before April 1st, August 1st, and November 1st of each calendar year.
3. Applicants may apply for a grant from the OCCB by filing an application with the Board's administrative staff on or before the application deadline. All applications must be submitted in duplicate pursuant to Board Policy No.

0001 Applicant Privacy. All applications must be submitted in electronic pdf or similar format.

4. An application for a grant that does not fall within the jurisdiction of the OCCB will not be accepted. The Board will inform the Applicant in writing of the reason for its refusal to accept the application.
5. All applications must meet the mandatory requirements in Section II of the application. See OCCB Ordinance Sections 2-404(a)(2), (3), & (6), 2-404(b)(6), 2-404(c)(3)c, and 2-405(c) & (d).
6. All application attachments must identify the application Section and Question to which it applies.
7. As part of the application procedure, each applicant is required to provide documentation of the expertise and financial resources of the entity enforcing any Conservation Easement or deed restriction, the expertise and financial resources of the entity managing the property, and a description of the proposed management plan for the property. Failure to provide documentation satisfactory to the Board will result in a recommendation to the Council that the grant application be denied.
8. During the review process, the Board may request additional information from the Applicant. Failure to provide the requested information in a timely manner will result in a delay in processing the application until the next cycle.
9. Applications will be evaluated utilizing the Criteria Worksheet. The Board members will reduce their final collective evaluation to a score as set forth on the Evaluation Scoresheet, which will be attached to the official minutes.
10. Each application must meet the applicable minimum score to be recommended for a grant award.
 - a. Farmland must have a minimum score of 30.
 - b. Inholding Land must have a minimum score of 22.
 - c. Non-farmland must have a minimum score of 40.
 - d. Solely historic or cultural land must have a minimum score of 21.
11. The Board may recommend a grant of up to ten percent (10%) of the Conservation Value of the project. In extraordinary circumstances and for

good cause, the Board may recommend a grant that is more than 10% of the Conservation Value of the project.

12. Within ninety (90) days of each application deadline, the Board will process all pending applications and submit its recommendations to the Oconee County Council.
13. The Board's recommendation to Council shall include the findings required by OCCB Ordinance 2-404(b)(4) utilizing the Section 2-404 Findings Form. The Board may delegate the responsibility to prepare the Section 2-404 Findings to a single Board member.
14. Council will take action within thirty (30) days of submission of the Board's recommendation.

Part Two: Post Award Procedures

1. The Board shall notify the Applicant of the Council's decision within ten (10) days of the Council's decision.
2. If awarded a grant, the Applicant and Landowner have a period of four (4) months from the date of the Council's decision to notify the Board of their decision to accept the grant.
3. The recipient must execute and record a Grant Agreement within fourteen (14) days of acceptance of the grant award.
4. The transaction must close within one year of recipient's notice of acceptance of award. Recipient's closing attorney must be registered as a vendor with the State of South Carolina prior to closing if money is to be wired from the Local Government Investment Pool to the closing attorney's escrow account.
5. If recipient is unable to close on the Property/Project by the Closing Deadline, recipient shall submit to the Board, before the Closing Deadline, a written status report explaining the circumstances, and shall either
 - a. withdraw the Application and acceptance of the Grant award, or
 - b. request a one-time extension not to exceed six (6) months.
6. If the transaction fails to close, the recipient, Council, and Board will execute and record a document terminating the Grant Agreement.

7. The following closing documents must be submitted to the Board for review at least ten (10) days prior to the scheduled closing:
 - a. An independent certified appraisal of the Property dated within twelve (12) months of the Grant approval by Council;
 - b. A certified environmental hazard assessment, unless the Application qualifies as a small grant application;
 - c. A final draft of the conservation easement and/or deed;
 - d. A final draft of the settlement statement;
 - e. A final draft of the title insurance commitment and exceptions;
 - f. A recorded by copy of this Grant Agreement signed by the Grantee, and for conservation easements, by the Landowner; and
 - g. Any other data, acknowledgement, or documentation requested by the OCCB.
 - h. The name, address, email address, and phone number of the Closing Attorney and Firm.

The Board reserves the right to reject documents that do not comply with the OCCB Ordinance.

8. The Board will process the grant funds pursuant to Policy No. 0002, Bank Account.
9. Within sixty (60) days of closing, recipient must provide the Board with executed closing documents, a report of how the grant funds were distributed, and the status of the project.
10. If the grant award is for the fee simple purchase of land that will not be subject to a conservation easement, the property is subject to inspection by the County and the deed must include the following language:

Said premises shall be subject to: the provisions of Sections 2-398 through 2-409 of the Oconee County, South Carolina Code of Ordinances, the policies adopted by the Oconee County Conservation Bank, and the grant agreement executed by the Grantee and Oconee County, such that the premises shall be permanently protected for the conservation purposes described therein.

11. The recipient shall submit a copy of recipient's annual inspections of the Property to the OCCB within twelve (12) months of the release of Grant Funds. Thereafter, copies of all future inspection reports must be submitted to the OCCB on an annual basis. Electronic copies of recipient's annual stewardship reports are acceptable. Recipient is required to give the OCCB notice of any stewardship concern that materially threatens the conservation purposes of the Grant Award within thirty (30) days of discovery.
12. The recipient and the Board shall retain copies of all documents related to the award of the grant and the acquisition of interests in land.
13. For all grants, a copy of the recipient's annual inspection of the property must be submitted to the Board within twelve (12) months of closing on the property. Thereafter, copies of all future inspection reports must be submitted to the Board on an annual basis. The annual reports shall be in a format comparable to the annual reports typically required of conservation easements. Recipients are required to give the Board notice of any stewardship concerns that materially threatens the conservation purposes of the grant within thirty (30) days of discovery.
14. All interests in land obtained with OCCB funds may only be assigned from one eligible OCCB recipient to another eligible OCCB recipient after approval by the majority of the Board.
15. Any fee simple interest in land acquired with OCCB funds may not be used for any purpose other than that set forth in the Grant Agreement. If OCCB funds were used to purchase a Conservation Easement, the Conservation Easement is the controlling legal document on what is or is not permitted on the property.
16. The eligible OCCB recipient or the Landowner must notify the Board if a claim is made against the title to the property.
17. Any interest in land or any portion thereof funded in whole or part by OCCB funds shall not be transferred without the approval of the Board. The Board shall have the unilateral authority to approve or deny such transfer.
18. If the interest in the Property is reduced or increased by 10% or less in acreage of that stated in the Application, the Board shall have the authority

to reduce the award on a proportional per acre basis. However, a reduction or increase of acreage exceeding 10% shall be deemed material and will render the original grant award and the Grant Agreement null and void.