

AGENDA ITEM SUMMARY
OCONEE COUNTY, SC
COUNCIL MEETING DATE: 1/18/05
COUNCIL MEETING TIME: 3:00 PM

ITEM TITLE OR DESCRIPTION:

Approval of Resolutions 2005-02 through 2005-04.

BACKGROUND OR HISTORY:

The County has a history of adopting Resolutions honoring employees who have retired from the County and we are asking that these be approved honoring Thomas Crumpton, Hoyt Orr and Kenneth E. Johns, Jr.

SPECIAL CONSIDERATIONS OR CONCERNS:

N/A

STAFF RECOMMENDATION FOR COUNCIL ACTION:

It is the recommendation of staff these resolutions be adopted.

FINANCIAL IMPACT:

N/A

ATTACHMENTS:

Proposed Resolutions:

Submitted or Prepared By:

Opal O. Green
Department Head/Elected Official

Approved for Submittal to Council:


Ron H. Rahm, County Administrator

Reviewed By/ Initials:

_____ County Attorney

_____ Finance

_____ Other

C: Clerk to Council

STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
RESOLUTION 2005-02

WHEREAS, Mr. Thomas S. "Tommy" Crumpton began working with the Oconee County Rock Quarry on September 1, 1975 as the Rock Quarry Superintendent; and

WHEREAS, Mr. Crumpton retired from his position as Director of the Rock Quarry, effective December 31, 2004; and

WHEREAS, Mr. Crumpton performed the duties assigned to him in a professional and courteous manner; and,

WHEREAS, the members of the Oconee County Council, for themselves individually, and as a body, and on behalf of the citizens of Oconee County desire to express to Mr. Crumpton their heartfelt thanks and appreciation for the many hours of service and effort he has given the Oconee County Rock Quarry and the citizens of Oconee County.

NOW THEREFORE, BE IT RESOLVED, in Council duly assembled, that the Official Records and Minutes of the Oconee County Council contain the following:

"OCONEE COUNTY COUNCIL RECOGNIZES THE MANY HOURS AND SACRIFICES MADE BY MR. THOMAS CRUMPTON AS AN EMPLOYEE OF THE OCONEE ROCK QUARRY AND DUE TO SUCH UNSELFISH DEVOTION TO HIS DUTIES FOR TWENTY-NINE YEARS, MR. CRUMPTON WILL BE REMEMBERED FOR HIS ALTRUISTIC SERVICE TO THE COUNTY AND HER CITIZENS.

RESOLVED & ADOPTED on first and final reading this 18th day of January 2005.

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

Attest:

Opal O. Green
Clerk to Council

STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
RESOLUTION 2005-03

WHEREAS, Mr. Hoyt Orr began working with the Oconee County Road Department October 17, 1974; and

WHEREAS, Mr. Orr retired from his position as Roads & Bridges Superintendent, effective November 30, 2004; and

WHEREAS, Mr. Orr performed the duties assigned to him in a professional and courteous manner; and

WHEREAS, the members of the Oconee County Council, for themselves individually, and as a body, and on behalf of the citizens of Oconee County desire to express to Mr. Orr their heartfelt thanks and appreciation for the many hours of service and effort he has given the Oconee County Road Department and the citizens of Oconee County.

NOW THEREFORE, BE IT RESOLVED, in Council duly assembled, that the Official Records and Minutes of the Oconee County Council contain the following:

"OCONEE COUNTY COUNCIL RECOGNIZES THE MANY HOURS AND SACRIFICES MADE BY MR. HOYT ORR AS AN EMPLOYEE OF THE OCONEE COUNTY ROAD DEPARTMENT AND DUE TO SUCH UNSELFISH DEVOTION TO HIS DUTIES FOR THIRTY YEARS, MR. ORR WILL BE REMEMBERED FOR HIS ALTRUISTIC SERVICE TO THE COUNTY AND HER CITIZENS."

RESOLVED & ADOPTED on first and final reading this 18th day of January, 2005.

H. Frank Adles, Jr., Chairman
Oconee County Council

Attest:

Opal O. Green
Clerk to Council

STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
RESOLUTION 2005-04

WHEREAS, Mr. Kenneth E. "Kenny" Johns, Jr. was elected to serve as the District II Representative on the Oconee County Council with the term commencing January 2001; and

WHEREAS, Mr. Johns did not choose to seek re-election when that term expired; and

WHEREAS, during Mr. Johns' tenure as a Council Member he performed his duties in a caring, professional and courteous manner; and

WHEREAS, the members of the Oconee County Council, for themselves individually, and as a body; and on behalf of the residents of District II and the citizens of Oconee County desire to express to Mr. Johns their heartfelt thanks and appreciation for the many hours of service he has given the citizens of Oconee County.

NOW THEREFORE, BE IT RESOLVED, in Council duly assembled, that the Official Records and Minutes of the Oconee County Council contain the following:

"OCONEE COUNTY COUNCIL RECOGNIZES THE MANY HOURS AND SACRIFICES MADE BY MR. KENNETH E. JOHNS, JR. AS A MEMBER OF THE OCONEE COUNTY COUNCIL AND DUE TO SUCH UNSELFISH DEVOTION TO HIS DUTIES AS A MEMBER OF COUNCIL, MR. JOHNS WILL BE REMEMBERED FOR HIS ALTRUISTIC SERVICE TO THE COUNTY AND HER CITIZENS".

RESOLVED & ADOPTED on first and final reading this 18th day of January 2005.

H. Frank Ables, Chairman
Oconee County Council

Attest:

Opal O. Green
Clerk to Council

AGENDA ITEM SUMMARY
OCONEE COUNTY, SC
COUNCIL MEETING DATE: 1/18/05
COUNCIL MEETING TIME: 3:00 PM

ITEM TITLE OR DESCRIPTION:

Construction of storage out-building at Animal Control.

BACKGROUND OR HISTORY:

The need for a separate covered structure approximately 14' X 5' with 4" concrete pad with floor drain of 4" PVC with trap and outdoor electrical outlets has been evident since the County took over the Animal Control function from the Humane Society. If authorized this structure will be constructed in-house and will be used for the placement of two freezers. This structure will provide protection for the freezers from the weather and will provide proper drainage clean out into the existing septic system.

SPECIAL CONSIDERATIONS OR CONCERNS:

Construction of this storage facility and attendant wash down drainage system will make the facility OSHA compliant for the drainage of fluids from cleaning the freezers.

STAFF RECOMMENDATION FOR COUNCIL ACTION:

It is the recommendation of the Animal Control director that ^{\$600 my} ~~\$1,000~~ be taken from contingency for the construction of this auxiliary building.

FINANCIAL IMPACT:

This project will cost approximately taking ^{\$600 my} ~~\$1,000~~ from contingency. If approved, the contingency fund balance will be \$ 133,800

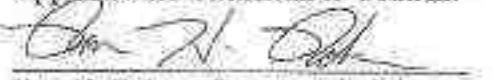
ATTACHMENTS:

Layout Sketch

Submitted or Prepared By:

Opal O. Green
Department Head/Elected Official

Approved for Submittal to Council:


Ron H. Rabun, County Administrator

Reviewed By/ Initials:

_____ County Attorney

_____ Finance

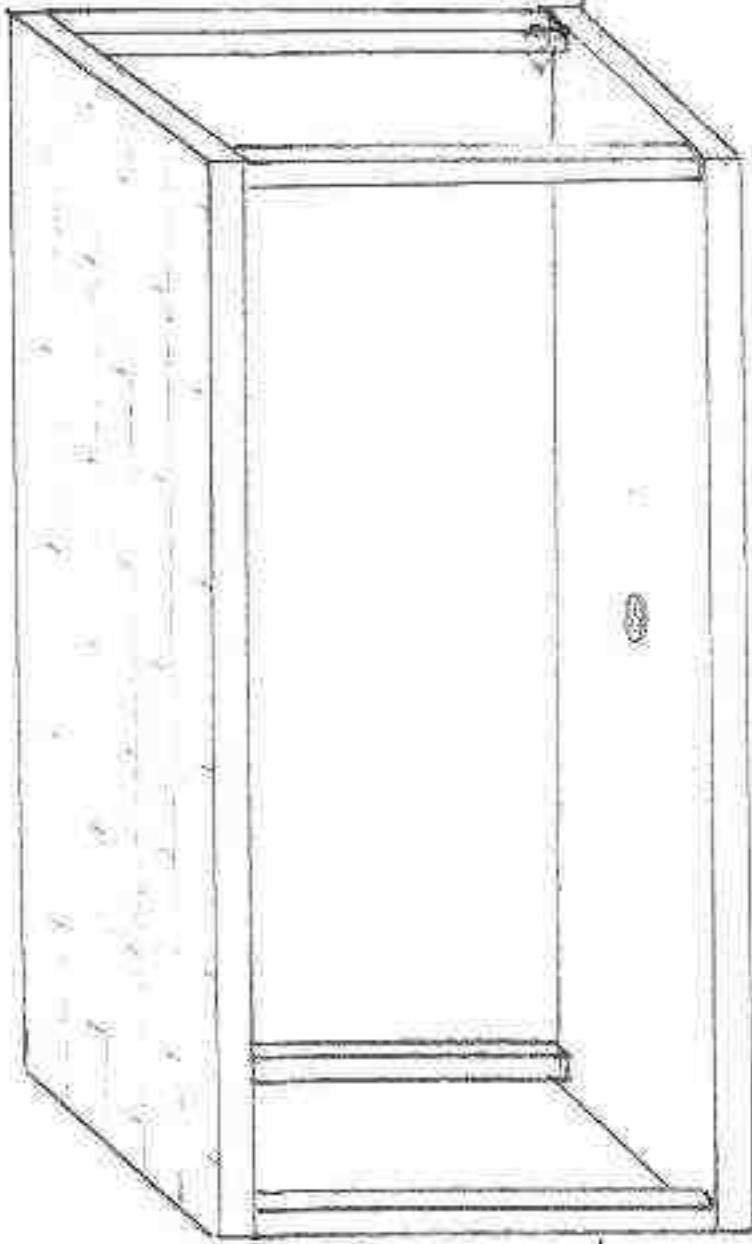
_____ Other

C: Clerk to Council

LAYOUT & COST PREPARED
BY ALAN GARDNER
PUBLIC BLDGS DEPT.

ANIMAL SHELTER LEAN TO FOR FEEDERS

WEST →



- 14'5" x 4'-0" CONCRETE PAD - 6" D ON CORNERS - FLOOR DRAIN 4" PVC / W/ TRAP
- 4x4 TREATED POST (4) - 2X6 JOIST ON 16" CENTER - 5/8" O.S.B ROOFING
- ASPHALT SHINGLES - ELECTRICAL W/ OUTDOOR OUTLETS - WEST AND SOUTH SIDE TO BE ENCLOSED.

AGENDA ITEM SUMMARY
OCONEE COUNTY, SC

COUNCIL MEETING DATE: 1/18/05
COUNCIL MEETING TIME: 7:00 p.m.

ITEM TITLE OR DESCRIPTION:

Dispose of used fixtures in basement of LFC after declaring surplus

BACKGROUND OR HISTORY:

Current plans are to replace all existing fixtures in the Emergency Management, 911/Records, and the LLC Directors office with new fixtures.

SPECIAL CONSIDERATIONS OR CONCERNS:

The old material (fixtures) will be auctioned if not used. Walhalla Rescue Squad and Mtn. Rest Rescue Squad can use some of these fixtures for their new buildings.

STAFF RECOMMENDATION FOR COUNCIL ACTION:

Declare surplus and transfer to the Walhalla and Mtn. Rest Rescue Squads the old fixtures described above. Any surplus fixtures that cannot be used by these rescue squads will be returned to Emergency Management and will be sold at public auction in accordance with the appropriate legal statutes.

FINANCIAL IMPACT:

ATTACHMENTS:

Submitted or Prepared By:

15/ HENRY GORDIN
Department Head/Elected Official

Approved for Submittal to Council:


Ron H. Rabun, County Administrator

Reviewed By/ Initials:

_____ County Attorney

_____ Finance

_____ Other

Emergency Management Fixtures to Keep

EOC

Total of 17 single wooden doors and 2 double wooden doors

Total of 75 fluorescent lights

Dry erase board (1)

All Celotex ceiling tiles

Offices

Built-in wooden book shelves in Steve Pruitt's office

Wooden built-in desk and book shelves in Henry's office

Refrigerator (1)

Microwave (1)

All Celotex ceiling tiles

Kitchen

All wooden built-in cabinets

Wooden built-in shelves in pantry

Stainless steel sink and faucet

Refrigerator (1)

Stove - electric (1)

Dishwasher (1)

All Celotex ceiling tiles

Hallway

All Celotex ceiling tiles

AGENDA ITEM SUMMARY
OCONEE COUNTY, SC

COUNCIL MEETING DATE: January 18, 2005
COUNCIL MEETING TIME: 3:00 p.m.

ITEM TITLE OR DESCRIPTION:

BID 04-06, REMOTE OPERATING VEHICLE SYSTEM FOR EMERGENCY MANAGEMENT. This ROVS will be used for Oconee County homeland security (underwater inspections of dams, hazardous materials in lakes, etc.), and Sheriff's Office's investigation for evidence underwater. The ROVS will be used first in hazardous situations instead of a diver (i.e., the recent accident on I-85 where a truck driver was in a submerged truck and fuel/hazardous substances had leaked into the water).

BACKGROUND OR HISTORY:

SLED has approved \$169,257 Homeland Security Grant for Oconee County Emergency Management. The Homeland Security Grant pays the whole cost (100%) in that it does not require any County matching funds. The Remote Operating Vehicle System is one of the items on the approved list of equipment that may be purchased with the Homeland Security Grant. Emergency Management especially wants the ROVS because it affords additional safety to the divers (can inspect before diving into an unknown area).

