

**AGENDA ITEM SUMMARY**  
**OCONEE COUNTY, SC**  
**COUNCIL MEETING DATE: January 17, 2006**  
**COUNCIL MEETING TIME: 7:00 pm**

**ITEM TITLE OR DESCRIPTION:**

Adoption & Presentation of Resolution 2006-02, "A RESOLUTION RECOGNIZING JIMMY PAUL WHITMAN, SR." upon his retirement

Adoption & Presentation of Resolution 2006-03, "A RESOLUTION OF APPRECIATION TO THOSE WHO DEFEND OUR NATION" recognizing James "Buck" Darby

Adoption & Presentation of Resolution 2006-04, "A RESOLUTION OF APPRECIATION TO THOSE WHO DEFEND OUR NATION" recognizing Jason Zimmerman

**BACKGROUND OR HISTORY:**

Mr. Whitman retired January 13, 2006 after more than thirty-two years of service to the citizens of Oconee County.

Mr. Darby has served in Iraq defending our nation during the "Enduring Freedom" campaign.

Mr. Zimmerman has served in Iraq defending our nation during the "Enduring Freedom" campaign.

**SPECIAL CONSIDERATIONS OR CONCERNS:**

N/A

**STAFF RECOMMENDATION FOR COUNCIL ACTION:**

Staff recommends adoption and presentation of the three resolutions.

**FINANCIAL IMPACT:**

N/A

**ATTACHMENTS:**

- (1) Resolution 2006-02
- (2) Resolution 2006-03
- (3) Resolution 2006-04

**Submitted or Prepared By:**

Opal O. Green  
Department Head

Reviewed By/ Initials:

**Approved for Submittal to Council:**

  
Ron H. Rabun, County Administrator

**STATE OF SOUTH CAROLINA  
COUNTY OF OCONEE  
RESOLUTION 2006-02**

WHEREAS, Mr. Jimmy Paul Whitman, Sr. began working with the Oconee County City-County CCS Department (later changed to Solid Waste) beginning December 19, 1973; and

WHEREAS, Mr. Whitman was transferred to the Oconee County Road Department July 1, 1999; and

WHEREAS, Mr. Whitman retired from his position as Road Department Equipment Operator I, effective January 13, 2006; and

WHEREAS, during his employment with Oconee County, Mr. Whitman has performed his duties in a quite, unassuming, professional 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. Whitman their heartfelt thanks and appreciation for the many hours of service and effort he has given the Oconee County Solid Waste Department, the Oconee County Road Department and the citizens of Oconee County.

NOW THEREFORE, BE IT RESOLVED, in Council duly assembled this date, 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. WHITMAN AS AN OCONEE COUNTY EMPLOYEE AND DUE TO SUCH UNSELFISH DEVOTION TO HIS DUTIES FOR OVER THIRTY-TWO YEARS, MR. WHITMAN WILL BE REMEMBERED FOR HIS UNSELFISH SERVICE TO THE COUNTY AND HER CITIZENS."*

RESOLVED & ADOPTED on first and final reading this 17<sup>th</sup> day of January 2006 as evidenced by the hand of the Council Chair and attestation of the Clerk to Council.

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

Attest:

\_\_\_\_\_  
Opal O. Green, Clerk

STATE OF SOUTH CAROLINA  
COUNTY OF OCONEE  
RESOLUTION 2006-03

**"RESOLUTION OF APPRECIATION TO THOSE WHO DEFEND OUR NATION"**

**WHEREAS**, the United States of America was attacked by terrorists Tuesday, September 11, 2001; and

**WHEREAS**, the President of the United States took action Sunday, October 7, 2001 to begin to bring those guilty of this action to justice; and

**WHEREAS**, Oconee County has approximately two hundred citizens who have participated in operation "Enduring Freedom" by serving the United States of America in Iraq & Afghanistan; and

**WHEREAS**, the Oconee County Council would like to express appreciation to all Oconee County citizens who have served in the "Enduring Freedom" campaign; and

**WHEREAS**, James "Buck" Darby, an employee in the Oconee County Sheriff's Department, is one of the Oconee County citizens who has served in the "Enduring Freedom" campaign; and

**WHEREAS**, the Oconee County Council would like to take this opportunity to express appreciation to Mr. Darby for defending the freedoms we enjoy by serving in Iraq during the "Enduring Freedom" Campaign.

**BE IT RESOLVED THIS DATE** that the official records and minutes of the Oconee County Council contain a copy of this resolution.

**APPROVED & ADOPTED** on first and final reading this 17<sup>th</sup> day of January 2006 as evidenced by the hand of the Council Chair and attestation of the Clerk to Council.

  
H. Frank Ables, Jr. Chair  
Oconee County Council

Attest:

Opal O. Green, Clerk  
Oconee County Council

STATE OF SOUTH CAROLINA  
COUNTY OF OCONEE  
RESOLUTION 2006-04

**"RESOLUTION OF APPRECIATION TO THOSE WHO DEFEND OUR NATION"**

**WHEREAS**, the United States of America was attacked by terrorists Tuesday, September 11, 2001; and

**WHEREAS**, the President of the United States took action Sunday, October 7, 2001 to begin to bring those guilty of this action to justice; and

**WHEREAS**, Oconee County has approximately two hundred citizens who have participated in operation "Enduring Freedom" by serving the United States of America in Iraq & Afghanistan; and

**WHEREAS**, the Oconee County Council would like to express appreciation to all Oconee County citizens who have served in the "Enduring Freedom" campaign; and

**WHEREAS**, Jason Zimmerman, an employee in the Oconee County Aeronautics Department, is one of the Oconee County citizens who has served in Iraq during the "Enduring Freedom" campaign; and

**WHEREAS**, the Oconee County Council would like to take this opportunity to express appreciation to Mr. Zimmerman for defending the freedoms we enjoy by serving in the "Enduring Freedom" Campaign.

**BE IT RESOLVED THIS DATE**, that the official records and minutes of the Oconee County Council contain a copy of this resolution.

