

A M E N D E D A G E N D A

SPECIAL MEETING OCONEE COUNTY COUNCIL

THURSDAY, SEPTEMBER 25, 1997

3:00 PM

1. Call to Order
2. Invocation
3. Approval of Minutes of September 16, 1997 Meeting
4. Public Hearing To Receive Written and/or Oral Comments Regarding Ordinance 97-10, "AN ORDINANCE AUTHORIZING PURSUANT TO CHAPTER 44 OF TITLE 12, SOUTH CAROLINA CODE OF LAWS, 1976 AS AMENDED THE EXECUTION AND DELIVERY OF A FEE AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND WESTPOINT STEVENS, INC. AND MATTERS RELATING THERETO"
5. Third & Final Reading of Above Mentioned Ordinance
6. Consideration of Approval of Grant Application for Construction of Parallel Taxiway and of Acceptance of Grant Upon Approval of FAA - Mr. Marion Lyles, Airport Manager, Ms. Marianne Dillard, Purchasing Agent & Mr. Al Smith, Talbert & Bright, Inc.
7. Briefing Regarding Bids for Parallel Taxiway for Clemson-Oconee County Airport - Mr. Marion Lyles, Airport Manager, Ms. Marianne Dillard, Purchasing Agent & Mr. Al Smith, Talbert & Bright, Inc.
8. Old Business
9. New Business
10. Adjourn

MEMBERS, OCONEE COUNTY COUNCIL

Ms. M. Fran Burrell, District I Mr. J. Harold Thomas, District II
Mr. Harry R. Hamilton, District III Mrs. Ann H. Hughes, District IV
Mr. Charles R. "Chuck" Timms, District IV

MINUTES, SPECIAL MEETING, OCONEE COUNTY COUNCIL

The Oconee County Council held a special meeting, Thursday, September 25, 1997 at 3:00 pm in Council Chambers with all Council Members except Mr. Timms present. The County Attorney was also present.

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

Press

Members of the press present: Dick Mangrum - WGOG Radio & Gregg Oliver - Journal/Tribune.

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

Call to Order

The invocation was given by Mr. Thomas.

Invocation

Ms. Burrell made a motion, seconded by Mrs. Hughes, approved 4 - 0 (Mr. Timms absent) that the minutes of the regular meeting held September 16, 1997 be adopted as printed.

Minutes

The first item on the agenda was a public hearing to receive written and/or oral comments regarding Ordinance 97-10, "AN ORDINANCE AUTHORIZING PURSUANT TO CHAPTER 44 OF TITLE 12, SOUTH CAROLINA CODE OF LAWS, 1976 AS AMENDED THE EXECUTION AND DELIVERY OF A FEE AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND WESTPOINT STEVENS, INC. AND MATTERS RELATING THERETO".

**Public Hearing
Ord. 97-10**

To Mr. Dick Mangrum's inquiry Bond Council informed him that this ordinance did contain a fee in lieu of taxes. This was the only written and/or oral comment received regarding the above mentioned ordinance.

Mr. Thomas made a motion, seconded by Mr. Hamilton, approved 4 - 0 (Mr. Timms absent) that Ordinance 97-10, "AN ORDINANCE AUTHORIZING PURSUANT TO CHAPTER 44 OF TITLE 12, SOUTH CAROLINA CODE OF LAWS, 1976 AS AMENDED THE EXECUTION AND DELIVERY OF A FEE AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND WESTPOINT STEVENS, INC. AND OTHER MATTERS RELATING THERETO" be adopted on third and final reading.

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Mr. Hamilton made a motion, seconded by Mr. Mr. Thomas, approved 4 - 0 (Mr. Timms absent) that the county apply for a grant in the amount of approximately \$1,400,000 for the parallel taxiway and the administration be given the authority to execute same if offered to the county. This will be a 90% federal grant, a five percent state grant and five percent local funds which will be approximately \$70,000.

Airport

Ms. Marianne Dillard, Purchasing Agent, Mr. Marion Lyles, Airport Manager, and Mr. Al Smith of Talbert & Bright informed Council the bid opening for the parallel taxiway was held Monday, There was two parts to the bid: the grading and construction, for which there were six bids and the lighting and signs, for which there were three bids. The bids are still under review and a recommendation will most likely be made at the next Council Meeting.