SPECIAL CONSIDERATIONS OR CONCERNS:

This Homeland Security item and training have been approved by SLED (see letter attached dated 12-29-2004).

STAFF RECOMMENDATION FOR COUNCIL ACTION:

Recommendation is for Council to approve award of the Remote Operating Vehicle System to SeaBotix in the amount of \$44,674 which includes training and first year maintenance. SeaBotix is the lowest, most responsive bidder taking into consideration the five-year maintenance cost of the ROVS (see attached Bid Tabulation Sheet).

FINANCIAL IMPACT:

Homeland Security Grant funds have been approved for the purchase of the ROVS and for training in Oconee County. After the first year's maintenance, Emergency Management will request funds in their County budget for the maintenance of the ROVS.

ATTACHMENTS:

- 1) Bid Tabulation
- 2) Memo from Henry Gordon dated 12-17-04
- 3) Letter from SLED dated 12-29-04 approving Oconee's request

Submitted or Prepared By:


Department Head/Elected Official

Approved for Submittal to Council:


Ron H. Rabun, County Administrator

Reviewed By/ Initials:

 County Attorney

C: Clerk to Council

 Finance

 Other/Grants Administrator

Approved Homeland Security Grant for all items \$199,257.

I hereby certify that to the best of my knowledge
the tabulation of bids is correct.

Neumann Dillard
Procurement Director

Bidders	Outland Tech Inc	VideoRay LLC	SeaBrix	JW Fishers Mfg Inc
Address	Slidell, LA	Exton, PA	San Diego, CA	E Taunton, MA
VideoRay Pro III or equivalent remote operating vehicle system	31,580.00	17,995.50	18,300.00	No Bid
Manipulator	1,748.00	2,695.50	1,995.00	
Extension tether	included	1,170.00	included	
SeaSprite Sonar or equivalent	8,050.00	8,095.50	8,995.00	
15" NTSC monitor	included	1,525.50	4,595.00	
Field Service Package	5,928.00	1,039.50	3,995.00	
Wireless joystick or rumble pad	N.A.	89.10	995.00	
Subtotal	45,316.00	32,610.60	39,875.00	
S. C. Sales Tax (5%)	2,265.80	1,630.53	1,993.75	
Total	47,581.80	34,241.13	41,868.75	
Deduct wireless joystick or rumble pad (Includes Sales Tax)	N.A.	(93.56)	(1,044.75)	
Grand Total	47,581.80	34,147.57	40,824.00	
Training	3,800.00	DID NOT MEET SPECS.	3,850.00	
Award Recommendation	51,481.80		44,674.00	
Maintenance Program				
First year	6,797.40	included	included	
Second year	9,063.20	7,246.60	3,588.00	
Third year	11,323.00	9,058.50	4,305.60	
Fourth year	11,329.00	9,058.50	5,382.00	
Fifth year	11,329.00	9,058.50	5,382.00	
Total Maintenance Program	49,847.60	34,422.30	18,657.60	
Basis of Award: Cost of Equipment and 5-yr Maintenance	97,429.40	68,569.87	63,331.60	
Make and model	Outland 1000	VideoRay ProIII	LBV150S	
Warranty	1 yr	DID NOT MEET SPECS.	1 yr or 250 hours	

**OCONEE COUNTY
EMERGENCY MANAGEMENT AGENCY**

415 South Pine Street
Walhalla, South Carolina 29691
Telephone (864) 638-4200 • Fax (864) 638-7046

Henry Gordon, Director
Residence (864) 888-3317



RECEIVED

DEC 17 2004

OCONEE COUNTY
PURCHASING DEPT

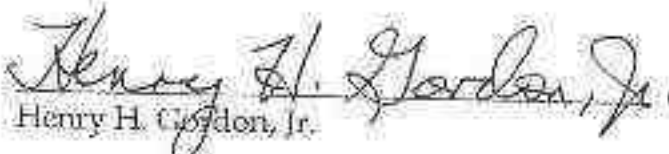
TO: Donria Strange, SLED
FROM: Henry H. Gordon, Jr.
DATE: December 17, 2004
SUBJECT: Approval to Obtain Seabotix LBV 150S Remote Operating Vehicle (ROV)
Grant 4SHSP70

It is requested that Oconee County be allowed to purchase the Seabotix LBV 150S ROV. Seabotix is preferred over the Video Ray Pro III and the Outland 1000 ROV's for the following reasons:

1. Video Ray did not meet the bid requirements because they failed to submit the requested warranty and training information.
2. Seabotix is the least expensive of the three ROV's when the cost of maintenance is considered (\$60,526.75 versus \$68,663.43 and \$97,429.40 for the Video Ray and Outland ROV's, respectively).
3. The Seabotix LBV 150S ROV meets or exceeds all of the bid specifications.

See the enclosed bid package for further details.

Thank you for your consideration. If you have questions or need additional information, please contact this office.


Henry H. Gordon, Jr.

Enclosure, as

Cc: Marianne Dillard
Ann Albertson

SOUTH CAROLINA LAW ENFORCEMENT DIVISION



FACSIMILE

TO: Arson-Black Hilary Smith, Grants DATE: 12/29/04
 FROM: Kim Paradise PHONE: 803-896-7231 FAX: (803) 896-7057
 PHONE: 864-638-7045 PAGE: 1 OF 2 PAGES

MESSAGE:

SLED
 P. O. BOX 21398
 COLUMBIA, SC 29221-1398
 (803) 737-5000

- | | |
|--|--|
| Arson..... (803) 896-7593 | Officer of the Day..... (803) 896-7041 |
| Chief Stewart..... (803) 896-7588 | CTICS..... (803) 896-7022 |
| Investigative Services..... (803) 896-7588 | Low Country Region.... (843) 554-7598 |
| Intelligence/MPIC..... (803) 896-7595 | Midlands Region..... (803) 896-7259 |
| Forensics Lab..... (803) 896-7351 | Pee Dee Region..... (843) 662-5201 |
| Narcotics..... (803) 896-7192 | Piedmont Region..... (864) 467-8121 |
| Regulatory..... (803) 896-7037 | Technical Services..... (803) 896-7192 |
| Child Fatality..... (803) 896-7078 | |

CONFIDENTIALITY NOTICE

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SOUTH CAROLINA LAW ENFORCEMENT DIVISION



MARK SANFORD
Governor

ROBERT M. STEWART
Chief

December 29, 2004

Mr. Henry Gordon, Director
Oconee County Emergency Management
415 South Pine Street
Walhalla, SC 29691

RE: State Homeland Security Grant 4SH5P70
Aviation Enhancement

Dear Mr. Gordon:

We have reviewed and approved your request to purchase a Seabotix LBV 1508 Remote Operating Vehicle from Seabotix in the amount of \$45,718.75. We have also reviewed and approved your request to purchase one Cisco 2651XM router, two Cisco 3560 48 POE+4 SFP switches, and one Cisco PIX 515E firewall from QS/1 Integral Solutions in the amount of \$17,650.50.

Your commitment to addressing the homeland security needs in your community and throughout South Carolina is appreciated. If you have any questions in the future about the grant, please call me at (803) 896-7021.

Sincerely,

Lisa Niaz, Program Administrator
Homeland Security Grants Administration

cc: Grant file



An Accredited Law Enforcement Agency

PO: Box 21398 / Columbia, South Carolina 29221-1398 / (803) 737-9000 / Fax (803) 896-7057

AGENDA ITEM SUMMARY
OCONEE COUNTY, SC

COUNCIL MEETING DATE: 1/18/05
COUNCIL MEETING TIME: 3:00 PM

ITEM TITLE OR DESCRIPTION:

FAIR PLAY FIRE DEPARTMENT MATCHING FORESTRY GRANT

BACKGROUND OR HISTORY:

FAIR PLAY FIRE DEPARTMENT REQUEST FOR MATCHING PORTION FROM COUNTY OF \$1,100

SPECIAL CONSIDERATIONS OR CONCERNS:

FAIRPLAY COULD LOSE GRANT IF FUNDS NOT MATCHED

STATE RECOMMENDATION FOR COUNCIL ACTION:

APPROVAL OF GRANT MATCH BY COUNTY COUNCIL

FINANCIAL IMPACT:

REQUEST THAT FUNDS BE TAKEN FROM 010-102-99999 GRANT MATCH FOR KANA GRANTS

ATTACHMENTS:

Submitted or Prepared By:


Department Head/Elected Official

Approved for Submittal to Council:


Ron H. Rabun, County Administrator

Reviewed By/ Initials:

County Attorney

_____
Finance

_____
~~Other~~ Grants

C: Clerk to Council

Dec 30 04 08:55P

Roger T. McLean

804-865-4540

P.1

Federal Fire Department Grants Administered by the SC Forestry Commission

VOLUNTEER FIRE ASSISTANCE GRANTSMichael J. Boyer, Coordinator, 803-666-8670
P. O. Box 21707, Columbia*matching grant*

October 4, 2004

Fair Play VFD
PO Box 133
Fair Play, SC 29643**PAT**

Dear Sir:

The S. C. Forestry Commission has received authorization from the federal government to provide federal funds to fire departments in South Carolina under the Volunteer Fire Assistance Program through the National Fire Plan for federal fiscal year 2004.

Your fire department has been allocated \$1100, which will have to be matched 50/50, by paid expenditures from your funds. The VFA National Fire Plan (NFP) Grants are for purchasing equipment and supplies to meet your **wildland** firefighting needs. A list of such equipment and supplies is enclosed to show some examples. A list of "Vendors for Wildland Firefighting Equipment and Supplies" is enclosed, but is by no means a complete list nor an endorsement by the South Carolina Forestry Commission as there are additional vendors throughout the state. Fire departments may know of other vendors that sell wildland firefighting equipment and supplies.

Purchasing of turn out gear for structure fires and SCBA are not reimbursable under the VFA NFP Grant.

Costs incurred by the fire department for Wildland Fire Training also qualify under this grant. Fire Departments can also meet some of their 50% share of the matching funds for the VFA NFP Grants by providing some equipment for wildland fire use. For instance, a fire department that provides a department owned (not federal excess) all wheel drive truck with a fair market value of \$10,000 can use that as matching funds for the purchase of a slip-on (skid) unit valued at \$10,000. Time and expenses the fire department incurs for refurbishing a federal excess truck can be used as matching funds for the grant. Time spent by volunteer firemen to build a Brush Truck and attend Wildland Fire Training must be documented on the enclosed VFA NFP Form 7 and can be credited at the rate of \$17.00 per hour toward the fire department's matching funds.

Enclosed are the forms that must be completed and signed by your chairman, mayor, or county administrator. **Please return the forms along with paid invoices to this office by December 24, 2004. INVOICES MUST SHOW THE CHECK NUMBER BY WHICH PAYMENT WAS MADE.** You will be reimbursed one half the amount of invoices for wildland firefighting supplies and equipment you submit, but no more than what is allocated for your fire department. You are not obligated to use the full amount of the allocation. You are encouraged to submit additional invoices in excess of the required amount in case there are additional funds we can allocate to your fire department. Invoices must be dated between October 1, 2003 and December 24, 2004.

AGENDA ITEM SUMMARY
OCONEE COUNTY, SC

COUNCIL MEETING DATE: 4/18/05
COUNCIL MEETING TIME: 8:00PM

ITEM TITLE OR DESCRIPTION:

CITY OF WESTMINSTER FEMA GRANT MATCH

BACKGROUND OR HISTORY:

WESTMINSTER FIRE DEPARTMENT HAS REQUESTED THE MATCHING PORTION OF FUNDS FOR THEIR 2003 FEMA GRANT IN THE AMOUNT OF \$5,285.00.

SPECIAL CONSIDERATIONS OR CONCERNS:

FAILURE TO APPROVE MATCHING PORTION COULD RESULT IN LOSS OF GRANT

STAFF RECOMMENDATION FOR COUNCIL ACTION:

APPROVAL OF COUNTY COUNCIL FOR \$5,285.00

FINANCIAL IMPACT:

FUNDS AVAILABLE THRU LTNR ITEM 010-102-99999

ATTACHMENTS:

Submitted or Prepared By:


Department Head/Elected Official

Approved for Submittal to Council:


Ron H. Rabun, County Administrator

Reviewed By/ Initials:

 County Attorney

 Finance

 Grants

C: Clerk to Council

4026

City of Westminster
P O Box 399
Westminster, SC 29693
(864) 647-3202 Fax (864) 647-3204



January 11, 2005

Mr. Ron Rabun, County Administrator
 415 S. Pine Street
 Walhalla, SC 29691

Dear Mr. Rabun:

The City of Westminster was recently awarded a FEMA grant in the amount of \$52850.00. This grant is for turnout gear and training materials. This grant requires matching funds in the amount of \$5,285.00. Please accept this letter as our request for Oconee County to furnish these matching funds for us. The majority of our fire runs are outside our City limits and this turnout gear will be used on County fire runs as well as City trucks. The training will benefit our firefighters on all runs.

We certainly appreciate all Oconee County continues to do for the City of Westminster and hope that County Commission will approve this request.