**APPROVED & ADOPTED** on first and final reading this 17<sup>th</sup> day of January 2006 as evidenced by the hand of the Council Chair and attestation of the Clerk to Council.

  
H. Frank Ables, Jr. Chair  
Oconee County Council

Attest:

Opal O. Green, Clerk  
Oconee County Council

**AGENDA ITEM SUMMARY  
OCONEE COUNTY, SC**

**COUNCIL MEETING DATE: January 17, 2006  
COUNCIL MEETING TIME: 3:00 p.m.**

**ITEM TITLE OR DESCRIPTION:**

- Presentation by Paula Reel, Region One Coordinator of the South Carolina National Heritage Corridor, of a \$30,000 grant to replace the back veranda/porch on the historic Alexander/Cannon/Hill House at High Falls County Park.
  
- Recognition of outgoing South Carolina National Heritage Corridor Region One (Mountain Lakes) board member, Councilman Steve Moore and welcoming of new board member, Councilman Tommy Crampton.

**BACKGROUND OR HISTORY:**

Oconee County Parks, Recreation & Tourism received a South Carolina National Heritage Corridor grant and a South Carolina Upper Piedmont Heritage Association grant in the amount of \$20,000 and \$10,000, respectively. These funds will be used to replace the back veranda/porch on the Alexander/Cannon/Hill House at High Falls County Park. Replacement of the back veranda/porch will serve to increase the historical, cultural and recreational value of the House. It currently serves as a visitor's center, historical information center, camping and general information center, and office space for park staff. Mr. Moore was instrumental in reviving this grant request as it had almost lapsed between County recreation administrations.

**SPECIAL CONSIDERATIONS OR CONCERNS:**

The back veranda/porch project on the Alexander/Cannon/Hill House will be completed by Fall 2006 with the following funding.

South Carolina National Heritage Corridor	\$20,000
South Carolina Upper Piedmont Heritage Association	\$10,000
Local Match	\$10,000

**STAFF RECOMMENDATION:**

Acceptance of grant award.

**FINANCIAL IMPACT:**

\$10,000 local match budgeted (010-202-99998-00000)

**ATTACHMENTS:**

NONE

Submitted or Prepared By:

Vivanda Helton-Lewis

Vivanda Helton-Lewis, County Administrator

Reviewed By/ Initials:

N/A County Attorney

PLJ Finance

Approved for Submittal to Council:

Ron H. Rabun

Ron H. Rabun, County Administrator

N/A Other

AVP OMB

C: Clerk to Council

AGENDA ITEM SUMMARY  
OCONEE COUNTY, SC  
COMMITTEE MEETING DATE: 1/17/06  
COMMITTEE MEETING TIME: 7:00 pm

AGENDA ITEM SUMMARY TO BE PRESENTED AT COUNCIL MEETING

ITEM TITLE OR DESCRIPTION:

Consideration of Recommendation from the Oconee County Sewer Commission for Phase I Engineering Services for Sewer Infrastructure Projects.

BACKGROUND OR HISTORY:

SPECIAL CONSIDERATIONS OR CONCERNS:

STAFF RECOMMENDATIONS FOR COMMITTEE ACTION:

FINANCIAL IMPACT:

ATTACHMENTS:

Submitted or Prepared By:

Opal O. Green  
Department Head

Approved for Submittal to Committee:

  
Ron H. Rabun, Administrator

Reviewed By/Initials:

\_\_\_\_\_ : County Attorney

\_\_\_\_\_ : Finance

\_\_\_\_\_ : Other

Oconee County Sewer Commission  
623 Return Church Road  
Seneca, SC 29678  
864-972-3900

January 17, 2006

Ms. Opal Green  
Oconee County Council Clerk  
415 S. Pine Street  
Walhalla, SC 29691

RE: Sewer Infrastructure Projects Phase I Engineering

Dear Ms. Green:

Attached find the following documents relative to the Sewer Infrastructure Projects.

- A) Proposed Scope of Services (Phase I) for four sewer projects
- B) Proposed contract and fees.

Please copy these documents for County Council Members for the meeting tonight.

The Sewer Commission has approved proceeding with Phase I and recommends retaining W.K. Dickson, Inc. of Charlotte, NC for those services.

The Oconee County Sewer Commission Budget which was approved in June 2005 contained \$1,609,947.00 for Capital Upgrades and Expansion/Infrastructure Projects. This budget was approved by County Council.

We are on the Council Agenda tonight for presentation of the Sewer Commission's recommendation.

Thanks for your cooperation.

Sincerely,

Robert C. Winchester  
General Superintendent, OCSC

CC: Mr. Ron Rabun, Oconee County Administrator  
Commission  
Lowell Ross, OCSC Attorney



## ATTACHMENT A

### SCOPE OF SERVICES

#### A. Interstate 85/SCDOT Welcome Center Sewer Project - Phase I

WKD proposes to perform the following Phase I scope of services for the Interstate 85/SCDOT Welcome Center sewer infrastructure project providing service to the SCDOT Welcome Center, I-85 Exit #2 and Oconee County industrial park site located on Highway 59 near Fair Play:

1. Review Oconee County Infrastructure Master Plan, other previous studies and available GIS mapping related to the project.
2. Evaluate options for providing regional wastewater conveyance and treatment services to the I-85 Welcome Center and Oconee County industrial park site located off Highway 59 near the Town of Fairplay with alternatives for serving the area near the I-85 Exit #4 area to include wastewater treatment options.
  - WWTP located at the Oconee County industrial park site with discharge to Cleveland Creek
  - WWTP located in the area of the I-85 Welcome Center or with discharge to Lake Hartwell
  - Conveyance back to OCSC's existing Coneros Creek WWTP
3. Conduct evaluations of foregoing viable conveyance and treatment options to include the following:
  - Preliminary selection of routing for force mains and gravity sewers and pump station locations using available aerial maps, topographic maps and GIS mapping
  - Identification of preliminary design criteria for conveyance and treatment system
  - Evaluation of potential impact to existing conveyance systems as applicable
  - Identification of property owners and utilities potentially impacted by the proposed conveyance systems
  - Provide OCSC a listing of property owners and addresses from Oconee County property records to be directly impacted by the proposed project field surveys for notification by OCSC for approval of pending field activity on their property related to the project.
  - Conduct preliminary field investigations upon clearance from property owners, to further assess proposed routes, potential wetlands, unmapped stream crossings and other physical features impacting the selected route.
  - Evaluate potential impact of proposed conveyance systems on existing conveyance systems as applicable.
4. Contact the South Carolina Department of Health and Environmental Control (DHEC) and request a pre-design conference to obtain input regarding potential NPDES permit considerations, discharge limitations and requirements for Engineering Report related to the project.
5. Prepare an Alternatives Analysis Report summarizing the options considered, preliminary opinion of probable costs, design considerations and recommendations.

6. Meet with OCSC to review Alternatives Analysis Report to finalize the project approach for preparation of an Engineering Report.
7. Prepare an Engineering Report per DHEC guidelines for the selected project option detailing the proposed design, routing of force mains and gravity sewers, location of pump stations and proposed treatment system for submittal to DHEC. Treatment options must also address the potential of a no discharge system using land application.
8. Should a NPDES Permit application be required for the selected alternative of this project, WKD proposes to perform these services as an Additional Service.
9. Provide recommendations and coordinate preliminary geotechnical investigations by OCSC's geotechnical consultant as appropriate for evaluation of site conditions at the proposed WWTP site, pump station sites and critical highway crossings or stream crossings. WKD services will include preparation of Request for Proposals, solicitation of proposals from OCSC approved geotechnical firms, recommendation by contract award and administration of the contract services.
10. For environmental evaluations related to the project, WKD will submit a detailed description of the project and location map to DHEC for their coordination in obtaining environmental input from the State and Federal agencies. Required field delineation or investigations related directly or indirectly to environmental evaluations for endangered species, flood plains, historical/archaeological sites, important farmlands, national natural landmarks, wetlands or wild & scenic rivers will be performed or subcontracted as additional services.
11. Upon completion of the Phase I services, (except all related drawings, maps, photographs and reports) will be provided to OCSC in an electronic format (per OCSC's intent). Related drawings will be provided in the form of 1 mylar reproducible copy plus 2 prints.

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## B. Interstate I-85 Exit #4 Sewer Project – Phase I

WKD proposes to perform the following Phase I scope of services for the Interstate 85 Exit #4 sewer infrastructure project providing sewer service to the general area of Exit #4.

1. Review Oconee County Infrastructure Master Plan, other previous studies and available GIS mapping related to the project.
2. Evaluate options for providing sewage conveyance from I-85 Exit #4 area into the I-85 Welcome Center and Oconee County industrial park conveyance and treatment system.
3. Conduct evaluations of conveying viable conveyance and treatment options to include the following:
  - Preliminary selection of routing for force mains and gravity sewers and pump station locations using available aerial maps, topographic maps and GIS mapping.
  - Identification of preliminary design criteria for conveyance.
  - Evaluation of potential impact to the SCDDOT I-85 Welcome Center/Oconee industrial park conveyance system as applicable.
  - Identification of property owners and utilities potentially impacted by the proposed conveyance systems.
  - Provide OCSC's listing of property owners and addresses from Oconee County property records to be directly impacted by the proposed project field surveys for notification by OCSC for approval of pending field activity on their property related to the project.
  - Conduct preliminary field investigations upon clearance from property owners, to further assess proposed routes, potential wetlands, unimproved stream crossings and other physical features impacting the selected route.
  - Evaluate potential impact of proposed conveyance systems on existing conveyance systems as applicable.
4. Prepare an Alternatives Analysis Report summarizing the options considered, preliminary opinion of probable costs, design considerations and recommendations.
5. Meet with OCSC to review Alternatives Analysis Report to finalize the project approach for preparation of an Engineering Report.
6. Prepare an Engineering Report per DHEC guidelines for the selected project option detailing the proposed design, routing of force mains and gravity sewers and location of pump stations for submittal to DHEC.
7. Provide recommendations and coordinate preliminary geotechnical investigations by OCSC's geotechnical consultant as appropriate for evaluation of site conditions at the proposed pump station sites and critical highway crossings or stream crossings. WKD will coordinate transportation of Request for Proposal, solicitation of proposals from OCSC approved geotechnical firms, base information for geotechnical work and identification of the project site files.
8. For environmental evaluations related to the project, WKD will submit a detailed description of the project and location map to DHEC for their coordination in obtaining environmental input from the State and Federal agencies. Required field definition or investigations related directly or indirectly to environmental evaluations for endangered species, flood

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plants, historical/archaeological sites, important fernlands, national natural landmarks, wetlands or wild & scenic rivers will be performed or subcontracted as additional services.

9. Upon completion of the Phase I activities, copies of relevant drawings, maps, photographs and reports shall be provided to OCS2 in an electronic format for OCS2 access. **Related**  
drawings will be provided in the form of 1 mylar reproducible copy plus 2 prints.