Mr. Thomas informed Council that he would repay the county the advance travel he received when he went to the SCAAC Meeting due to the fact he did not keep his receipts, however he requested that the Personnel & Intergovernmental Committee review this policy of having to turn in receipts when traveling on county business.

Travel

Ms. Burrell made a motion, seconded by Mr. Hamilton that Resolution 97-14, "A RESOLUTION APPLYING FOR A PLANNING GRANT FOR AN ENGINEERING STUDY OF NEWRY'S SEWER & WATER PROBLEMS" be adopted on first and final reading.

Res. 97-14

Upon recommendation of Mr. Cain, County Attorney, Mr. Thomas made a motion, seconded by Mr. Hamilton, approved 4 - 0 (Mr. Timms absent) that the resolution be amended "Provided, however, that such commitment is and shall be limited to said amount for the purpose of obtaining an engineering study and shall not constitute a commitment, obligation or pecuniary liability by or of Oconee County in any other respect, nor pledge or charge against its general credit or taxing authority.

The resolution as amended was then adopted
4 - 0 (Mr. Timms absent).

Adjourn: 3:35 pm

Adjourn

Submitted By:

Opal O. Green
Opal O. Green
Council Clerk

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Reviewed By:
Harrison E. Orr
Supervisor-Chairman
Oconee County Council

PROJECT APPLICATION
(For State Aid for Development of Public Airports)

SCAC No. _____
Date _____

PART I - PROJECT INFORMATION

The Oconee County Council (herein called the "Sponsor") hereby makes application to the South Carolina Aeronautics Commission (herein designated the "Commission") for a grant of State funds pursuant to applicable statutes, regulations, and policies, for the purpose of aiding in financing a project (herein called the "Project") for the development of the Clemson-Oconee County Airport (herein called the "Airport") located in the county of Oconee in the State of South Carolina.

It is proposed that the project consist of the following described airport development:

Design and Construction of the Parallel Taxiway at the Clemson-Oconee County Airport.

all as more particularly described in the plans and specifications separately submitted to the Commission on August 19, 1997, which are made a part hereof by reference.

PART II - REPRESENTATIONS

The Sponsor hereby represents and certifies as follows:

1. Legal Authority. The Sponsor has the legal power and authority:
 - (A) to do all things necessary to undertake and carry out the Project in conformity with the applicable statutes, regulations, and policies;
 - (B) to accept, receive and disburse grants of funds from the State of South Carolina in aid of the project on the terms and conditions stated in the applicable statutes, regulations, policies, and proposed grant agreement, and;
 - (C) to carry out all of the provisions of Parts III and IV of this Project Application.

2. Funds. The sponsor now has on deposit \$ 70,324.00 for use in defraying the costs of the Project. The present status of these funds is as follows:
on deposit in the accounts of Oconee County.

The Sponsor hereby designates Harrison E. Orr/County Supervisor to receive payments representing the Commission's share of the Project costs.

PART III - SPONSOR ASSURANCES

In order to furnish the Commission with the Sponsor's assurances required by the applicable statutes, regulations, policies, and proposed grant agreement, the Sponsor hereby covenants, and agrees with the Commission as follows:

1. The covenants shall become effective upon acceptance by the Sponsor of State Aid for the Project or any portion thereof, through the Commission, and shall constitute a part of the Grant Agreement thus formed. These covenants shall remain in full force and effect throughout the useful life of the facilities developed under the Project but in any event not to exceed twenty (20) years from the date of acceptance of State Aid for the Project.
2. In the event that the Airport and the facilities covered by the Project are not maintained for public use as outlined in this application for the full twenty (20) years, the Sponsor agrees upon demand to promptly reimburse the Commission the amount of the Grant, computed on a 20 year prorated basis, plus interest at the legal rate prevailing at date of demand.
3. The Sponsor agrees that it will safely and efficiently operate the Airport for the use and benefit of the public on fair and reasonable terms without unjust discrimination.
4. The Sponsor will suitably operate and maintain the Airport and all facilities thereon or connected therewith which are necessary for airport purposes, and will not permit any activity which could interfere with its use for aeronautical purposes; provided that nothing contained herein shall be construed to require that the Airport be operated and maintained for aeronautical purposes, and will not permit any activity which could interfere with its use for aeronautical purposes; provided that nothing contained herein shall be construed to require that the temporary periods when wind, flood, or other climatic conditions interfere detrimentally with such operation and maintenance. Essential facilities, including night lighting systems, when installed, will be operated in such manner as to assure their availability to all users of the Airport.
5. The Sponsor will not enter into any transactions which could operate to deprive it of any of the rights and powers necessary to perform any or all of the covenants made herein, unless by such transaction the obligation to perform all such covenants is assumed by another public agency eligible under the applicable statutes, ordinances, regulations and policies to assume such obligations. If an arrangement is made for