Sincerely,

C. F. Green
 Mayor

Reid Adams
 Council Member
 Fire Department Chairman

CFC/s

**AGENDA ITEM SUMMARY
OCONEE COUNTY, SC**

COUNCIL MEETING DATE: 1/18/05
COUNCIL MEETING TIME: 3:00 pm

ITEM TITLE OR DESCRIPTION:

Solid Waste Grant Application Approval

BACKGROUND OR HISTORY:

The Solid Waste Department applies for grants in order to further promote waste reduction and recycling. In the past, we have been successful in receiving DHEC's Solid Waste Grants. This year, DHEC is offering an additional grant cycle, which requires us to submit requests by February 4, 2005. There are several grant categories. After discussing our work plan, the Solid Waste Department would like to apply for funds to develop a household hazardous waste storage system at the County MRF, and to incorporate recycling at the County Parks and Rest Area. Although the grants do not require financial matches, they are to be utilized as seed money for permanent programs. Therefore, the County will need to support the HHW collection and park container recycling programs operationally.

SPECIAL CONSIDERATIONS OR CONCERNS:

The operational costs of HHW collection are estimated to be approximately \$15,000 annually. This is the amount we spent on one-day collection events. (We have not had a collection day in 2 years.) We should be able to conduct multiple collections for this same cost, if we have a storage building that allows for consolidation of materials. Training will be included in the grant. However, hazardous waste management certifications must be maintained.

Household hazardous wastes should be managed properly.

- Sanitation workers and residents exposed to garbage can be at risk.
- When poured down the drain, the hazardous materials enter septic systems and soils or sewage systems which discharge in area rivers, lakes and streams.
- If poured in ditches, storm drains or gutters, plants, wildlife and humans are exposed.
- If burned, poisonous fumes can contribute to air pollution.
- If dumped or buried (illegally), soil and water can be contaminated.

Household hazardous wastes can affect County storm water and sewer initiatives. Air quality and water quality are subject to contamination. Although we will be focusing on household waste, we should keep in mind the growing threat of hazardous materials from drug raids and terrorist threats.

Most of the operational costs for collecting recyclables at the County Parks and Rest Area should be absorbed in the Solid Waste budget as we continue to incorporate efforts to increase efficiencies. However, we will have more wear and tear on equipment.

STAFF RECOMMENDATION:

Staff recommends that the County Council authorize the submission of a grant application for the purpose described in this agenda item.

FINANCIAL IMPACT:

Estimated total: \$20,000 annual operating costs beginning in FY 2006-2007.

Although the County is not required to "match" the grants, operational funds will be needed in order to maintain the on-going collection programs. In the past, approximately 400 residents participated in each household hazardous waste collection event and almost 30,000 pounds of waste was collected. This equates to an approximate cost of \$.37 / household or \$.50 / pound, for a total of \$15,000. The number of residents participating should triple if a permanent collection is in place, but we hope to realize cost savings by eliminating mobilization costs and by building materials for shipment. We estimate the operational cost to be same, although we will be collecting more material.

We are not requesting these funds in the FY06 Budget, as we will need time to install the storage building and participate in training. The grant will pay for the bulk of training. Refresher courses should be minimal in cost and can be covered in the Solid Waste training budget easily without increasing line item cost. We will need funds for a hazardous waste contractor to develop an Operational Plan for the facility. In the past, the LEPC has assisted with HHW events. Industries involved in that committee may sponsor a portion of the operational expenses. We are also expecting our recycling revenues to double this year, due to better paper markets. These funds can offset the cost of the HHW program. The original "Household Hazardous Waste Collection Plan" called for changing the Solid Waste tipping fee structure to charge all commercial customers (including the cities with business waste) and all C&D customers, to cover expenses. This will be discussed when the Master Plan is considered.

The additional \$5,000 will cover any equipment and supply expenses that will be incurred by extra "wear and tear" on Solid Waste equipment while increasing collection. In addition to HHW collection, we are recommending recycling collection from the County Parks. If the lift on the truck needs repair or replacement, or if gas usage increases, we will be able to account for this with these contingency funds. We intend to absorb the majority of these costs in the Solid Waste budget, but make you aware of this in order to protect the budget from being cut.


ATTACHMENTS:

Grant Summary

Submitted or Prepared By:

Approved for Submittal to Council:

Department Head/Elected Official


Ron H. Rubin, County Administrator

Reviewed By/ Initials:

County Attorney

P.J.

Finance

Stoville Grants /NOTE: The County will not have to provide any matching funds, but there will be a 20% operating cost. According to Ms. Grant, Solid Waste will not ask for funding until the '06-'07 Fiscal year.

C: Clerk to Council

**Recycling and Waste Reduction
Worksheet FY2005/2006**

Description	Grant Funds Requested	Actual Cost	Other Contributions
Household Hazardous Materials			
Prefab. Storage Bldg 20' x 10'	\$28,200		County funded contractor expenses & volunteers
Concrete Pad	\$1,000		
Asphalt Paving	\$3,000		
Awning	\$2,000		
Second Chance Bldg 6' x 6'	\$3,000		
Safety Equipment	\$3,500		
Carts for Unloading	\$500		
Water/Electricity			\$1,200.00
Security Lights			\$300.00
Sign	\$500		
Promotional Flyer			County Funded
Cell Phone	\$480		
Training (HAZWOPER)	\$1200		
Contingency	\$5,800		
TOTAL	\$49,180		App. \$12,000

**AGENDA ITEM SUMMARY
OCONEE COUNTY, SC**

**COUNCIL MEETING DATE: January 18, 2005
COUNCIL MEETING TIME: 3:00 p.m.**

ITEM TITLE OR DESCRIPTION:

Agreement (Memorandum of Understanding) with Engelhard Corporation for methane generated at Seneca Landfill.

BACKGROUND OR HISTORY:

Council has approved prior versions of this Agreement. Engelhard has also made some additional minor language changes. This agreement will engage Oconee County & the Engelhard Corporation in a joint feasibility study on the use of methane gas from our landfill by Engelhard.

SPECIAL CONSIDERATIONS OR CONCERNS:

Each entity will pay one half of the cost of the study (approximately \$20,000 - \$30,000 each).

STAFF RECOMMENDATION:

Motion to approve the Memorandum of Understanding.

FINANCIAL IMPACT:

County costs will range between \$20,000 and \$30,000 for the feasibility study.

ATTACHMENTS:

2 Page Memorandum

Submitted or Prepared By:

Brad Norton
Department Head/Elected Official

Approved for Submittal to Council:


Ron H. Rabun, County Administrator

Reviewed By/ Initials:

_____ County Attorney
_____ Finance
_____ Other

C: Clerk to Council

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding ("MOU") is entered into by and between Oconee County, a body politic of the State of South Carolina, and Engelhard Corporation, a Delaware corporation, with a principal place of business at 101 Wood Avenue, Iselin, NJ 08830. The parties have reached the following understanding:

1. Oconee County owns a municipal solid waste landfill in Oconee County known as the Seneca Landfill. The landfill is now closed and is no longer accepting municipal solid waste. The landfill is generating methane, which is a potential fuel source.

2. Engelhard Corporation uses natural gas in the operation of its Seneca plant. Engelhard may be able to use the methane generated by the Seneca Landfill to help reduce its costs in operating the Seneca plant.

3. Neither Oconee County nor Engelhard knows whether or not the Seneca Landfill is generating enough methane to make it economically feasible to collect the gas for use by Engelhard Corporation. In order to make this determination, it is necessary to conduct a joint feasibility study to investigate whether the site can support commercial levels of methane production ("Joint Study"). The Joint Study will include the installation of additional extraction wells into the Seneca Landfill, and will evaluate data collected from those wells together with all data currently available from past site operations. The parties intend to enter into a contract with Goldie and Associates to perform the Joint Study in accordance with the Proposal dated April 1, 2004, and to deliver all data and a final report to both Oconee County and Engelhard.

4. Upon receipt of the data and final report, Engelhard agrees to pay Oconee County a contribution of up to one-half (1/2) of the costs of conducting the Joint Study; however, Engelhard's contribution obligation shall not exceed Thirty Thousand (\$30,000.00) Dollars.

5. In consideration for Engelhard agreeing to assist Oconee County in evaluating the feasibility of commercial methane extraction at the Seneca Landfill and undertaking the financial obligations under this MOU, Oconee County grants to Engelhard the right of first refusal ("Option") to develop and use the Seneca Landfill for methane production. The Option will expire 180 days following Engelhard's receipt of the data and final report, unless prior to that time, Engelhard provides Oconee County with written notice exercising the Option. Engelhard's notice will include the commitment, at its sole cost and risk, to undertake the following:

- a. Engelhard, in consultation with Oconee County, will promptly contract for the construction of the pipeline infrastructure necessary to extract, gather and deliver methane from the Seneca Landfill to a delivery point on Engelhard's neighboring property ("Extraction System").
- b. For a period the later of five (5) years from the date the Extraction System is first placed into commercial production or until 130,000 Dths are produced (Initial Production Period), Engelhard will contract for all services reasonably necessary

to operate and maintain the System so as to maximize the extraction of methane for delivery to Engelhard's plant site. Engelhard will have sole energy rights to the Landfill Gas ("LFG") for the initial production period, shall extract and use the LFG free of charge, and Oconee County agrees not to develop LFG-derived energies contrary to Engelhard's interests during this time.

6. Upon the conclusion of the Initial Production Period, Energy rights to the LFG will revert to Oconee County. Engelhard will return operation and maintenance of the Extraction System to Oconee County and, unless Engelhard becomes an ongoing purchaser of methane from Oconee County, will discontinue use of interconnections between the Extraction System and Engelhard's facilities at its plant site. The extraction system shall be owned by Engelhard until the system is returned to Oconee County pursuant to the terms of this MOU.

6. Upon exercise of the Option, Oconee County and Engelhard will enter into such other agreements as may be reasonably required to allow the production and delivery of methane to Engelhard during the Initial Production Period without charge, and for return of the Extraction System to Oconee for its future use in commercial production of methane from the Seneca Landfill.

7. If Engelhard does not elect to exercise the Option, Oconee County agrees to reimburse Engelhard for the contribution described at paragraph 4, hereof. The obligation for reimbursement will be limited to funds available to Oconee County from revenues generated during the first year of commercial use of methane from the Seneca Landfill by Oconee County or any third party to whom such rights are granted.

8. While Engelhard does believe additional test wells and methane harvesting will benefit the odor situation, at no time will Engelhard be held responsible for environmental liabilities associated with Land Fill Gas migration from the Seneca Landfill. Abatement of fugitive odors remains the sole responsibility of Oconee County.

9. Engelhard and Oconee County hereby agree to enter into negotiations to develop definitive agreements to implement the foregoing.

By: _____
Name: _____
Title: _____
Oconee County

By: _____
Name: _____
Title: _____
Engelhard Corporation

AGENDA ITEM SUMMARY
OCCONEE COUNTY, SC
COUNCIL MEETING DATE: 1/18/05
COUNCIL MEETING TIME: 3:00 PM

ITEM TITLE OR DESCRIPTION:

Second Reading of Ordinance 2003-01

BACKGROUND OR HISTORY:

This ordinance needs to be adopted to correct a section of the current Animal Control Ordinance.

SPECIAL CONSIDERATIONS OR CONCERNS:

Our current ordinance states a holding time of three days before an animal is euthanized, state law states the animal has to be kept five (5) days. We are adhering to the state law at this time.

STAFF RECOMMENDATION FOR COUNCIL ACTION:

Adoption of this ordinance on second reading.

FINANCIAL IMPACT:


N/A

ATTACHMENTS:

Submitted or Prepared By:

Opal O. Green
Department Head/Elected Official

Approved for Submittal to Council:


Ron H. Rabun, County Administrator

Reviewed By/ Initials:

_____ County Attorney

_____ Finance

_____ Other

C: Clerk to Council

OCONEE COUNTY COUNCIL

ORDINANCE 2005-01

AN ORDINANCE AMENDING ORDINANCE 2004-22, THE OCONEE COUNTY ANIMAL CONTROL ACT

SECTION I: TITLE

The title of this ordinance shall be "Oconee County Animal Control Act," replacing Oconee County Ordinances 2004-22.

SECTION II: DEFINITIONS

As used in this ordinance, the following terms are defined as below:

2.1: Animal: Every non-human species of animal.

2.2: Animal Control Officer: Any person designated by the State of South Carolina or County Governing Authority of Oconee County as a Law Enforcement Officer pursuant to S.C. Code §47-3-30.

2.3: Animal at large: Any animal not under the restraint of a person capable of controlling the animal and/or off the premises of the owner.

2.4: Animal Rescuer: Any recognized group or person who routinely obtains an unwanted dog or cat and/or who finds an adoptive home for that spayed or neutered dog or cat.

2.5: Animal Shelter: Any premises designated by the county governing body for the purpose of impounding, care, or destruction of animals held under authority of this Ordinance and/or State Law.

2.6: Humane Society: South Carolina Society for Prevention of Cruelty to Animals.

2.7: Humane Society Officer: Any officer or employee of the Humane Society.

2.8: Owner: Any person, partnership, or corporation owning, keeping, or harboring one or more animals. An animal shall be declared to be harbored if it is fed for three consecutive days or more, unless said person, partnership or corporation has notified Animal Control to pick up the stray animal.

2.9: Pet or Companion Animal: Any animal kept for pleasure rather than utility, an animal of a species that has been bred and raised to live in or about the habitation of humans and is dependent on people for food and shelter.

2.10: Abandoned/Stray Animal: Any animal unattended for a period of more than three days.

2.11: Public Nuisance Animal: Any animal or animals, except those raised for food and/or food products, that unreasonably annoy humans, endanger the life or health of other citizens (other than their owners), or interfere with a citizen's enjoyment of life or property.