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### C. Martin Creek Sewer Project – Phase I

WKD proposes to perform the following Phase I scope of services for the Martin Creek Infrastructure project:

1. Review previous engineering reports and Goozee County Infrastructure Master Plan and available GIS mapping related to the project.
2. Evaluate viable conveyance options for the direct transfer wastewater from the Martin Creek Pump Station to the Perkins Creek interceptor to include the following:
  - Preliminary selection of routing for force mains and gravity sewers using available GIS aerial/topographic maps and field investigations of proposed routes.
  - Evaluation of pumping options to include a new Martin Creek auxiliary pump station or consolidation of pumping systems into one new pump station.
  - Identification of preliminary design criteria for pumping and conveyance systems.
  - Identification of property owners and utilities potentially impacted by the proposed conveyance system construction.
  - Provide OCSC a listing of property owners and addresses from Goozee County property records to be directly inspected by the proposed project field surveys for notification by OCSC for approval of pending field activity on their property related to the project.
  - Conduct preliminary field investigations upon clearance from property owners to further assess proposed routes, potential wetlands, unmapped stream crossings and other physical features impacting the selected route.
  - Evaluate potential impact of proposed conveyance systems on existing conveyance systems as applicable.
3. Contact the South Carolina Department of Health and Environment Control (DHEC) and State Revolving Fund (SRF) to obtain input related to the project.
4. Prepare an Alternatives Analysis Report summarizing the options considered, probable costs, design considerations and recommendations.
5. Meet with OCSC to review Alternatives Analysis Report to finalize the project approach for preparation of an Engineering Report.
6. Prepare an Engineering Report per DHEC guidelines for the selected project option detailing the proposed design, routing of force mains and gravity sewers and location of pump stations for submittal to DHEC.
7. Provide recommendations and coordinate preliminary geotechnical investigations by OCSC's geotechnical consultant as appropriate for evaluation of site conditions at the proposed WWTP site, pump station sites and critical highway crossings or stream crossings. WKD services will include preparation of "Request for Proposal" solicitation of proposals from OCSC approved geotechnical firm, recommendation for contract award and administration of the contract services.
8. For environmental evaluations related to the project, WKD will submit a detailed description of the project and location map to DHEC for their consideration in obtaining environmental input from the State and Federal agencies. Required field delineation or investigations

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related directly or indirectly to environmental evaluations for endangered species, flood plains, historical/archaeological sites, important farmlands, national natural landmarks, wetlands or wild & scenic rivers will be performed or subcontracted as additional services.

9. Upon completion of the Phase I services, copies of visual displays, maps, photographs and reports shall be provided to OCSF in an electronic format by OCSF's account. Related drawings will be provided in the form of 1 mylar reproducible copy plus 2 prints.

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**D. Richland Creek/Bountyland Sewer Project – Phase I**

WKD proposes to perform the following Phase I scope of services for the Richland Creek/Bountyland Sewer infrastructure project.

1. Review Oconee County Infrastructure Master Plan and available GIS mapping related to the project.
2. Evaluate proposed routing of the gravity sewer to include the following:
  - Preliminary selection of routing for gravity sewers using available aerial maps, topographic maps and field investigations.
  - Identification of property owners and utilities potentially impacted by the proposed conveyance system construction.
  - Provide OCSC a listing of property owners and addresses from Oconee County property records to be directly impacted by the proposed project field surveys for notification by OCSC for approval of pending field activity on their property related to the project.
  - Conduct preliminary field investigations (prior clearance from property owners, to further assess proposed routes, potential wetlands, unmapped stream crossings and other physical features impacting the selected route.
  - Evaluate potential impact of proposed conveyance systems on existing conveyance systems as applicable.
3. Contact the South Carolina Department of Health and Environment Control (DHEC) and State Revolving Fund (SRF) to obtain input related to the project.
4. Prepare an Alternatives Analysis Report summarizing the options considered, probable costs, design considerations and recommendations.
5. Meet with OCSC to review Alternatives Analysis Report to finalize the project approach for preparation of an Engineering Report.
6. Prepare an Engineering Report for the selected project option detailing the proposed gravity sewers for submittal to DHEC.
7. Provide recommendations and coordinate preliminary geotechnical investigations by OCSC's geotechnical consultant as appropriate for evaluation of site conditions at the critical highway, utility or stream crossings. WKD services will include preparation of Request for Proposals, solicitation of proposals from OCSC approved geotechnical firms, recommendation for contract award and administration of the contract services.
8. For environmental evaluations related to the project, WKD will submit a detailed description of the project and location map to DHEC for their coordination in obtaining environmental input from the State and Federal agencies. Required field delineation or investigations related directly or indirectly to environmental evaluations for endangered species, flood plains, historical/archaeological sites, important farmlands, national natural landmarks, wetlands or wild & scenic rivers will be performed or subcontracted as additional services.

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9. Upon completion for the Phase 1 work, copies of relevant drawings, data, photographs and reports shall be provided to OCS. If an electronic format for EIR is required, Related drawings will be provided in the form of 1 mylar reproducible copy plus 2 prints.

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#### E. Septic and Grease Receiving Facility Project - Phase I

W&D proposes to perform the following scope of services in connection with the proposed Septic and Grease Receiving Facility infrastructure project to be located at the Concross WWTP:

1. Review previous engineering reports related to the project and plant records of septage and grease wastes delivered to the Concross WWTP.
2. Meet with OCSC to discuss current septage and grease handling procedures and desired objectives and goals for the future receiving facility.
3. Evaluate receiving station and treatment options for treatment of the septage and grease wastes to minimize the impact of these wastes to wastewater treatment operations. These evaluations will be based upon plant records or previous estimates regarding the projected demand.
4. Contact the South Carolina Department of Health and Environment Control (DHEC) and State Revolving Fund (SRF) to obtain input related to the project.
5. Prepare an Alternatives Analysis Report summarizing the options considered, opinion of probable costs, design considerations and recommendations.
6. Meet with OCSC to review Alternatives Analysis Report to finalize the project approach for preparation of an Engineering Report.
7. Prepare an Engineering Report per DHEC guidelines for the selected project option detailing the proposed septage and grease receiving facility for submittal to DHEC. Related drawings will be provided in the form of 1 mylar reproducible copy plus 2 prints.