management or operation of the Airport by an agency or person other than the Sponsor, the Sponsor will reserve sufficient powers and authority to insure that the Airport will be operated and maintained in accordance with the applicable statutes, ordinances, regulations, policies, and covenants of this agreement.

6. The Sponsor will maintain a current layout plan of the Airport having the current approval of the Commission, showing existing landing areas, approach zones, clearance zones, building areas, and proposed future development areas. The Sponsor will conform to the current Airport layout plan then in effect in making any future improvements or changes at the Airport. The Sponsor shall furnish the Commission a current Airport layout plan of the Airport and shall be responsible for furnishing to the Commission such information as is necessary to keep this plan up to date, to include plans and specifications, agreements with contractors, and any other information relative to the work of or for the accomplishments of the project or projects.
7. The Sponsor shall maintain the approaches to the airport in compliance with appropriate guidelines set forth in FAA Part 77 or other guidelines approved in writing by the Commission. Submittal of this Application is evidence on the part of the Sponsor to take appropriate actions to clear and maintain the approaches to the satisfaction of the Federal Aviation Administration and the Commission.
8. Affidavit of non-collusion - state and federal law (code of laws of South Carolina, section 39-3-10, et seq., 39-5-10, et seq.; 15 U.S. code, section 1) are designed to insure that any bids received by Sponsor under this grant shall be competitive and free of collusion. As a condition precedent to the award of any contract for this project there must be filed a sworn statement executed by or on behalf of any person, firm, association, or corporation submitting a bid on any such contract to be awarded; said sworn statement shall certify that such a person, firm, association, or corporation submitting a statement shall certify that such person, firm, association, or corporation submitting a bid has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with such contract. This sworn statement shall be in the form of an affidavit executed and sworn to be the bidder before a person who is authorized by the laws of his state to administer oaths. The original of such sworn statement shall also include a provision to the effect that all legal formalities required for the proper execution of affidavits, it shall not be a defense to such charge to perjury that said formalities required for the proper execution of affidavits pursuant to state law have been complied with. Thereafter, in any prosecution against any person, firm, association, or corporation for perjury committed in the submission of said affidavits, it shall not be a defense to such charge of perjury that said formalities were not, in fact, complied with. The Sponsor, as part of this grant, agrees to require

affidavit of non-collusion of prospective bidder in the form attached thereto as Exhibit A.

9. The Sponsor will furnish a set of "As Built Plans" for the current project to the Commission within ninety (90) days after completion of this project.
10. The Sponsor shall provide a qualified Resident Inspector who will be responsible for the approval of all materials and workmanship, will maintain a daily project diary, submit weekly progress reports to the Commission, and maintain and provide documentation and certification to the Commission that the work and materials comply with the plans and specifications. The requirement for a Resident Inspector does not apply to projects under the direct control and supervision of an independent registered professional engineer, architect, or construction manager hired by the Sponsor, in which event the Sponsor agrees to contractually obligate the independent professional engineer, architect, or construction manager to assume the within responsibilities, including, but not limited to, quality control as to materials and workmanship, and certification to Commission that work and materials comply with plans and specifications.
11. The Sponsor covenants and agrees to disburse funds derived from the Commission solely in aid of the Project on the terms and conditions stated in this agreement. The Sponsor will obtain an audit to comply with the Single Audit Act of 1984, Public Law 98-502 and the implementing guidelines set forth in Office of Management and Budget Circular A-128 for any fiscal year in which any of the Project Funds are expended. The Sponsor will forward to the Commission a copy of the resulting audit reports along with a plan for corrective action for any findings or questioned costs related to the Project, within thirty (30) days after the audit report is issued.
12. The Sponsor agrees that significant activities to accomplish the project shall commence within one (1) year from the date of grant shall be revoked and the funds reallocated.
13. The Sponsor agrees that these covenants and grant applications shall be binding on itself, successors and assignees, and further covenants that it has the legal authority to enter into this agreement.