The term "Public Nuisance Animal" shall mean and include, but is not limited to, any animal that:

- a) is found at large after written complaint has been filed;
- b) damages the property of anyone other than its owner;
- c) molests or intimidates pedestrian or passerby;
- d) excessively makes disturbing noises, including, but not limited to, continued and repeated howling, barking, whining, or other utterances causing unreasonable annoyance, disturbance, or discomfort to neighbors or others in close proximity to the premises where the animal is kept or harbored;

e) causes fouling of the air off the premises of the owner by odor resulting from failure to remove feces every twenty four (24) hours or washing of same into an approved underground disposal systems every twenty four (24) hours;

f) has been found by the animal control officer after notice of its owner to be a public nuisance animal by virtue of being a menace to the public health, welfare, or safety; or

g) does not have attached a valid current rabies inoculation tag as required by State Law;

2.12: Under Restraint: Animals shall be deemed under restraint if it is on the premises of its owner or keeper or is accompanied by its owner or keeper and under the physical control of such owner or keeper by means of restraining devices, or under the verbal command, or under the active control of the owner or trainer while hunting or being trained and while on property of the owner or with the property owner's permission.

2.13: Dangerous Animal: (A) An animal of the canine or feline family;

(1) which the owner knows or reasonably should know has a propensity, tendency, or disposition to attack unprovoked or cause injury or otherwise endanger the safety of human beings or domestic animals; or

(2) which;

(a) makes an unprovoked attack that causes bodily injury to a human being and the attack occurs in a place other than the place where the animal is confined as required by South Carolina Code Section 47-3-720; or

(b) commits unprovoked acts in a place other than the place where the animal is confined as required by South Carolina Code Section 47-3-720 and those acts cause a person to reasonably believe that the animal will attack and cause bodily injury to a human being; or

(3) which is owned or harbored primarily or in part for the purpose of fighting or which is trained for fighting; or

(4) which attacks, bites, or injures a human being or domesticated animal without adequate provocation, or which, because of temperament, conditioning or training, has a known propensity to attack, bite, or injure human beings or domesticated animals.

(B) An animal is not a "dangerous animal" solely by virtue of its breed or species.

3.14: Potentially Dangerous Animal: An animal of the canine or feline family that chases or approaches any person or domestic animal, anywhere, other than on the property of the owner, in a menacing fashion or with an apparent attitude of attack including, but not limited to, behavior such as growling or snarling.

SECTION 3: AUTHORITY

This ordinance is adopted pursuant to the provisions of Sections 47-3-20, et, seq., Code of Laws of South Carolina, 1976.

SECTION 4: RESTRAINT

4.1: All animals shall be kept under restraint.

4.2: No owner shall fail to exercise proper care and control of his dog to prevent him from being a public nuisance.

4.3: Every female dog or cat in heat shall be confined in a building or secure enclosure in such a manner that such female dog or cat cannot come into contact with another animal except for planned breeding.

4.4: Every dangerous animal and potentially dangerous animal, as determined under this Ordinance shall be confined by the owner within a building or secure enclosure and shall be securely muzzled or caged whenever off the premises of its owner.

SECTION 5: BITING OR ATTACKING PERSONS

All animal bites or injuries to a human being shall be reported by medical personnel with knowledge of the bite or injury to the rabies control officer in the Department of Health and Environmental Control. Whenever the Animal Control Officer or Humane Society Officer is notified and shown that an animal has bitten or attacked a person, such officer shall promptly notify the Osceola County Department of Health and Environmental Control of such bite or attack and shall cooperate with the said health department in impounding and quarantining such animal.

SECTION 6: IMPOUNDMENT AND VIOLATION NOTICE

6.1: Unrestrained and nuisance animals, upon receipt of a written complaint signed by the complainant, may be taken by Law Enforcement Officials and/or Animal Control Officers and impounded in the Osceola County Animal Shelter and there be confined in a humane manner.

In addition to, or in lieu of, impounding an animal at large, the Animal Control Officer or lawful constable or deputy sheriff may issue to the known owner of such animal a notice of ordinance violation. Such notice shall impose upon the owner a warning for a first offense. The owner shall be charged a penalty of One Hundred

(\$100.00) dollars for the second violation. One Hundred Twenty-Five (\$125.00) dollars for the third violation; and One Hundred Fifty (\$150.00) dollars for each subsequent violation. Said penalties shall be made payable to the Treasurer of Oconee County and paid at the Oconee County Animal Shelter within ten business days from the date of issuance in full satisfaction of the assessed penalty. In the event that such penalty is not paid within the time period described, a bench warrant shall be issued by a magistrate and upon conviction of this ordinance, the owner shall be punished as provided in Section 12 of this ordinance. In addition, the owner shall be required to pay a fee of five dollars (\$5.00) per day for each day the animal is boarded by the County, actual cost for inoculation of the animal (if applicable) and a five dollar (\$5.00) impoundment fee. In addition, at the discretion of the animal shelter, a thirty dollar (\$30.00) fee and mandatory sterilization of the animal may be required if the animal is impounded on more than one (1) occasion. Five dollars (\$5.00) shall be the impoundment fee and twenty-five (\$25.00) shall help defray the cost of sterilization. The sterilization shall not be required if the owner or other person redeeming the animal provides a written statement from a licensed veterinarian that the spay or neuter procedure would be harmful to the animal due to reasons of age or health or that the animal has already been sterilized.

6.2: Notwithstanding the above, an Animal Control Officer and/or Law Enforcement Officer may without written complaint impound animals not having a valid current rabies inoculation tag and found off the owner's property.

6.3: Impounded dogs and cats shall not be kept for fewer than five (5) working days.

6.4: If by tag or other means, the owner of an impounded animal can be identified, the Animal Control Officer shall immediately upon impoundment notify the owner by telephone or certified mail. Any identifiable animal, not appearing to be abandoned, upon notification of the owner by telephone or certified mail, shall not be kept for fewer than ten (10) days.

6.5: Abandoned animals shall be impounded and shall be kept for no fewer than five (5) working days.

6.6: Any owner reclaiming an impounded dog or cat shall pay the fee provided for in section 6.1 before the animal can be released.

6.7: Any owner claiming an impounded dog or cat shall show proof that the animal is currently inoculated against rabies. If such animal is not currently inoculated against rabies the owner shall cause the animal to be inoculated at the owner's expense.

6.8: Any animal not reclaimed by its owner within five (5) working days, or in the case of a positively identifiable animal within ten (10) days, shall become the property of the local government authority and shall be placed for adoption in a suitable home or humanely disposed of as approved by State Law.

6.9: The Animal Shelter Director shall keep complete and accurate records of the care, veterinary treatment, and disposition of all animals impounded at the shelter.

6.10: It shall be unlawful for any person to release or take out of impoundment any animal without proper authority.

6.11: It shall be unlawful to resist or hinder Animal Control Officers or Law Enforcement Officers engaging in the capture and impoundment of an animal. It shall be

unlawful to give false information to an Animal Control Officer or Law Enforcement Officers.

6.12: It shall be unlawful to remove the rabies tag from the dog for which the tag was issued.

SECTION 7: DANGEROUS ANIMALS

7.1: The Animal Control Officer and Law Enforcement Officials shall have the power to summarily and immediately impound any animal where there is any evidence that the animal has attacked, bitten, or injured any human being or domestic animal. The animal shall be kept at the Oconee County Animal Shelter or at a veterinarian designated by the owner at the owner's expense for quarantine pending a determination of the animal's status as a dangerous animal. In the event that an animal bites a member of the animal owner's family, and the animal owner requests that the animal be impounded by the animal owner, the Animal Control Officer or Law Enforcement Officer may, in his or her discretion, allow the animal owner to impound said animal on said animal owner's property.

7.2: Upon impounding a potentially dangerous animal or a dangerous animal that has attacked, bitten or injured a human being or a domestic animal, a determination hearing should be conducted within five (5) business days of serving notice to the owner by certified mail or personal service. If the owner fails to appear at the hearing, the hearing shall nevertheless proceed and an appropriate order may be issued. The Magistrate shall determine whether to declare the animal to be a dangerous animal based upon the evidence and testimony presented at the hearing at the hearing by the owner, witnesses to any incidents, or any other persons possessing information pertinent to such

determination such as veterinarians or dog obedience trainers. The Magistrate shall issue written findings within five (5) business days after the hearing. The owner of such animal shall have a right to appeal the decision to the Court of Common Pleas of Oconee County within ten (10) days of receiving such decision of the Magistrate.

7.3: An animal determined to be dangerous as determined in 7.2 which has attacked or causes injury to a human being or a domestic animal may be ordered destroyed by the Magistrate when in the Magistrate's judgment the dangerous animal represents a continuing threat of serious harm to human beings or other domestic animals after the quarantine period has expired. Any dangerous animal may also be destroyed if the owner of the dangerous animal relinquishes ownership or control of the animal to the Humane Society or law enforcement officers. A Magistrate may return a dangerous animal to the owner if the Magistrate finds that the animal will not pose a threat to human being and/or domestic animals and that the owner has and will fully comply with Sections 7.4. and 7.5 of this Ordinance.

7.4: The owner of a dangerous animal shall secure and confine said dangerous animal on owner's property in an enclosed and locked (with a key or combination lock) pen or structure, suitable to prevent the animal from escaping said pen or structure. The pen or structure shall have secure sides and a secure top which protects the animal from the elements. Also, all sides must be embedded into the ground with no less than two (2) feet unless the bottom is secured to the sides. The structure must be kept in a clean and sanitary condition and provide adequate light and ventilation. The enclosure shall not be less than five (5) feet by ten (10) feet and not less than six (6) feet high.

7.5: No person owning or harboring or having care of a dangerous animal may permit the animal to go beyond the person's premises unless the dog is securely muzzled and restrained with a leash or chain having a minimum tensile strength of three hundred (300) pounds and not exceeding three (3) feet in length.

SECTION 8: POTENTIALLY DANGEROUS ANIMAL

8.1: The Animal Control Officer or Law Enforcement Officials shall have the power to summarily and immediately impound any animal where there is any evidence that the animal has chased or approached any person or domestic animal, on property other than the property of the owner, in a menacing fashion or with an apparent attitude of attack, including, but not limited to behavior such as growling or snarling. The animal shall be kept at the Oconee County Animal Shelter or at a veterinarian designated by the owner at the owner's expense for quarantine pending determination of the animal status as a potentially dangerous animal. The Animal Control Officer or Law Enforcement Officer may, in his or her discretion, allow the animal owner to impound said animal on said animal owner's property.

8.2: Upon impounding a potentially dangerous animal, the determination should be conducted within five (5) days of serving notice to the owner by certified mail or personal service. If the owner fails to appear at the hearing, the hearing shall nevertheless proceed and an appropriate order may be issued. The Magistrate shall determine whether to declare the animal to be a potentially dangerous animal based on the evidence of testimony presented at the hearing by the owner, witnesses to any incidences, and any other persons possessing information pertinent to such determination such as veterinarians or dog obedience trainers. The Magistrate shall issue written

findings within five (5) days after the hearing. The owner of such animal shall have the right to appeal such a decision to the Court of Common Pleas of Oconee County within ten (10) days of receiving the decision of the Magistrate.

8.3: Upon a finding that an animal is a potentially dangerous animal, the Magistrate may order that the animal be forfeited by owner or owners and placed with an agency willing to accept custody of said animal or may return said animal to owner if the owner has and will comply with Sections 8.4 and 8.5 of this Ordinance.

8.4: The owner of a potentially dangerous animal shall secure and confine said potentially dangerous animal on owner's property in an enclosed and locked (with a key or combination lock) pen or structure, suitable to prevent the animal from escaping said pen or structure. The pen or structure shall have secure sides and a secure top which protects the animal from the elements. Also, all sides must be embedded into the ground with no less than two (2) feet unless the bottom is secured to the sides. The structure must be kept in a clean and sanitary condition and provide adequate light and ventilation. The enclosure shall not be less than five (5) feet by ten (10) feet and not less than six (6) feet high.

8.5: No person owning or harboring or having care of a potentially dangerous animal may permit the animal to go beyond the person's premises unless the dog is securely muzzled and restrained with a leash or chain having a minimum tensile strength of three hundred (300) pounds and not exceeding three (3) feet in length.

SECTION 9: ANIMAL CARE

9.1: No owner shall fail to provide for his animals with the necessary substance, shelter, and veterinary care when needed to prevent suffering and humane care and

treatment. All animals shall be kept in a clean and sanitary condition. The premises upon which animal is kept shall be kept in a clean and sanitary condition and provide adequate light, shelter and ventilation.

9.2: No owner of an animal shall abandon such animal.

9.3: Any animal found abandoned and not properly care for, appearing to be diseased or injured past recovery for any useful purpose may be lawfully destroyed by an agent of DHEC, Law Enforcement Officer, Animal Control Officer or Officer of the Humane Society by a method approved by State Law.

9.4: Any animal found abandoned, neglected, cruelly treated, or unfit for use may be seized from the owners property by the Animal Control Officer or Law Enforcement Officer and impounded at the Oconee County Animal Shelter, provided however that the officer shall give notice of this seizure by posting a copy of it at the location where the animal was seized or by delivering it to a person residing on the property of the owner within 24 hours of the time the animal was seized.

9.5: The owner of any animal impounded under the provisions of this section shall be responsible for payment of any necessary medical care as determined by a veterinarian in addition to any penalties, impoundment fees, and board fees.

SECTION 10: STERILIZATION

No unclaimed dog or cat shall be released for adoption without written agreement by means of a spay/neuter contract from the adopter guaranteeing that such animal will be sterilized within thirty (30) days for adults and a specified date in the contract for pups and kittens, provided however, the county provides a program whereby the spay/neuter is included with the adoption fee.

No animal shall be released for adoption from the Oconee County Animal Shelter that has not been sterilized, provided however, that the County or its contractor provides a program whereby the spay/neuter is included with the adoption fee.