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## F. Additional Services

WKD proposes to perform or coordinate services not specifically identified with the respective infrastructure projects as Additional Services. These services may include but not specifically be limited to the following tasks:

3. It is proposed to utilize DHEC services to obtain environmental input from the following State and Federal Agencies related to the respective projects:
  - S.C. Department of Archives and History (historic/archaeological Sites)
  - S.C. Department of Natural Resources (fish and wildlife)
  - S.C. Department of Parks, Recreation & Tourism (State parks)
  - Federal Emergency Management Agency (flood plains)
  - U.S. Department of Agriculture, Natural Resource Conservation Services (important farmland)
  - U.S. Department of Commerce, National Marine Fisheries Service (endangered marine species and their habitat)
  - U.S. Department of Interior, Fish and Wildlife Service (wetlands, endangered species and their habitat)
  - U.S. Department of Interior, National Park Service (national landmarks, wild and scenic rivers)

In the event the proposed project is not substantiated as "No Significant Impact" by the respective agencies, services required for additional investigations, deliberations or field studies to respond to the specific environmental issues will be performed by WKD qualified personnel or coordinated on a subcontract basis with a qualified service.

3. Prepare NPDES Permit application and related submittals if required for the Interstate 1-85/SCDOT Weirone Center Sewer Project.
3. Representation and assistance with required public hearing associated with the projects to include coordination of advertisements, preparation of presentation materials and exhibits and attendance at meeting.
4. Assistance with the preparation of SRF loan applications.
5. Services associated with wastewater characterization, pilot studies or site visits to evaluate proposed equipment or processes under consideration for application.

## CONTRACT FOR SERVICES

This CONTRACT for Sewer Infrastructure Projects by and between Oconee County Sewer Commission, hereinafter called the OWNER, and W.K. Dickson & Co., Inc., hereinafter called the CONSULTANT;

The parties hereto do mutually agree as follows:

1. Employment of CONSULTANT. The OWNER hereby engages the CONSULTANT and the CONSULTANT hereby agrees to perform the professional services hereinafter set forth.
2. Scope of Services. The CONSULTANT shall perform, in a professional manner, the services set forth in Attachment A, Scope of Services, which attachment is incorporated herein.
3. Additional Services. The CONSULTANT shall provide additional services, not specifically called for in Attachment A, Scope of Services, upon request or authorization of the OWNER.
4. Time of Performance. The CONSULTANT will commence work on or as soon as practicable after the date of execution of this Contract and receipt of written Notice to Proceed. All work as set forth in the Scope of Services for Phase I Services shall be completed as set forth in Attachment A, assuming: (i) the timely submission of all required data and the scheduling of all meetings and reviews by the OWNER; (ii) no other impacts or delays caused by third parties, including the contractor(s) or its subcontractors; or (iii) other delays beyond CONSULTANT'S control.

If the OWNER requests modifications to the Scope of Services of the project, the time of performance of the CONSULTANT shall be adjusted appropriately. Likewise should the CONSULTANT'S services extend past the completion date above, at no fault of the CONSULTANT, the CONSULTANT'S compensation shall be adjusted accordingly in an amount mutually acceptable to the parties.

CONSULTANT'S services under this Contract, and each phase of services, if the Scope of Services is so divided, shall be considered complete at the earlier of (1) the date when the submissions for that phase have been accepted by the OWNER or (2) thirty days after the date when such submissions are delivered to the OWNER.

5. Meetings. This Contract includes attendance by the CONSULTANT at meetings to make presentations or to otherwise review the progress of the work as identified in Attachment A.
6. Reports. The CONSULTANT shall prepare and submit to the OWNER reports called for in Attachment A, Scope of Services, attached hereto.
7. Subsurface Investigations. In soils, foundation, groundwater, and other subsurface investigations, the actual characteristics may vary significantly between successive test points and sample intervals and at locations other than where observations, exploration, and investigations have been made. Because of the inherent uncertainties in subsurface evaluations, changed or unanticipated underground conditions may occur that could

affect total project cost and/or execution. These unforeseen conditions are not the responsibility of the CONSULTANT.

8. Compensation. The CONSULTANT agrees to perform the services provided for in the Scope of Services, and the OWNER agrees to compensate the CONSULTANT for such services as set forth in Attachment B, Basis of Compensation, which attachment is incorporated herein. Compensation for additional services shall also be as set forth in Attachment B, Basis of Compensation.

Payment by the OWNER to the CONSULTANT shall be due and payable on the 25th day of the month following the date of the invoice. Payments not received by the CONSULTANT by said 30<sup>th</sup> day of the month following the date of the invoice shall be overdue. A service charge of one and one-half (1½) percent per month shall be added to all overdue amounts. OWNER agrees to pay CONSULTANT'S cost of collection of all amounts due and unpaid after sixty (60) days including court costs and reasonable attorney fees. CONSULTANT shall not be bound by any provision wherein CONSULTANT waives any rights to a mechanic's lien, or any provision implying payment to CONSULTANT is contingent upon payment to OWNER by a third party. A failure by OWNER to pay CONSULTANT on a timely basis shall entitle CONSULTANT at its election, to stop work on the Project until such time as payment has been made, and upon seven days' notice and OWNER'S failure to pay all amounts then due, to terminate this contract.

9. Personnel. The CONSULTANT represents that he has, or will secure at his own expense, all personnel required to perform the services under this Contract and that such personnel will be fully qualified to perform such services.

10. Responsibilities of the OWNER. It is agreed that the OWNER will have the following responsibilities under this Contract:

- a) The timely provision of all available information, data, reports, records, and maps to which the OWNER has access and which are needed by the CONSULTANT for the performance of the services provided for herein.
- b) Providing assistance and cooperation for the CONSULTANT in obtaining any other needed material which the OWNER does not have in its possession.
- c) Making available the services of the OWNER as may be necessary to obtain information as needed to perform the work program set forth in the Scope of Services.
- d) The designation of a single representative who will be authorized to make necessary decisions required on behalf of the OWNER and will serve to provide the necessary direction and coordination for the project.
- e) Bear all costs for permitting and advertising for the project.
- f) Provide access to all affected private property for CONSULTANT to perform all necessary surveying, engineering and inspections.

All such OWNER responsibilities shall be conducted in a timely manner and without undue delay so as not to delay the CONSULTANT in the performance of his services.