Harrison E. Orr

Signature of Sponsoring Agency's Representative

Harrison E. Orr, County Supervisor
Title of Representative

ATTACHMENT A

THE FOLLOWING IS A SUMMARY OF THE ESTIMATED COSTS OF THE PROJECT

ITEM	TOTAL ESTIMATED COST	ESTIMATED SPONSOR'S SHARE OF COST	ESTIMATED FED. SHARE OF COST	ESTIMATED STATE SHARE OF COST
		AMOUNT	AMOUNT	AMOUNT
1. PLANNING COST				
2. CONSTRUCTION COST	1,046,453.00	52,322.65	941,807.70	52,322.65
3. ENGINEERING & RESIDENT INSPECTOR COST	282,730.00	14,368.25	254,457.00	14,004.75
4. ADMINISTRATIVE COST	5,000.00	250.00	4,500.00	250.00
5. MISCELLANEOUS	72,300.00	6,665.00	65,070.00	565.00
6. TOTAL ALL ESTIMATED PROJECT COST	1,406,483.00	73,505.90	1,265,834.70	67,142.40

ATTACHMENT B
STATE OF SOUTH CAROLINA
AERONAUTICS COMMISSION
P.O. DRAWER 280068
COLUMBIA, S.C. 29228-0068

Date of Application 3-1-98

Oconee County
Name of Sponsor

Clemson-Oconee County Airport
Name of Airport

365 Airport Road
Address

Seneca, SC 29678
County, City, Town

1. PROJECT DESCRIPTION

Parallel Taxiway Design and Construction; Land Acquisition

2. PROJECT BUDGET

a) Federal Funds	\$ <u>1,265,834.70</u>
b) State Funds	\$ <u>67,142.40</u>
c) Sponsor Funds	\$ <u>73,505.90</u>
d) Other Funds	\$ _____
e) Total Budget	\$ <u>1,406,483.00</u>

3. Is this project a result of a facility requirements determination of a Master Plan, the South Carolina Airport System Plan, or Airport Layout Plan Revision?

Yes, the project is in conformance with approved master plan for the airport.

4. PROJECT JUSTIFICATION

If Federal project, attach Part IV, FAA Form 5100-30 or 5100-101

See attached Program Narrative

5. Does this project require an Environmental Impact Assessment Report under the National Environmental Policy Act of 1969 (NEPA)? No

6. Status of EIAS Not required.

7. Have all previous projects that involved federal and/or state funds been completed? Yes

8. If the state is unable to participate to its maximum extent, what is the sponsor's ability to fund a share greater than 5(50) percent? Oconee County would endeavor to participate as required subject to approval of Oconee County Council.

9. Name of Regional Planning Commission in which airport is located Appalachian Regional Council of Government

10. a) Date A-95 (Grant Services, Office of the Governor)
Review Initiated: June 20, 1997
RPC

June 20, 1997
State Clearing House

b) Date REC Review Initiated: N/A
(Attach or forward each upon receipt) Complete 10.a for projects involving state/local funds only

11. The following action has been taken by the local governing body to provide steps toward protective zoning for this system airport. Describe actions by Sponsor and governing body related to Master Planning, Land Use Planning and Zoning Ordinances. (Attach letter form governing body) Oconee County has the following protective zoning in place:
"Clemson-Oconee County Height Limitation Ordinance" May, 1996
"Oconee County 1996 Land Use Plan" Amended August, 1997

13. PROJECT COST

If Federal project, attach Part IV of FAA Form 5100-30 or 5100-101 and do not complete this section. Attach Engineer's estimate of construction, estimate of construction, engineering and administrative costs.