SECTION 11: ENFORCEMENT

The civil and criminal provisions of the ordinance shall be enforced by those persons or agencies by the county authority. It shall be a violation of this ordinance to interfere with an Animal Control Officer or Law Enforcement Officer in the performance of his/her duties. The Magistrate of Oconee County shall have the authority to issue a bench warrant in the enforcement of this Ordinance.

SECTION 12: PENALTIES

12.1: Any person violating any provisions of this ordinance shall be deemed guilty of a misdemeanor and shall for every offense, be guilty of a misdemeanor and be punished by imprisonment in jail not exceeding thirty (30) days or by a fine not exceeding five hundred dollars (\$500.00). In addition, upon conviction of any violation under this article a court may order an animal forfeited by the owner or owners and placed with an agency willing to accept custody of the animal, where the court finds that the animal has been cruelly treated; or the owners have been convicted of allowing the animal to run at large on two or more previous occasions.

SECTION 13: APPLICABILITY OF RABIES CONTROL ACT

The provisions of South Carolina Code Section 47-5-10 et seq., commonly known as the Rabies Control Act are hereby adopted in their entirety, as the same may be from time to time amended, as an integral part of this ordinance, except insofar as the

provisions of such act may conflict with or be less restrictive than the provisions of this ordinance.

SECTION 14: CONFLICTING ORDINANCES

All other ordinances of the County of Oconee that are in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION 15: SEVERABILITY CLAUSE

If any part of this ordinance shall be held invalid, such part shall be deemed severable and the invalidity thereof shall not effect the remaining parts of this ordinance.

AGENDA ITEM SUMMARY
OCONEE COUNTY, SC

COUNCIL MEETING DATE: 1/18/05
COUNCIL MEETING TIME: 3:00 PM

ITEM TITLE OR DESCRIPTION:

Armed Forces Tax Payment Deferment - Personal and Real Property

To extend the payment period for personal and real estate property tax for Military personnel serving in or near a hazard duty zone.

BACKGROUND OR HISTORY:

Reference: SC Code of Laws 12-39-360, SC Temporary Revenue Procedure #03-2

SPECIAL CONSIDERATIONS OR CONCERNS:

The Auditor, Treasurer and Tax Collector wish to alleviate possible hardships that may result from personal and/or real estate property taxation. This Ordinance will benefit those currently serving in or near a hazard military duty zone and those who may serve in the future.

STAFF RECOMMENDATION FOR COUNCIL ACTION:

The following departments: Treasurer, Auditor and Tax Collector of Oconee County highly recommend Oconee County Council approve the attached Ordinance.

FINANCIAL IMPACT:

The loss of 15% penalty fees and delinquent tax costs. The Veterans Affairs Director estimates that approximately 200 Oconee residents are serving in a hazard combat zone.

ATTACHMENTS:


Submitted or Prepared By:


Linda R. Nix, County Auditor


Linda A. Shugart, County Tax Collector



Anne C. Dodd, County Treasurer

Approved for Submittal to Council:


Ron H. Rabun, County Administrator

C: Clerk to Council

Reviewed By/Initials

 County Attorney

 Finance

STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
ORDINANCE 2005-02

"AN ORDINANCE EXTENDING THE FILING & PAYMENT OF TAXES FOR PERSONS SERVING IN THE ARMED FORCES OR NATIONAL GUARD IN HAZARDOUS DUTY ZONES"

WHEREAS, the Oconee County Council wishes to extend the date for filing tax returns and the payment of property taxes for persons serving with the United States Armed Forces or National Guard in or near a hazardous duty zone; and

WHEREAS, the Department of Revenue allows the time for filing and paying the individual income taxes of affected military personnel and their spouses until 180 days after they leave the hazardous duty zone, and allows penalties and interest due as a result of any extension be waived,

NOW THEREFORE, BE IT ORDAINED, that the Oconee County Council extends the date of payment of personal property and real estate taxes for persons serving with the United States Armed Forces or National Guard in or near a hazardous duty zone to 180 days after they leave the combat area and to waive any penalties and interest due as a result on the extension.

State of South Carolina
Department of Revenue
301 Gervais Street, P. O. Box 123, Columbia, South Carolina 29214

SC TEMPORARY REVENUE PROCEDURE #03-2

SUBJECT:	Tax Relief for Military Personnel Serving in the Persian Gulf Area
EFFECTIVE DATE:	Applies to all periods open under the statute.
SUPERSEDES:	All previous advisory opinions and any oral directives in conflict herewith.
REFERENCES:	S. C. Code Ann. Section 12-4-320(6) (Supp. 2000)
AUTHORITY:	S. C. Code Ann. Section 12-4-320 (Supp. 2000) S. C. Code Ann. Section 1-23-10(4) (Supp. 2000) SC Revenue Procedure 403-1
SCOPE:	The purpose of a Temporary Revenue Procedure is to provide immediate procedural guidance to the public and Department personnel. It is a written statement issued to assist in the administration of laws and regulations by providing guidance that may be followed in order to comply with the law. A Revenue Procedure is an advisory opinion; it does not have the force or effect of law and is not binding on the public. It is, however, temporary, and is binding on agency personnel only until superseded or modified by a change in statute, regulation, court decision, or advisory opinion.

By Executive Order No. 12744, the following Persian Gulf area locations (and airspace above) were designated as a combat zone beginning January 17, 1991:

- The Persian Gulf
- The Red Sea
- The Gulf of Oman
- The part of the Arabian Sea that is north of 10 degrees latitude and west of 68 degrees east longitude
- The Gulf of Aden, and
- The total land area of Iraq, Kuwait, Saudi Arabia, Oman, Bahrain, Qatar, and the United Arab Emirates.

SECTION 12-4-320. Permissive powers and duties: rules, regulations, rulings, decisions, agreement or compromise as to taxpayer liabilities.

The department may:

(1) make rules and promulgate regulations, not inconsistent with law, to aid in the performance of its duties. The department may prescribe the extent, if any, to which these rules and regulations must be applied without retroactive effect;

(2) upon written application, determine the tax effects of transactions and the tax liability of taxpayers, upon facts furnished to it, and it may revoke or modify the rulings if the facts should develop differently later. The department, in its discretion, may publish these rulings. This publication may be in brief hypothetical form so as to give all pertinent facts and decisions without violating the provisions of Section 12-54-240;

(3) compromise any tax, interest, or penalty imposed by this title or other law assigned to it and may return to the owner, in whole or in part, any goods seized or confiscated;

(4) enter into a written agreement with a person with regard to a tax liability. If the agreement is approved by the director, it is final and conclusive and the case may not be reopened by administrative or judicial action or otherwise, except in cases of fraud, malfeasance, or misrepresentation;

(5) publish its findings and decisions in all controversies resolved by it. This publication may be in brief hypothetical form so as to give all pertinent facts, decisions, and reasons without violating the provisions of Section 12-54-240;

(6) for damage caused by war, terrorist act, or natural disaster or service with the United States armed forces or national guard in or near a hazard duty zone, extend the date for filing returns, payments of taxes, collection of taxes, and conducting audits, and waive interest and penalties;

South Carolina Code Section 12-4-320(6) allows the Department to establish special tax relief procedures and assistance programs for military personnel, and states that the Department may

for damage caused by war, terrorist act, or natural disaster or service with the United States armed forces or national guard in or near a hazard duty zone, extend the date for filing returns, payments of taxes, collection of taxes, and conducting audits, and waive interest and penalties.

The purpose of this advisory opinion is to summarize the special relief provisions available to military personnel stationed in the Persian Gulf area. The special tax relief procedures and assistance programs are available to military personnel serving in Iraq as part of "Operation Iraqi Freedom," military personnel serving in direct support of military operations in the Persian Gulf area combat zone and who qualify for special military pay for duty subject to hostile fire or imminent danger, and their spouses.

Extension of Time to File and Pay Taxes

The Department has extended the time for filing and paying the individual income taxes of affected military personnel and their spouses until 180 days after they leave the Persian Gulf area combat zone. These tax relief provisions also apply during any period of hospitalization resulting from injuries or illness incurred while serving in these areas.

Documentation Required Upon Filing a Return

A taxpayer filing a return extended under the provisions of this document should attach to the back of the return a copy of his or her military orders establishing participation. Further, "Operation Iraqi Freedom" should be written across the top of the tax return.

Penalties and Interest

The Department will waive any penalties and interest due as a result of any extensions or suspension of collection activities granted under this document. Penalties and interest due as a result of the failure to pay estimated taxes will be waived for any estimated taxes due while the individual taxpayer is participating in Operation Iraqi Freedom in the Persian Gulf area combat zone.

Penalties and interest will be assessed, however, if the income tax returns are not filed or taxes paid by the extended due date authorized by the Department. The Department will review all other tax liabilities with respect to penalties and interest on a case by case basis.

If a taxpayer is inadvertently assessed failure to file or pay penalties or interest which are waived pursuant to this document, the taxpayer should submit a request for waiver in writing. The request and any documentation should be sent to:

Problems Resolution Office
P.O. Box 11189
Columbia, South Carolina 29211-1189
Attn: Operation Iraqi Freedom

Collection Activities

The Department will suspend the enforced collection of any assessed liability of a taxpayer participating in Operation Iraqi Freedom in the Persian Gulf area combat zone during the time period the taxpayer is serving in these areas if the assessed liability is (1) the sole obligation of the taxpayer or (2) the joint obligation of the taxpayer and his or her spouse. The Department will review all other tax liabilities with respect to the possible suspension of enforced collections on a case by case basis.

The Department will reinstate collection activities of any assessed liabilities suspended pursuant to this document within a reasonable time after the taxpayer returns from service in the Persian Gulf area combat zone, but no sooner than 180 days beyond the period of service in these areas as part of Operation Iraqi Freedom.

Combat Pay

South Carolina has adopted Internal Revenue Code Section 112 which excludes certain combat pay from the definition of "gross income." To the extent that combat pay is exempt from federal income tax, the combat pay will also be exempt from South Carolina income tax.

Taxpayer Assistance

Other State Taxes: Other South Carolina tax matters concerning military persons and their families affected by Operation Iraqi Freedom will be reviewed by the Department on a case by case basis.

Additional assistance may be obtained at the Department's Taxpayer Service Centers listed below.

Charleston	3 Southpark Circle, Suite 202	(803) 852-3600
Columbia	301 Gervais Street	(803) 898-5000
Florence	1452 West Evans Street	(843) 661-4850
Greenville	211 Century Drive	(864) 241-1200
Rock Hill	454 S. Anderson Rd., Suite 202	(803) 324-7641

County Property Taxes: Questions concerning county property taxes should be addressed to the individual counties.

Federal Income Tax: A copy of Internal Revenue Service Publication 3, "Armed Forces' Tax Guide," can be found on the IRS website at <http://www.irs.gov/pub/irs-pdf/p3.pdf>.

In addition, the Internal Revenue Service has established a toll-free number, 1-866-562-5227, that military personnel and their spouses who are affected by the combat zone rules may call to discuss any federal income tax matter.

SOUTH CAROLINA DEPARTMENT OF REVENUE

s/Burnet R. Maybank III

Burnet R. Maybank III, Director

March 28, 2003
Columbia, South Carolina

SECTION 12-39-368. Extension of date for filing returns and payment of property taxes

A county may extend the date for filing returns and the payment of property taxes for persons serving with the United States Armed Forces or National Guard in or near a hazard duty zone.

11-171

OCONEE COUNTY ARMED FORCES TAX DEFERMENT APPLICATION

S.C. Code of Laws 12-39-360 allows a county to extend the date for filing returns and the payment of property taxes for persons serving with the United States Armed Forces or National Guard in or near a hazard duty zone. This application must be completed for the purpose of renewing or obtaining a South Carolina license plate of a military person serving in or near a hazard duty zone (as defined by S. C. Temporary Revenue Procedure #03-2).

The serviceperson on whose behalf this application is filed elects to defer payment of property taxes on this said property until their return.

VEHICLE DESCRIPTION

Make _____ Year _____ Model _____

Vin# _____ Tag# _____

Reflects taxes through _____

PROPERTY DESCRIPTION

Name on deed of property _____

TMS # _____ Deed page/Reference# _____

NAME AND ADDRESS OF OWNER

Name _____

Address _____

Location of Deployment _____

Date of Deployment _____

Date _____

I hereby agree to pay the deferred taxes pursuant to S.C. Code of Laws 12-39-360

Soldier or Personal Representative (with
Power of Attorney)

Approved by _____
Auditor

_____ Copy of Deployment Orders _____ Blue Card Number _____

_____ Checked Military ID _____ Tax Receipt Number _____

**AGENDA ITEM SUMMARY
OCONEE COUNTY, SC**

COUNCIL MEETING DATE: January 18, 2005
COUNCIL MEETING TIME: 3:00 p.m.

ITEM TITLE OR DESCRIPTION:

Business License Ordinance

BACKGROUND OR HISTORY:

Council has been discussing a Business License Ordinance for a couple of years. In November of 2004, Council authorized the Administration to draft a Business License Ordinance.

SPECIAL CONSIDERATIONS OR CONCERNS:

The attached Ordinance was prepared by a joint effort of the Regional Council of Governments, the County Attorney and County Administrator.

STAFF RECOMMENDATION:

1. Motion to adopt this Ordinance on first reading in title only.
2. Refer to the Budget, Finance & Procurement Committee for possible revisions and recommendations.

FINANCIAL IMPACT:

This Ordinance should generate additional revenue for Oconee County to help offset the costs to Oconee County of providing services to business in Oconee County.