11. Opinion of Probable Construction Costs. CONSULTANT'S opinion of probable construction costs, if rendered as a service under this Agreement, is based on assumed labor costs and approximate quantities of material and equipment, and therefore is of a conditional character. CONSULTANT cannot and does not guarantee the cost of work to be performed by others since market or bidding conditions can change at any time and changes in the scope or quality of the project may affect estimates.
12. Ownership of Materials. It is agreed that upon receipt of final payment, all final documents, studies, surveys, drawings, maps, models, photographs and reports prepared by the Consultant under this Contract, shall be considered the property of the OWNER. However, the CONSULTANT shall retain such copies thereof as he desires. Any reuse by OWNER without CONSULTANT'S written verification of adaptation will be at OWNER'S sole risk and without liability or legal exposure to CONSULTANT, and OWNER agrees to indemnify and hold CONSULTANT harmless from and against any claims or liability, including attorneys' fees resulting from any claim against CONSULTANT by any third party arising out of OWNER'S use of the documents referred to herein, for any purpose other than the completion of the Project.
13. Delays Beyond the Control of the CONSULTANT. It is agreed that events which are beyond the control of the CONSULTANT may occur which may delay the performance of the Scope of Services. In the event that the performance of the Scope of Services by the CONSULTANT is delayed beyond his control to include but not limited to regulatory permitting, approval for right-of-way access and easement purchase, the CONSULTANT shall notify the OWNER in writing of such delay and the reasons therefore, and the OWNER shall extend the time of performance appropriately.
14. Changes. The OWNER or the CONSULTANT may, from time to time, request modifications or changes in the Scope of Services. Such changes, including any increase or decrease in the amount of the CONSULTANT'S compensation, which are mutually agreed upon by and between the OWNER and the CONSULTANT, shall be incorporated in written amendments.
15. Termination of Contract. This Contract may be terminated by either the OWNER or the CONSULTANT with 7 calendar days written notice. In the event of such termination, all finished or unfinished plans, specifications and reports prepared by the CONSULTANT shall, at the option of the OWNER, become OWNER'S property, subject to the provisions of paragraph 13. The CONSULTANT shall be entitled to receive compensation for work accomplished and for reimbursable expenses incurred prior to termination.
16. Assignability. This Contract shall not be assigned or transferred by either the CONSULTANT or the OWNER without the prior written consent of the other.
17. Liability and Standard of Care. CONSULTANT shall perform services for client in professional manner, using that degree of care and skill ordinarily exercised by consultants practicing in the same or similar locality as the project. CONSULTANT'S liability to OWNER for any damages arising in any way out of performance or breach of this contract, is limited to \$1,000,000. In no event shall either OWNER or CONSULTANT be entitled to consequential damages.

OWNER acknowledges that the CONSULTANT is a Corporation and agrees that any claim made by the OWNER arising out of any act or omission of any director, officer or employee of the CONSULTANT in the execution or performance of this agreement

shall be made against the CONSULTANT and not against such director, officer, or employee and OWNER waives any claim against all of CONSULTANT'S directors, shareholders, officers and employees.

IN WITNESS WHEREOF, the CONSULTANT and the OWNER have executed this Contract as of the date written below and under the laws of the State of South Carolina.

OWNER:

CONSULTANT:

OCONEE COUNTY SEWER COMMISSION

W.K. DICKSON & CO., INC.

By: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

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

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

Witness: \_\_\_\_\_

Witness: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

## ATTACHMENT B

### BASIS OF COMPENSATION

1. Basic Services: The OWNER shall pay the CONSULTANT for Phase I services set forth in Attachment A, Scope of Services, the following Lump Sum Fees plus Reimbursable Expenses:

A. Interstate 85/SCDOT Welcome Center Sewer Project	\$29,000
B. Interstate 185 Exit #4 Sewer Project	\$26,800
C. Martin Creek Sewer Project	\$29,900
D. Richland Creek/Bountyland Sewer Project	\$28,900
E. Septic and Grease Receiving Facility	\$ 9,700

A percentage of the Lump Sum Fee plus reimbursable expenses will be billed on the last day of each month. The percentage billed will be the percentage of work estimated to be complete as of the day of billing.

2. Additional Services: The OWNER shall pay the CONSULTANT for Additional Services as set forth in Attachment A, Scope of Services, on an hourly plus expenses basis as detailed in the attached rate schedule.
3. Reimbursable Expenses: The OWNER shall compensate the CONSULTANT for incidental expenses incurred in connection with this Contract, including travel expense, lodging and subsistence expense, printing and duplication expense, and other incidental out of pocket expenses at cost. For the purposes of reimbursement, travel expense shall be at the rate contained in the attached rate schedule.

The total reimbursable expenses shall not exceed the sum of Six Thousand Dollars (\$6,000).

**AGENDA ITEM SUMMARY  
OCONEE COUNTY, SC  
COUNCIL MEETING DATE: 1/17/06  
COUNCIL MEETING TIME: 7:00 pm**

**AGENDA ITEM SUMMARY TO BE PRESENTED AT COUNCIL MEETING**

**ITEM TITLE OR DESCRIPTION:**

Consideration of Waiving Bid Procedure & Engaging Wilber Smith Associates to perform a needs assessment of infrastructure strengths and weaknesses in Oconee County.

**BACKGROUND OR HISTORY:**

The Oconee County Economic Development Director, the Oconee County Administrator & the Oconee County Infrastructure Commission has met with representatives of Wilber Smith Associates and believe the company can be valuable in assisting the Six Member Capital Sales Tax Commission in evaluating which projects have the most merit and should be presented to the citizens in both the municipalities and unincorporated areas of the County in a 2006 referendum.

- (1) Wilber Smith Associates will conduct a community assessment
- (2) Wilber Smith Associates will conduct community interviews
- (3) Wilber Smith Associates will conduct baseline economic analysis
- (4) Wilber Smith Associates will evaluate economic resource core analysis
- (5) Wilber Smith Associates will estimate potential economic impacts of investments to be funded via the one-cent, seven year Capital Improvement Sales Tax

Wilber Smith Associates has wide experience in assisting other Counties on infrastructure needs assessment and is currently assisting Anderson County.