A. Construction Project

<u>Item</u>	
Land Acquisition	<u>72,300.00</u>
a) Fee Simple Acquisition	<u>61,000.00</u>
b) Easement Acquisition	_____
c) Legal Costs	<u>11,300.00</u>
Construction	<u>1,046,453.00</u>
a) Site Preparation	_____
b) Paving	<u>917,953.00</u>
c) Lighting	<u>128,500.00</u>
d) NAVAIDS	_____
e) Painting	_____
f) Turfing	_____
g)	_____
h)	_____
l)	_____
Engineering	<u>282,730.00</u>
a) E.I.A.R.	_____
b) Design	<u>170,730.00</u>
c) Inspection	<u>112,000.00</u>

Administration	<u>5,000.00</u>
a) Sponsor	<u>5,000.00</u>
b) Contract	<u> </u>
Total Construction Cost	<u>1,406,483.00</u>

B. Master Planning Project

Phase I - Airport Requirements

Phase II - Site Selection

Phase III - Airport Plans

Phase IV - Financial Plans

Administrative Costs

Signature Harrison E Orr

Typed Name and Title Harrison E. Orr, County Supervisor

Telephone Number (864) 638-4242

ATTACHMENTS
(check as required)

Project Justification	A-95 Review (State)
Engineer's Estimate	Letter from Governing Body
Part IV FAA Form 5100-30 or 5100-101	Project Sketch

**PART IV
PROGRAM NARRATIVE
CLEMSON-OCONEE COUNTY AIRPORT**

Land Acquisition and Parallel Taxiway

The increasing amount of aircraft traffic currently operating at the Clemson-Oconee County Airport is an indication that the existing taxiway system is not equipped to handle such levels of traffic. There are two taxiways connecting to Runway 7-25. One, which is the original stub taxiway, provides only one ingress and egress. The second taxiway extends from Runway 25 to the Clemson University apron, hangar, and office facilities. Future apron expansion and connector taxiways can be constructed off the western portion of the parallel taxiway which will adequately provide maximum capacity to the runway, improve circulation and access to and from the apron areas which will produce much safer operations at the Clemson-Oconee County Airport.

To construct the western portion of the parallel taxiway, a parcel of land, identified as Parcel "I", which is approximately 8.47 acres, must be acquired in fee title. Acquisition of this parcel of land will make it possible for the future apron expansion and connector taxiways to be constructed, as the new Airport Master Plan indicates a need for.

Construction of Parallel Taxiway

The increasing amount of aircraft traffic currently operating at the Clemson-Oconee County Airport is an indication that the existing taxiway system is not equipped to handle such levels of traffic. There are two taxiways connecting to Runway 7-25. One, which is the original stub taxiway, provides only one ingress and egress. The second taxiway extends from Runway 25 to the Clemson University apron, hangar, and office facilities. Future apron expansion and connector taxiways can be constructed off the western portion of the parallel taxiway which will adequately provide maximum capacity to the runway, improve circulation and access to and from the apron areas which will produce much safer operations at the Clemson-Oconee County Airport. Taxiway construction will be in accordance with the approved Airport Layout Plan.



MAGNETIC VARIATION

1950 - 1955 - 1960 - 1965 - 1970 - 1975 - 1980 - 1985 - 1990 - 1995 - 2000 - 2005 - 2010 - 2015 - 2020