ATTACHMENTS:

Draft Ordinance

Submitted or Prepared By:

Brad Norton
Department Head/Elected Official
Reviewed By/ Initials:

_____ **County Attorney**
_____ **Finance**
_____ **Other**

Approved for Submittal to Council:


Ron H. Rabun, County Administrator

ORDINANCE 2005-03

AN ORDINANCE ESTABLISHING BUSINESS AND PROFESSIONAL LICENSES

Section 1. License required.

Every person engaged or intending to engage in any calling, business, occupation or profession listed in the rate classification index portion of this ordinance, in whole or in part, within the unincorporated areas of the County of Oconee, South Carolina, is required to pay an annual license fee and obtain a business license as herein provided.

Section 2. Definitions.

The following words, terms and phrases, when used in this article, shall have the meaning ascribed herein:

"Business" means a trade, calling, occupation, profession, or activity engaged in with the object of gain, benefit or advantage, either directly or indirectly. A charitable organization shall be deemed a business unless the entire proceeds of its operations are devoted to charitable causes. A corporation or other legal person exempt from taxation pursuant to South Carolina Code § 33-35-10 through § 33-35-170 (nonprofit corporations organized for the purpose of providing water supply and sewerage disposal or a combination of those services) or a legal person exempt from income taxes pursuant to South Carolina Code § 33-49-120 shall not be deemed to be a "business" for the purpose of this article. In addition to the above described activities constituting doing a business in the County, an individual shall deem to be in business if that individual owns and rents five or more residual rental units (or partial interest therein) within the County, excluding the municipalities therein.

"Classification" means that division of businesses by major groups subject to the same license rate as determined by a calculated index of ability to pay based on national averages, benefits, equalization of tax burden, relationships of services, or other basis deemed appropriate by Oconee County Council.

"County" means the County of Oconee.

"Employed" by shall mean any contractual relationship, written or oral, express or implied, whereby one (1) person undertakes to perform services, whether related to the business or not, for another person. Any such offer of services to any other person, whether the other person is employed by the business license holder or not, shall be considered within the scope of the services for which the business license holder contracted. This definition shall be construed in its broadest form and shall not be constrained by any other definition contained within the laws of the United States of America, the State of South Carolina, Oconee County or any municipality located within Oconee County.

"Employee" shall mean any person who works for wages or salary, has the proper deductions for FICA, state, and federal taxes withheld by the employer, and receives a W-2 form from the employer annually for all work done on the employer's behalf.

"Gross income" means the total revenue of a business, received or accrued, for one (1) calendar year collected or to be collected from business done within the unincorporated area of the County, except therefrom income from business done wholly outside of the unincorporated area of the county on which a license tax is paid to some municipality or a county and fully reported to the county. The gross income for business license purposes may be verified by inspection of returns filed with the Internal Revenue Service, the South Carolina Tax Commission for income tax purposes, or the South Carolina Insurance Commission. In the case of brokers or agents, gross income shall mean gross commissions retained. Gross income for insurance companies shall mean gross premiums collected. Gross income from interstate commerce shall be included in the gross income for every business subject to a business license.

"License inspector" means the person designated by the county administrator to administer this article.

"Nuisance" shall mean all activity declared by any law of the United States of America, the State of South Carolina, any Oconee County ordinance or any ordinance of any municipality located within Oconee County to be a common or public nuisance. It shall also mean any activity recognized by statute, ordinance, regulation or common law to be a disturbance to the peace and tranquility of others. It shall also mean any activity found to be obscene pursuant to the guidelines established by the Supreme Court of the United States of America or the Supreme Court of South Carolina.

"Person" means any individual, firm, partnership, cooperative nonprofit membership, corporation, joint venture, association, estate, trust, business trust, receiver, syndicate, holding company, or other group or combination acting as a unit, in the singular or plural, and the agent or employee having charge or control of a business in the absence of the principals. A governmental entity is not a person as defined in this section.

"Unlawful activity" shall mean any instance of a person convicted in any court of competent jurisdiction of any violation of any of the laws of the United States of America, the State of South Carolina, Oconee County ordinance or any ordinance of any municipality located within Oconee County. The conviction must result from activity occurring on the premises of any person required to have an Oconee County business license as required by this ordinance. This shall include activities resulting in convictions of employees, guests, customers, patrons and/or clients of the person.

Section 3. Purpose and duration.

The business license levied by this ordinance is for the purpose of providing such regulation as may be required by the businesses subject thereto and for the purpose of raising revenue through a privilege tax. The business license year will be from January 1 of the current year until December 31 of the ensuing year. This time period shall be considered a "license year." The

provisions of this ordinance and the rates herein shall remain in effect from year to year as amended by the Oconee County Council.

Section 4. License fee.

The required license fee shall be paid for each business subject hereto according to the applicable rate classification on or before the fifteenth day of May in each year. A separate license shall be required for each place of business and for each classification of business conduct at one (1) place. If gross income cannot be separated for different classifications at one (1) location, the license fee shall be computed on the combined gross income for the classification requiring the highest rate. A license fee based on gross income shall be computed on the gross income for the preceding calendar or fiscal year, and on a twelve-month projected income based on the monthly average for a business in operation for less than one (1) year. A new business shall be required to have a business license prior to operation in the county. The fee for a new business shall be computed on the estimated probable gross income stated in the license application for the balance of the license year. No refund of any license fee will be granted due to annexation of a business into a municipality, during the license year.

If gross income for the preceding calendar or fiscal year cannot be determined before May 15th of the licensing year, estimated figures will be accepted, without penalties based on the following conditions:

- (1) Payment for the business license was received on or before May 15th and was ninety (90) percent of the total amount that would be due; and
- (2) An amended application and all additional fees due are received by July 1 of the "licensing year."

Section 5. Registration required.

The owner, agent or legal representative of every business subject to this ordinance, whether listed in the classification index or not, shall register the business and make application for a business license on or before the due date of each year, except that a new business shall be required to have a business license prior to operation within the county. Application shall be on a form provided by the county which shall contain the social security number and/or employer's federal identification number, and the South Carolina Retail License Number (if applicable), the business name as reported on the South Carolina income tax return, and all information about the applicant and the business deemed necessary by the county administrator for the purpose of identifying those persons financially responsible for or having a financial interest in the licensed business to carry out the purpose of this article by the county. The applicant shall certify under oath that the information given in the application is true, that the gross income is accurately reported, or estimated for a new business, without any unauthorized deductions, and that all assessments, fees, licenses, property taxes, and any other charges due and payable to the county have been paid. The applicant is also subject to compliance with all regulatory codes of Oconee County. An insurance agent not employed by a company shall be licensed as a broker.

Section 6. Fireworks sales.

Any establishment desiring to sell fireworks must first acquire the annual State Board of Pyrotechnic Safety License and must meet all regulations pursuant to the provisions of Regulation 19-405, S. C. Code of laws for 1976. Prior approval of the Oconee County Police

Department is required as governed by regulations of the State Fire Marshal pursuant to the 1976 Code, Chapter 35 of Title 23.

Section 7. Miscellaneous sales (antique malls, flea markets or leases space).

Any person leasing space for the sale of merchandise from an established business shall be required to have a business license, whether or not the sales are made through a central cash register. Furthermore, it shall be the responsibility of the lessor of the spaces to advise the business license office of persons leasing space.

Section 8. Hawkers and peddlers.

Any person desiring to peddle goods anywhere in Oconee County must first acquire a Hawkers and Peddlers License and must meet all regulations pursuant to the provisions of Section 40-41-10, S.C. Code of Laws of 1976 and also subject to being in compliance with the zoning and building codes. The provisions of this article shall not extend to vendors of newspapers, magazines, vegetables, tobacco, and provisions of any kind of agriculture products but shall extend and apply to vendors of every other class and kind of goods.

Section 9. Deductions and exemptions.

(a) No deductions from gross income shall be made except income from business done wholly outside of the county on which a license tax is paid to some other municipality or a county, or income which cannot be taxed pursuant to state or federal law. The applicant shall have the burden to establish the right to deduction by satisfactory records and proof. No person shall be exempt from the requirements of the ordinance by reason of lack of established place of business within the county, unless exempted by state or federal law. The county shall determine the appropriate classification for each business in accordance with the latest issue of the U.S. Office of Management and Budget Standard Industrial Classification Manual. No person shall be exempt from this ordinance by reason of the payment of any other tax, unless exempted by state law, and no person shall be relieved of the liability for the payment of any other tax by reason of the application of this article.

(b) The provisions of this article shall not extend to the agriculture production of crops.

(c) State and federal sales and excise taxes are not deemed income and are exempt from license calculations.

(d) An employee, as defined in Sec. 2, of a properly licensed company is not required to have a business license for income derived from conducting the business of the employer.

(e) Persons deriving rental income from real property in an amount in excess of ten thousand dollars (\$10,000.00) that would otherwise be subject to this article are hereby exempted if the rental property is managed by a properly licensed company collecting hospitality fees.

Section 10. False application unlawful.

It shall be unlawful for any person subject to the provisions of this article to make a false application for a business license, or to give or file, or direct the giving or filing of any false information with respect to the license or fee required by this article.

Section 11. Display and transfer.

All persons shall display the license issued to them on the original form provided by the county in a conspicuous place in the business establishment at the address shown on the license. A transient or nonresident shall carry the license upon his person or in a vehicle used in the business readily available for inspection by an authorized agent of the county. A change of address must be reported to the county within ten (10) days after removal of the business to a new location and the license will be valid at the new address upon written notification of the county and compliance with zoning and building codes. Failure to obtain approval of the county for a change of address shall invalidate the license and subject the licensee to prosecution for doing business without a license. A business license shall not be transferable and a transfer of ownership shall be considered a termination of the old business and the establishment of a new business requiring a new business license, based on old business income. In the event of a sale or transfer of a business, the purchaser or new owner(s) may apply to the county for a credit for fees previously paid toward the new license fees. Upon determination by the county that the new business is the same as the previously licensed business, the county shall deduct from fees due, the prorated credit for license fees paid. The applicant for such credit shall pay an administrative fee of fifty dollars (\$50.00), notwithstanding such credits. Such application shall be made within thirty (30) days of any transfer or sale. The transfer of any partial ownership shall be reported to the county.

Section 12. Administration of article.

The county administrator, or the designated/authorized agent of the county, shall administer the provisions of this ordinance, collect license fees, issue licenses, make or initiate investigations and audits to insure compliance, initiate denial or revocation procedures, report violations to the police department and assist in prosecution of violators, produce forms, make reasonable regulations relating to the administration of this ordinance, and perform such other duties as may be duly assigned.

Section 13. Inspection and audits.

For the purpose of enforcing the provisions of this article the county administrator or other authorized agent of the county is empowered to enter upon the premises of any person subject to this article to make inspections, examine and audit books and records, and it shall be unlawful for any such person to fail or refuse to make available the necessary books and records. In the event an audit or inspection reveals that false information has been filed by the licensee, the costs of the audit shall be added to the correct license fee and late penalties in addition to other penalties provided herein. Each day of failure to pay the proper amount of license fee shall constitute a separate offense. The license inspector shall make systematic inspections of all businesses within the county to insure compliance with this article. Records of inspection and audits shall not be deemed public records, and the county shall not release the reported gross income of any person by name without permission of the licensee, provided that statistics compiled by classifications may be made public. The license inspector upon approval of the county administrator may disclose gross income of licenses to the Internal Revenue Service, South Carolina Tax Commission, and Oconee County Assessor for the purpose of assisting tax assessments, tax collections and enforcement. Such disclosures shall be for internal, confidential and official use of those governmental agencies and shall not be deemed public records.

Section 14. Assessments.

When any person shall have failed to obtain a business license or to furnish the information required by this article or the county, the license inspector shall proceed to examine such records of the business or any other available records as may be appropriate and to conduct such investigations and statistical surveys as he/she may deem appropriate to assess a license tax and penalties as provided herein. A notice of assessment shall be served by certified mail and an application for adjustment of the assessment may be made to the county within five (5) days after the notice is mailed or the assessment will become final. The county administrator shall establish by regulation the procedure for hearing an application for adjustment of assessment and issuing a notice of final assessment. A final assessment may be appealed to the county administrator only by payment in full of the assessment under protest within five (5) days and the filing of written notice of appeal within ten (10) days after payment pursuant to the provisions of this article relating to appeals to the county.

Section 15. Delinquent license fees.

For nonpayment of all or any part of the correct license fee, the license inspector shall levy and collect a late penalty of five (5) percent of the unpaid fee for each month or portion thereof after the due date until paid; provided however, that the late penalty to be collected for any one year's delinquent fee shall not exceed thirty (30) percent of the fee due for that year. If any license fee shall remain unpaid for sixty (60) days after its due date, the county shall issue an execution which shall constitute a lien upon the property of the licensee for the tax, penalties and costs of collection, and shall proceed to collect in the same manner as prescribed by law for the collection of other taxes.

Section 16. Notices.

The county may, but shall not be required to, mail written notices that license fees are due, but if notices are not mailed, there shall be published a notice of the due date in a newspaper of general circulation within the county three (3) times prior to the due date in each year.

Section 17. Denial of license.

- (a) The license inspector shall deny a license to an applicant when the application is incomplete, contains a misrepresentation, contains a false or misleading statement, evades or suppresses a material fact, or when the activity for which a license is sought is unlawful or constitutes a common or public nuisance.
- (b) The license inspector shall deny a license or the re-issuance of a license to any applicant who has had three (3) or more occurrences of unlawful activity or common or public nuisance at the premises for which the applicant seeks a license during the time when the applicant had dominion and control of those premises.
- (c) All decisions denying the issuance of a business license or the re-issuance of a business license shall be in writing with the reason(s) for the denial stated therein. A decision of the license inspector shall be subject to appeal to the board of fee appeals as provided herein. The board of fee appeals shall issue a decision on the appeal of the denied application in writing with the reason(s) for the denial stated therein.