**SPECIAL CONSIDERATIONS OR CONCERNS:**

Waiving of the bid procedure as time is of the essence with a 2006 referendum pending. Wilber Smith Associates specializes in this particular area of work.

**STAFF RECOMMENDATIONS FOR COMMITTEE ACTION:**

- (1) Make a finding of fact that time is of the essence in securing these consultant services; we have an on-going consultant relationship with Wilber Smith Associates on the Fair Play Commerce Center Master Plan Study which was competitively bid; this is a unique specialty service not provided by many consultants in the upstate.
- (2) Council Action: Waive bid procedures and engage Wilber Smith Associates to assist the six member Capital Sales Tax Commission, the Economic Development Commission and Oconee County Infrastructure Commission. Fee not to exceed \$75,000. The hourly rates are in line with the Master Plan rates.

**FINANCIAL IMPACT:**

Cost of Services will be funded from the Economic Development budget, fee not to exceed \$75,000.



ATTACHMENTS:

Proposal of Wilber Smith Associates

Submitted or Prepared By:

  
Department Head

Approved for Submittal to Committee:

  
Ron H. Rabon, Administrator

Reviewed By/Initials:

\_\_\_\_\_ : County Attorney

\_\_\_\_\_ : Finance

UNAD : Procurement

January 12, 2006

Memo

To: Ron Rabun  
Oconee County Administrator

From: Bob Winchester, Chairman  
Oconee County Infrastructure Advisory Commission

Re: Wilbur Smith Associates

On January 11, 2006, the Oconee Infrastructure Advisory Commission met for its regularly scheduled January meeting. The Commission received a presentation from Wilbur Smith Associates concerning services that Wilbur Smith Associates would be able to provide to Oconee County as part of the proposed Capitol Project Sales Tax referendum. Questions were asked by Commission members concerning these services and the Commission was convinced that Wilbur Smith Associates could help the Advisory Commission and the Commission to be set up under South Carolina Code Section 4-10-320 to determine what projects should be included in the referendum and the priority for the projects based on the County's needs.

The Commission voted unanimously to recommend to County Council that they retain Wilbur Smith to perform these services, contingent upon Wilbur Smith Associates providing to the County a detailed scope of work to be performed and at a cost to be agreed upon by the County.

It will probably be necessary for the County to forego its normal procurement procedures in order to hire Wilbur Smith Associates. Factors to be considered in making this decision are that the services that can be provided by Wilbur Smith Associates are unique and are needed immediately in order to assist the proposed Commission in the performance of its duties. The County is currently utilizing Wilbur Smith Associates to work on the Master Plan for the Commerce Park on Highway 59, so we are already aware of the quality of their work.

### Task 1: Economic Base Analysis

To establish the need for Capital Investments, WSA proposes conducting an in-depth analysis of the County's relative economic competitiveness with regards to key industries. To accomplish this, WSA will employ its exclusive WSA EDGE (Economic Development and Growth) Analysis tool to complete the economic base analysis. The EDGE tool provides an area diagnostics of characteristics for all local industrial sectors, an assessment of the relative strength of a community's economic base and the ability to assess the potential impacts of alternate policy decisions, including infrastructure investment. The following describes the subtasks involved in employing the EDGE tool.

AREA CHARACTERISTICS - SUMMARY OF SECTORAL AND LOCAL ECONOMIC DATA

INDUSTRY	2000 EMPLOYMENT	2000 REVENUE	2000 TAX REVENUE	2000 NET EXPORTS	2000 TOTAL VALUE ADDED	2000 TOTAL ASSETS	2000 TOTAL LIABILITIES
1. Agriculture	50	50	50	50	50	50	50
2. Mining	50	50	50	50	50	50	50
3. Manufacturing	50	50	50	50	50	50	50
4. Wholesale Trade	50	50	50	50	50	50	50
5. Retail Trade	50	50	50	50	50	50	50
6. Services	50	50	50	50	50	50	50
7. Government	50	50	50	50	50	50	50
8. Education	50	50	50	50	50	50	50
9. Health Services	50	50	50	50	50	50	50
10. Arts, Entertainment, Recreation	50	50	50	50	50	50	50
11. Accommodation and Food Services	50	50	50	50	50	50	50
12. Other Services (except Public Administration)	50	50	50	50	50	50	50
13. Total	50	50	50	50	50	50	50

	PER POLICY	BASE POLICY	IMPACT
1. Increase in Total Assets			1
2. Increase in Total Liabilities			1
3. Increase in Total Equity			1
4. Increase in Total Debt			1
5. Increase in Total Net Worth			1
6. Increase in Total Assets			1
7. Increase in Total Liabilities			1
8. Increase in Total Equity			1
9. Increase in Total Debt			1
10. Increase in Total Net Worth			1
11. Increase in Total Assets			1
12. Increase in Total Liabilities			1
13. Increase in Total Equity			1
14. Increase in Total Debt			1
15. Increase in Total Net Worth			1

EDGE Spreadsheet - Input Form 2 for Economic Base Analysis

WSA
EDGE

The WSA EDGE model is a tool that allows for the assessment of local economic conditions and the identification of strengths and weaknesses. The EDGE tool provides a customized, industry level analysis of a community based on its existing assets, current economic base and other characteristics critical to business attraction and retention.

Area Characteristics	Study Area
<b>I. COST CATEGORIES</b>	Study Area
Labor Cost (2010 Inflation)	
Energy Cost (2010 Base) or Electricity Cost (2010)	
Overall Tax and Permit	
Building Costs	
Water Costs	
<b>II. OTHER CATEGORIES</b>	
Population	
Population Density (per square mile)	
Skilled Workers	
Labor Force Participation Rate	
Travel Time to Airport (minutes)	
Travel Time to River (minutes)	
Travel Time to Rail (minutes)	
Average MPH DR (Roadway Congestion (1 through 10))	

#### **Task 1.A : Community Assessment**

WSA will conduct a detailed community assessment for the purpose of compiling a database based on both primary and secondary data. The community assessment will be conducted in two phases- 1) secondary data collection from local, state and national sources and 2) Community interviews.