TERMINAL AND COORDINATES

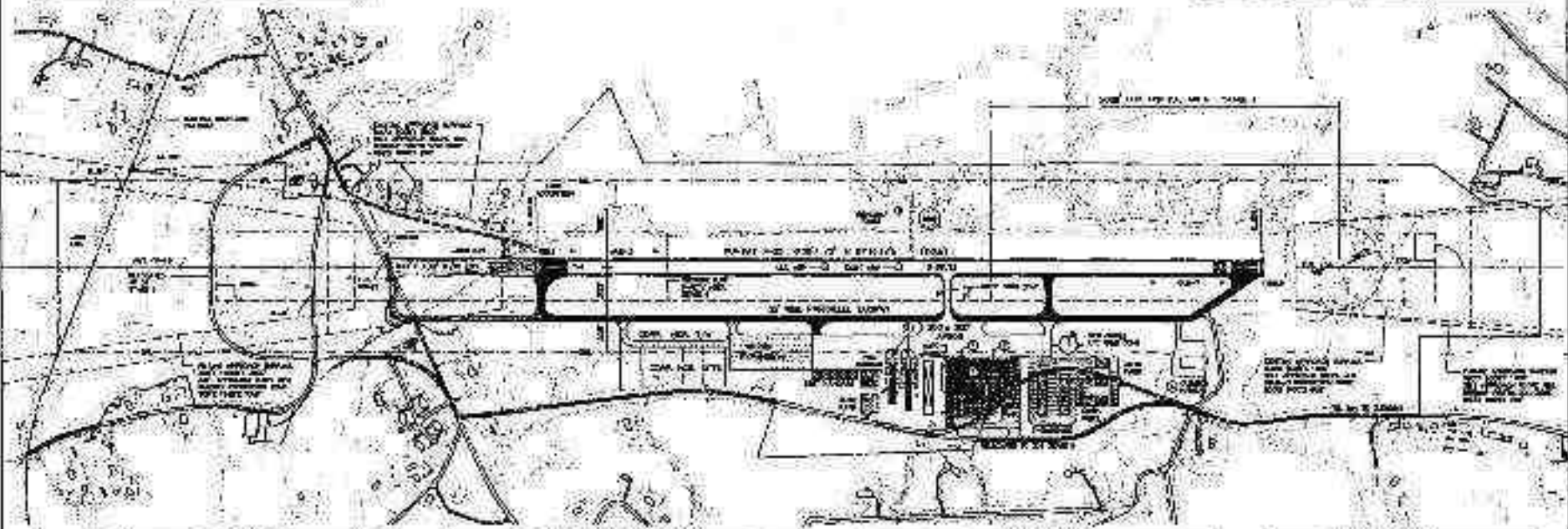
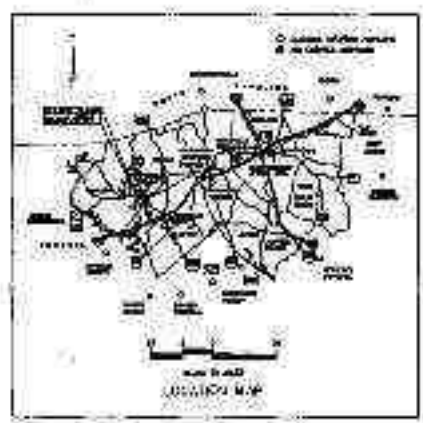
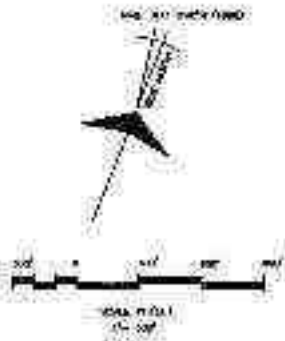
TERMINAL	COORDINATES
1	...
2	...

NOTES
 1. THIS PLAN IS A PRELIMINARY DESIGN AND IS SUBJECT TO CHANGE WITHOUT NOTICE.
 2. THE AIRPORT IS LOCATED ON THE EAST SIDE OF THE RIVER...
 3. THE AIRPORT IS TO BE BUILT ON A 100-ACRE TRACT...

STAGING

STAGE	DESCRIPTION
1	...
2	...

- EXISTING BUILDINGS**
- 1. FEDERAL GOVERNMENT
 - 2. COMMERCIAL BUILDING (TO BE DEMOLISHED)
 - 3. WAREHOUSE
 - 4. STORAGE BUILDING
 - 5. GAS STATION



LEGEND

SYMBOL	DESCRIPTION
...	Runway
...	Taxiway
...	Terminal
...	Parking
...	Storage
...	Gas Station
...	Other

REGULATORY REQUIREMENTS

REQUIREMENT	STATUS
...	...
...	...

AIRPORT DATA

PARAMETER	VALUE
Runway Length	...
Taxiway Length	...
Terminal Area	...
Parking Area	...
Storage Area	...
Gas Station	...

HIGHWAY DATA

ROAD	TYPE	WIDTH
...
...

DESIGNED BY UNIVERSITY OF AIRPORTS, INC.
CONTRACT NO. ...

DATE ...
SCALE ...

LOCATION - CHARLES COUNTY AIRPORT
 CHARLES COUNTY, VIRGINIA

AIRPORT LAYOUT PLAN
 SHEET NO. ...