Section 18. Suspension or revocation of license.

- (a) When the license inspector determines that:
 - (1) A license has been mistakenly or improperly issued or issued contrary to law;

(2) A licensee has breached any condition upon which his license was issued or has failed to comply with the provisions of this article;

(3) A licensee has obtained a license through a fraud, misrepresentation, a false or misleading statement, evasion or suppression of a material fact in the license application;

(4) A licensee has been convicted of an offense under a law or ordinance regulating business, a crime involving moral turpitude, or an unlawful sale of merchandise or prohibited goods; or

(5) A licensee engaged in unlawful activity or common or public nuisance, which unlawful activity or common or public nuisance remains unabated after notice, or the occurrence of three (3) or more acts of unlawful activity or common or public nuisance, as defined herein, by any person on the premises of the licensee;

the license inspector shall mail or hand-deliver written notice of revocation to the licensee or the person in control of the business at the last known address of the business owner or person in control of the business. If the notice is returned as undeliverable, the license inspector shall post the notice on the front door of the business establishment. Such notification shall contain the date the revocation shall become effective, the suspension of the business license while an appeal is taken, a brief summary of the reason for the revocation, and the procedures for an appeal to the board of fee appeals.

(b) All decisions by the license inspector revoking business licenses shall be stayed until thirty (30) days after the decision of the license inspector. During the thirty-day stay of the decision, the business license of the licensee shall be suspended pending appeals. The licensee shall, if aggrieved by the decision of the license inspector, within those thirty (30) days, have the right to appeal to the board of fee appeals as provided herein. If the licensee shall timely file an appeal to the board of fee appeals, the revocation of the licensee's business license shall be stayed until such time as the board of fee appeals issues a final decision. However, the business license of the licensee shall remain suspended while the appeal of revocation is pending. The board of fee appeals or a designated representative of the board shall notify the licensee of the time, date and place for the hearing of the appeal.

(c) If the licensee shall feel aggrieved after issuance of the decision of the board of fee appeals, the licensee shall have ten (10) days after receipt of the decision of the board to appeal that decision to the circuit court. The revocation shall be stayed until the expiration of the ten-day time period for an appeal or, if an appeal is taken to the circuit court, upon order of the circuit court for a stay of the revocation. If the licensee does not seek a stay from the circuit court or the circuit court finds the request for a stay without merit, the revocation shall become effective upon the expiration of the ten (10) days or refusal to issue a stay by the judge of the circuit court, whichever is later.

Section 19. Confidentiality.

Except in accordance with proper judicial order or as otherwise provided by law, it shall be unlawful for any official or employee to divulge or make known in any manner the amount of income or any particulars set forth or disclosed in any report or return required under this article. Nothing in this section shall be construed to prohibit the publication of statistics so classified as to prevent the identification of particular reports or returns.

Section 20. Violations; penalties for unlawful or common or public nuisance.

(a) Any person violating any provision of this article shall be deemed guilty of an offense and shall be subject to a fine of up to five hundred dollars (\$500.00) or imprisonment for not more

than thirty (30) days or both, upon conviction. Each day of violation shall be considered a separate offense. Punishment for violation shall not relieve the offender of liability for delinquent license fees or taxes, penalties and costs provided for herein.

(b) The county administrator or the designated representative of the county administrator is authorized to request and obtain injunctive relief to cease and desist against any person who fails to comply with the provisions of this ordinance after notice. The county administrator or the designated representative of the county administrator is specifically authorized to obtain injunctive relief for those persons who persist in operating a business, as defined herein, without a business license.

(c) Notwithstanding any other fee assessed herein, the license inspector shall assess a surcharge of two hundred fifty dollars (\$250.00) upon re-issuance of a business license to:

- (1) Any person that was convicted of committing a single unlawful activity;
- (2) Any person that was convicted of a single act of a common or public nuisance;
- (3) A business that has had anyone convicted of engaging in unlawful activity on the premises of that person; or
- (4) A business that has had anyone convicted of committing a common or public nuisance upon the premises of that person.

Any person or business that does not have a recurrence of any of the activity described hereinabove within two (2) years after the date of the conviction shall not be subject to this surcharge.

(d) Notwithstanding any other fee assessed herein, except as stated in paragraph (a) of this section, the license inspector shall assess a surcharge of one thousand dollars (\$1,000.00) upon re-issuance of a business license to:

- (1) Any person that was convicted of committing two (2) unlawful acts;
- (2) Any person that was convicted of two (2) acts of a common or public nuisance;
- (3) A business that has had two (2) occurrences of convictions of anyone engaging in unlawful activity on the premises of that person; or,
- (4) A business that has had two (2) occurrences of convictions of anyone committing a common or public nuisance upon the premises of that person.

Any person or business that does not have a recurrence of any of the activity described hereinabove within two (2) years after the date of the second conviction shall not be subject to this surcharge.

Section 21. Classification.

The license fee for each class of business shall be computed in accordance with the following rates. The major groups of businesses included in each class are listed with the major group number according to the Standard Classification Manual (SIC). The county shall determine the proper class for a business according to the SIC.

NONRESIDENT RATES

Unless otherwise specifically provided, all minimum fees and rates shall be multiplied by one hundred fifty (150) percent for nonresidents and itinerants having no fixed principal place of business within the county.

DECLINING RATES

Declining rates apply in all classes for gross income in excess of one million dollars (\$1,000,000.00).

TABLE INSET:

Gross Income in \$ Millions:	Percent of Class Rate for each Additional \$1.0 Million
0-1 Million:	100%
1-2 Million:	90%
2-3 Million:	80%
3-4 Million:	70%
Over 5 Million:	\$.01 per thousand

TABLE INSET

Rate Class	Income: 0--\$250,000 Minimum	All Over \$250,000 Rate per \$1,000 or Fraction Thereof
1	\$20.00	\$0.50
2	\$25.00	\$0.55
3	\$30.00	\$0.60
4	\$35.00	\$0.65
5	\$40.00	\$0.70
6	\$45.00	\$0.75
7	\$50.00	\$0.80

8 See individual business in Class 8. Next pages.

*License fee calculated to the next thousand (\$250,001.00 treated as \$251,000.00)

CLASS 8 RATES

Each SIC Number designates a separate subclassification. The businesses in this section are treated as separate and individual subclasses due to provisions of state law, regulatory requirements, service burdens, tax equalization considerations, etc., which are deemed to be sufficient to require individually determined rates.

SIC 15, 16 & 17 Contractors, Construction, All Types, . . . Rate Class 3

(1) Having permanent place of business within the county:

First two hundred fifty thousand dollars (\$250,000.00) gross income: Thirty dollars (\$30.00), plus

Each additional one thousand dollars (\$1,000.00): Sixty cents (\$0.60)

All out-of-county income, for which no business license has been paid, must be reported as part of the gross income.

(2) Itinerant (no permanent place of business within the county or nonresident): Non-resident rates apply.

A trailer at the construction site, a home office or structure in which the contractor resides is not a permanent place of business under this article.

The total fee for the full amount of the contract shall be paid prior to commencement of work and shall entitle contractor to complete the job without regard to the normal license expiration date.

No contractor shall be issued a business license until all state and county qualification examination and trade license requirements have been met. Each contractor shall post a sign in plain view on each job identifying the contractor with the job and shall furnish the county with a list of all subcontractors for the same job.

Subcontractors shall be licensed on the same basis as general or prime contractors for the same job, and no deductions shall be made by a general or prime contractor for value of work performed by a subcontractor. General or prime contractors will be responsible on the project if found without a county business license.

No contractor shall be issued a business license until all performance and indemnity bonds required by the building code have been filed and approved. Zoning permits must be obtained when required by the zoning ordinance, if and when an Oconee County Zoning Ordinance is enacted.

Each prime contractor shall file with the county a list of subcontractors furnishing labor or materials for each project.

40 Railroad Companies (See Code Section 12-23-210) . . . Two thousand dollars (\$2,000.00)

4121 Taxicabs on gross income (proof of insurance and other conditions may be required.) . . . Rate Class 7

4841 Television, cable or pay . . . Franchise

5093 Junk or scrap dealers . . . Rate Class 7

55 Automotive, motor vehicle dealers & farm machinery, boat dealers, retail . . . Rate Class 1

Sales lots not more than five hundred (500) feet from the main showroom may be operated under this license provided that proceeds from sales at the lot are included in gross receipts at the main office when both are operated under the same name and ownership.

Gross receipts for this classification shall include full sales price without deduction for trade-ins. Dealer transfers shall not be included in gross receipts.

5813 Drinking places/Restaurant:

Beer/wine/alcohol . . . Rate Class 1

5932 Pawn brokers--All types . . . Rate Class 7

5962 Vending machines and all other coin-operated automatic merchandising machines . . . Rate Class 3

5963 Peddlers, solicitors, canvassers, door-to-door sales, direct retail sales of merchandise (nonresident rates apply):

(1) Regular activities (more than two (2) sales periods of more than three (3) days each per year):
First two hundred fifty thousand dollars (\$250,000.00) gross income . . . Fifty dollars (\$50.00), plus

Each additional one thousand dollars (\$1,000.00) . . . One dollar (\$1.00)

(2) Seasonal activities (not more than two (2) sale periods of more than three (3) days each year, separate license required for each sale period):

First two hundred fifty thousand dollars (\$250,000.00) gross income . . . Twenty dollars (\$20.00), plus

Each additional one thousand dollars (\$1,000.00) . . . One dollar (\$1.00)

63 Insurance companies: Counties are prohibited from levying a business license tax on insurance companies by SC Code Section 4-9-30(12).

6411 Agents, brokers or agencies for fire & casualty insurers--Nonadmitted: On gross premiums collected on policies of companies not licensed in South Carolina, the agent or broker shall pay annually, with copy of the report required by the insurance commission showing location of the risks insured (Declining rates shall not apply) . . . Two (2) percent

Premiums for nonadmitted business are not included in gross commissions for license under Rate Class 7 for other business of agent.

7993 Amusements machines, coin-operated:

(1) Music machines, kiddie rides, and amusement machines licensed pursuant to S. C. Code Section 12-21-2720(A)(1) and (A)(2).

a. Operator of machine (Section 12-21-2746) Twelve dollars and fifty cents (\$12.50) per machine, plus twelve dollars and fifty cents (\$12.50) business license for operation of machines (not on gross income).

b. Distributor selling or leasing machines (not licensed by the state as an operator pursuant to 12-21-2728): (Nonresident rates apply.)

First two hundred fifty thousand dollars (\$250,000.00) . . . Fifty dollars (\$50.00), plus

Each additional one thousand dollars (\$1,000.00) or fraction . . . One dollar (\$1.00)

(2) Video poker and amusement machines license pursuant to S. C. Code Section 12-21-2720(A)(3) (decals required on each machine).

a. Operator of machine (section 12-21-2720(B)): Maximum allowed by the State of South Carolina per machine, plus twelve dollars and fifty cents (\$12.50) business license for operation of machines (not on gross income).

b. Distributor selling or leasing machines (not licensed by the state as an operator pursuant to Section 12-21-2728): (Nonresident rates apply.)

First two hundred fifty thousand dollars (\$250,000.00) . . . Fifty dollars (\$50.00), plus

Each additional one thousand dollars (\$1,000.00) or fraction . . . One dollar (\$1.00)

7999 Billiard or pool rooms, all types:

All types . . . Five dollars (\$5.00) per table, plus

First two hundred fifty thousand dollars (\$250,000.00) gross income . . . One hundred dollars (\$100.00), plus

Each additional one thousand dollars (\$1,000.00) . . . One dollar (\$1.00)

Bingo (State of South Carolina license required):

First two hundred fifty thousand dollars (\$250,000.00) gross income . . . One hundred dollars (\$100.00), plus

Each additional one thousand dollars (\$1,000.00) . . . One dollar (\$1.00)

Carnivals and circuses:

First two hundred fifty thousand dollars (\$250,000.00) gross income . . . One hundred dollars (\$100.00), plus

Each additional one thousand dollars (\$1,000.00) . . . One dollar (\$1.00)

Adult entertainment establishments:

No alcohol, beer, or wine:

First two hundred fifty thousand dollars (\$250,000.00) gross income . . . One hundred fifty dollars (\$150.00), plus

Each additional one thousand dollars (\$1,000.00) . . . Three dollars (\$3.00)

With beer and wine only:

First two hundred fifty thousand dollars (\$250,000.00) gross income . . . Three hundred dollars (\$300.00), plus

Each additional one thousand dollars (\$1,000.00) . . . Five dollars (\$5.00)

With alcohol, beer and wine:

First two hundred fifty thousand dollars (\$250,000.00) gross income . . . Four hundred fifty dollars (\$450.00), plus

Each additional one thousand dollars (\$1,000.00) . . . Seven dollars (\$7.00)

(Ord. No. 88-99, § 19, 7-6-99; Ord. No. 86-00, §§ 7, 8, 10-3-00)

Note: It should be noted that businesses who paid the license fee for year 2000 pursuant to the rate schedule in effect prior to the amendment of Oct. 3, 2000, may deduct the difference between what was paid under the previous rate schedule and what would have been paid under the amended schedule from the license fee due for year 2001.

Sec. 22. SIC/NAISC Codes.

References to issues of the U.S. Office of Management and Budget Standard Industrial Classification Manuals and Codes ("SIC Codes") resulting from such manuals shall be to any equivalent NAISC Code promulgated by the United States Office of Management and Budget from time to time and the equivalency tables attached to the published lists shall govern the classification of businesses operating in the county.

(Ord. No. 197-99, § 5, 1-17-00)

Editor's note: Ord. No. 197-99, § 5, adopted Jan. 17, 2000, did not specifically amend the Code; hence inclusion as a new § 12.5-113 was at the editor's discretion.

Sec. 23. Car leasing companies.

All companies leasing motor vehicles or trailers to be attached to motor vehicles in the county shall be fully subject to the provisions of this article and shall fall in the same class as car rental companies as to the applicable license fees on gross income.

(Ord. No. 197-99, § 6, 1-17-00)

Editor's note: Ord. No. 197-99, § 6, adopted Jan. 17, 2000, did not specifically amend the Code; hence inclusion as a new § 12.5-114 was at the editor's discretion.

Sec. 24. Coin-operated telephones.

All companies renting or leasing coin-operated telephones in the county shall be fully subject to the provisions of this article and shall fall into the same class as equipment leasing companies.

(Ord. No. 197-99, § 7, 1-17-00)

Editor's note: Ord. No. 197-99, § 7, adopted Jan. 17, 2000, did not specifically amend the Code; hence inclusion as a new § 12.5-115 was at the editor's discretion.

Sec. 12.5-116. NAISC/SIC rate classification schedule; business classification index,

Numerical Business Classification Index--SIC Order

TABLE INSET:

NAI SC	SIC NAME	RATE CLASS
1	Agricultural Production--Crops	2
7	Agricultural Services	3
8	Forestry	3
9	Fishing, Hunting and Trapping	5
10	Metal Mining	7
14	Metal Minerals (Sand & Gravel)	5
15	Contractors, Construction, All Types	8
16	Contractors, Construction, All Types	8
17	Contractors, Construction, All Types	8
20	Food and Kindred Products	1
21	Tobacco Manufacture	4
22	Textile Mill Products	4
23	Apparel & Other Finished Products from Fabrics and Similar Materials	3
24	Lumber and Wood Products (Except Furniture)	2
25	Furniture and Fixtures	3
26	Paper and Allied Products	2
27	Printing, Publishing & Allied Products	4
28	Chemicals and Allied Products	6
29	Petroleum Refining and Related Industries	3
30	Rubber and Miscellaneous Plastic Products	2
31	Leather and Leather Products	1

32	Stone, Clay, Glass & Concrete Products	1
33	Primary Metal Industries	1
34	Fabricated and Metal Products (except Machinery and Transportation Equipment)	1
35	Machinery, Except Electrical	3
36	Electrical and Electronic Machinery, Equipment and Supplies	2
37	Electric and Gas Services	2
38	Measuring, Analyzing and Controlling Instruments, Photographic, Medical and Optical Goods, Watches and Clocks	5
39	Miscellaneous Manufacturing Industries	2
40	Railroad Companies	8
41	Local and Suburban Transit & Interurban Highway Passenger Transportation	7
412 1	Taxi License	8
42	Motor Freight Transportation and Warehousing	3
44	Water Transportation	2
45	Transportation by Air	4
46	Pipelines (Except natural gas)	2
47	Travel Agencies	2
48	Communication (Except Telephone)	2
481	Telephone Communication	4
49	Sanitary Services	4
491	Electric and Gas Services Electric Power	N/A
492	Electric and Gas Services Natural Gas	N/A
493	Electric and Gas Services Combined Electric & Gas	N/A

50	Wholesale Trade --Durable Goods	3
509 3	Junk and Scrap Dealers	8
51	Wholesale Trade --Nondurable Goods	2
52	Building Materials, Hardware, Garden Supply and Mobile Home Dealers	1
53	General Merchandise Stores	1
54	Food Stores	1
55	Auto/Motor Vehicle Dealers/Farm Machinery, Retail (Except Auto Supply Stores--553 and Gasoline Service Stations--554)	8
553	Auto Supply Stores and Gasoline Service Station	1
554	Auto Supply Stores and Gasoline Service Station	1
56	Apparel and Accessory Stores	3
57	Furniture, Home Furnishing & Equipment Stores	3
58	Eating and Drinking Places	1
581 3	Drinking Places (Alcoholic Beverages)	8
59	Miscellaneous Retail	2
593 2	Pawnbrokers	8
596 2	Vending Machines	8
609 9	Check Cashing Agency	3
61	Credit Agencies Other Than Banks	6
62	Security & Commodity Brokers, Dealers Exchanges and Services	4
631	Insurance Companies, Life and Health	8

AGENDA ITEM SUMMARY
OCONEE COUNTY, SC

COUNCIL MEETING DATE: January 18, 2005
COUNCIL MEETING TIME: 3:00 p.m.

ITEM TITLE OR DESCRIPTION:

Ordinance to rescind Ordinance 97-14, the Oconee County Personnel Policies and Procedures Manual, and all subsequent amendments thereto, effective March 1, 2005

BACKGROUND OR HISTORY:

The passing of new legislation by the S.C. Legislature last year give employers like Oconee County the opportunity to rewrite their employment handbooks to reinstate the employment at-will doctrine. Accordingly to our outside labor counsel, this can be best completed through the County Administrator's publishing a new set of Personnel Policies. The policy will include a new section on non-fraternization.

SPECIAL CONSIDERATIONS OR CONCERNS:

None


STAFF RECOMMENDATION:

Motion to rescind Ordinance 97-14 and all subsequent amendments, effective March 1, 2005; and authorize the County Administrator to publish a new set of policies.

FINANCIAL IMPACT:

This will reduce potential liability for Oconee County.

ATTACHMENTS:

~~None~~ ORDINANCE 2005-04 
Submitted or Prepared By:

Brad Norton
Department Head/Elected Official

Approved for Submittal to Council:


Ron H. Rabun, County Administrator

Reviewed By/ Initials:

County Attorney

OCONEE COUNTY COUNCIL
ORDINANCE 2005-04
AN ORDINANCE REVOKING OCONEE COUNTY ORDINANCE 97-14 AND
ALL SUBSEQUENT AMENDMENTS THERETO.

WHEREAS, Oconee County has adopted the Oconee County Personnel Policies and Procedures Manual in Ordinance 97-14; and

WHEREAS, the Oconee County Personnel Policies and Procedures Manual has been amended by the Oconee County Council a number of times since it was enacted in 1997; and

WHEREAS, Oconee County is now governed by the Council-Administrator form of government, which results in the Administrator having specific expertise in personnel matters;

NOW THEREFORE, BE IT ORDAINED BY the County Council of Oconee County, duly assembled that Oconee County Ordinance 97-14 and all subsequent amendments are hereby revoked and the Administrator of Oconee County is authorized to write and implement Personnel Policies and Procedures on behalf of Oconee County.

AGENDA ITEM SUMMARY
OCONEE COUNTY, SC

COUNCIL MEETING DATE: 1/18/05
COUNCIL MEETING TIME: 3:00 PM

ITEM TITLE OR DESCRIPTION:

Historical sign request at Lunney Museum.

BACKGROUND OR HISTORY:

Oconee County has sponsored the Lunney Museum through the Arts & Historical Commission for a number of years. The Commission seeks the placement of a permanent sign identifying the museum as being in the South Carolina Heritage Corridor.

SPECIAL CONSIDERATIONS OR CONCERNS:

The Lunney Museum is located in the City Limits of Seneca. The City's Architectural Review Board must also approve sign placement.

STAFF RECOMMENDATION FOR COUNCIL ACTION:

Staff recommends this request be approved and forwarded to the City of Seneca for review and recommendation.

FINANCIAL IMPACT:

The Oconee County Arts & Historical Commission will pay for the cost of the sign and its placement.

ATTACHMENTS:

Letter dated 12/18/04 from Museum Assistant

Photo Examples

Submitted or Prepared By:

Opal O. Green

Department Head/Elected Official

Approved for Submittal to Council:



Ron H. Rahm, County Administrator

Reviewed By/ Initials:

_____ County Attorney

_____ Finance

_____ Other

C: Clerk to Council

Oconee County Museum Association
211 W. South 1st. Street
Seneca, SC 29678
864-882-4811

December 18, 2004

Ms. Opal O. Green
Clerk to Council
415 South Pine Street
Walhalla, South Carolina 29691

Dear Ms. Green,

In response to your request on behalf of the Oconee County Museum Association (OCMA), I am sending photographs of their proposed site selections for a South Carolina National Heritage Corridor pedestrian sign for the Lunney Museum's back yard.

Mr. Halbig, Seneca's Planning & Development Director, suggested that two sites be submitted to the Board of Architectural Review.

Please inform me if an OCMA board member needs to be present at a County Council meeting for discussion of this matter.

Sincerely,

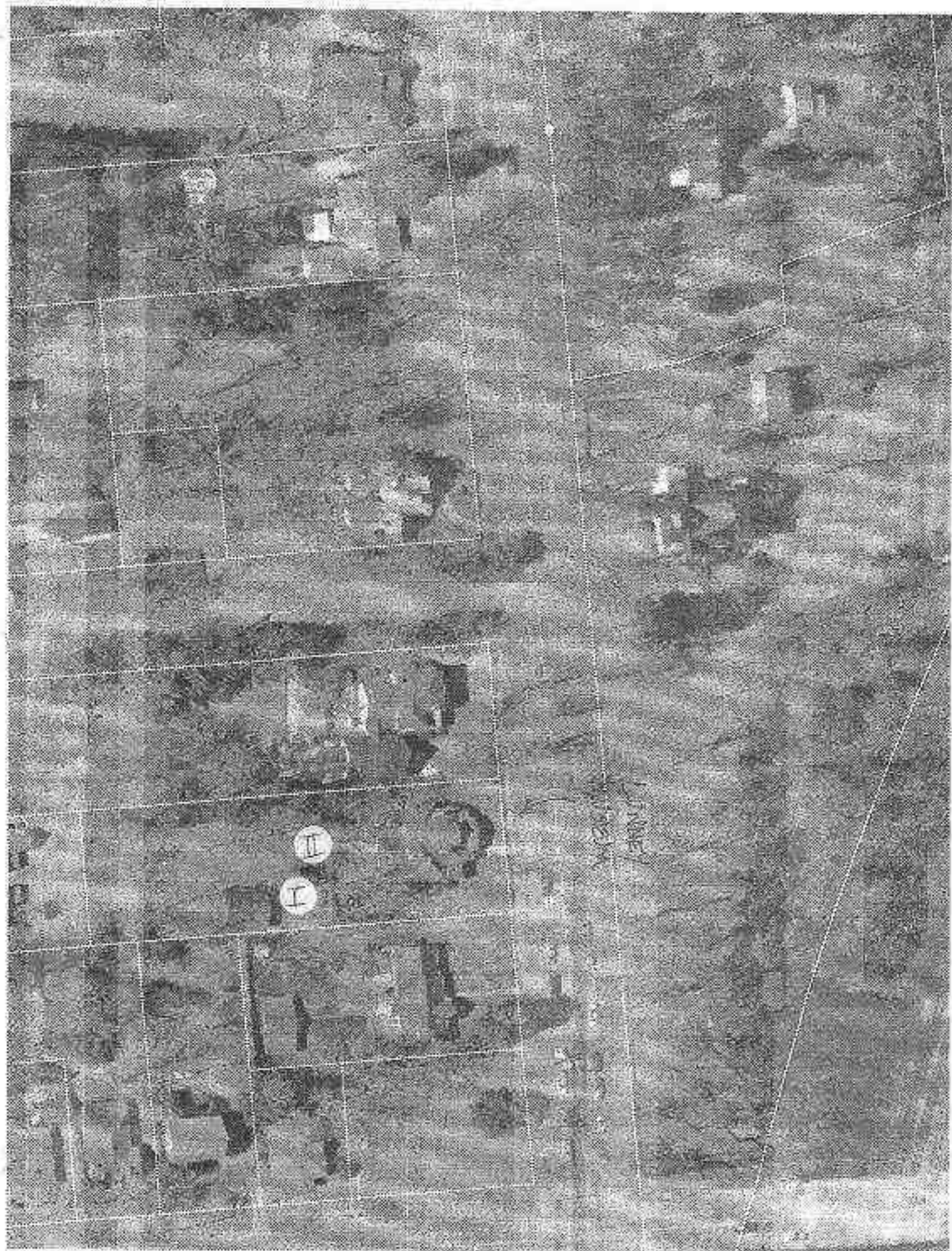

Kathy Bahnsen
Museum Assistant

CC: Mr. Rabun, Oconee County Administrator
Ms. Barbara L. Dyar, City of Seneca Planner
Ms. Michelle McCollum, SC National Heritage Corridor Director



Sign is similar to this Heritage Corridor
Sign at Woodburn Plantation stating
"Woodburn Historic House."





BUSINESS RECORDS CORPORATION

SOUTH SECOND STREET

104.5' TO PINE ST.

WEST

104.5'

209.0' TO CHC ST.

LOT 7

109.0'

98.0'

LOT 6

98.0'

LOT 5



104.5' TO PINE ST.

NORTH 209.0'

320.0'

ROCK WALL

320.0'

SOUTH

209.0'

JOINT DRIVE

PRESBYTERIAN PARSONAGE

104.5'

209.0' TO CHC ST.

Recorded this 4 day of Dec. A.D. 1969

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Ray D. ...
Oconee County, S.C.

C.C.C.P.G.S.

PROPERTY OF
THE ESTATE OF LILLIAN LUNN
SARIECA - OCONEE COUNTY - S.C.

SCALE: 1"=60' - 11-5-69

Perry B. Wilson Jr.
PERRY B. WILSON JR.
REG. LAND SURVEYOR No. 68