#### **Data Collection**

The first step in compiling the database will be to review and incorporate previously developed data including those produced by the city, county and state. Existing data will be supplemented and updated as needed. WSA will also compile an inventory, complete with photographs, of available sites and significant infrastructure advantages and disadvantages. GIS analytic tools will be provided to complement the electronic database.

WSA will collect and organize data necessary for modeling in the EDGE tool. Key data elements will be collected from various sources including U.S. Census Bureau, the U.S. Bureau of Labor Statistics, the U.S. Bureau of Economic Analysis and various state and local agencies. For example, data will be collected in the following areas:

- Leading employers
- New companies in the area
- Average salary by occupation
- Worker's compensation and unemployment insurance
- Labor force characteristics
- Real and personal property tax
- Site inventory and average costs of site
- Utilities
- Quality of life data
- Infrastructure/assets inventory

Once completed, the data set will allow benchmarking of community's competitive advantages and disadvantages, a crucial element for the economic base analysis. The EDGE tool will allow us to discern the relative condition of the local economy on an industry by industry basis.

#### **Community Interviews**

Another phase of the community assessment involves conducting community interviews. The WSA team will conduct interviews with key industries and community leaders and stakeholders. The purpose of the interviews is to gain critical perspective on the growth and development of the region as well as qualitative information on the strengths and weaknesses of the region. Ideally, these interviews would be with

- CEOs, Human Resource Managers, or Plant Managers of local employers;
- Representatives of community colleges or other educational institutions;
- Local economic development officials and personnel; and
- Other Public sector officials (mayors, county council members, etc.)

The WSA team anticipates that the Client Project Team would assist us in coordinating these interviews.

### **Task 1.B: Conduct Baseline Economic Analysis**

Building on the review of existing studies and stakeholder interviews, the WSA Team will prepare an overview of past and current trends in the community's economic performance. We will identify these trends both in absolute terms by region and statewide, as well as in relative terms through a comparison against trends observed with other communities, and Southeastern states with similar economic structures and the nation as a whole.

#### ***Quantitative Analysis of the Economic Structure***

- **Analyze the structure of the Oconee County's economy.** This analysis will be done using our exclusive EDGE tool at industry-specific levels (at a minimum, three digit NAICS/2 digit SIC) and will become more detailed as necessary. The purpose of this analysis is to:
  1. document strong industries Statewide and in regions that are supporting these respective economies;
  2. determine which of these strong industries may be weakening; and
  3. identify small industries that show potential for growth.

Key measures include jobs, wages and business sales.

- **Examine key industries and identify industry linkages.** Linked industries, also known as "clusters" are industries that buy and sell goods and services from each other. The presence of industries often presents opportunities to attract or expand "linked" industries. All analytic exercises will be carried out in conjunction with qualitative data collected from interviews as outlined in the previous task to ensure our results accurately reflect the regional context.
- **Analyze recent competitive economic performance** by comparing industry changes in Oconee County to other regions in the state, to the state as a whole, and the nation. This portion of the economic baseline focuses on the growth rate of Oconee County industries relative to benchmarks in comparison areas. This segment of the analysis will identify industries in Oconee County that are currently under-performing industries and form the basis for estimating potential opportunities for growth. Analysis of results will include graphic and tabular formats, and be industry-specific.

### **Task 1.C: Economic Resource Core Analysis**

The core analysis will evaluate the Oconee County's ability to promote and sustain the processes of innovation, trade, and investment. The keys to achieving shared and sustainable growth is the capacity to produce. This capacity is most directly a function of the characteristics of the State as a whole as well as individual regional economic resources—its human resources, natural resources, physical infrastructure, economic institutions, and financial capital—and, more importantly, how these resources are utilized. The following resources will be assessed:

- **Technological Resources and Entrepreneurial Culture:** The ability to compete in the international economy is increasingly related to a firm's ability to innovate and adopt new technologies. The purpose of this exercise will be to inventory the quality and



quantity of the technological resources at universities, hospitals, and private research facilities; the commercial applicability of these resources; the effectiveness of current efforts to commercialize technology; and barriers to successful technology transfer and commercialization. Some aspects of economic competitiveness include adequate infrastructure, educational attainment and computer literacy of the workforce (to both take advantage of the training and distance learning opportunities, and job performance), e-government to make services more accessible, and the ability of local businesses to tap into the numerous commercial advantages of the internet.

- *Labor Force and Education and Training Capacity:* To ensure that improvements related to the economic development strategy translate into improved economic conditions for residents, a strong system of education and training is needed to act as the bridge between people in the community and businesses in the community. Moreover, it is the quality of the workforce that companies increasingly see as the primary competitive issue in a community. As part of the interviews with businesses, gaps in labor force skills will be identified; we will use data gathered from the stakeholder focus groups to identify the types of skilled workers they currently need and their expectations regarding future needs for skilled workers. Finally, we will prepare a profile of education and training providers in the region and an analysis of the adequacy of these resources for meeting existing needs and new economic opportunities.
- *Financial Resources:* The study will provide an analysis of capital resources available to regional businesses as well as financial resources for funding public sector activities. The analysis will cover both formal and informal sources of private risk capital, including venture capital firms (if any) and significant individual investors. We will identify public sources of capital and inventory their activities.
- *Physical Infrastructure:* A region's physical infrastructure is an important factor in its attractiveness to different types of businesses. For example, the region's transportation networks could represent either a constraint on future development or an opportunity not fully exploited. The analysis will include an assessment of the strengths and weaknesses of existing infrastructure; examination of planned infrastructure improvements; and assessment of infrastructure impacts on regional development opportunities/constraints. Information for this section will be secured by a review of existing planning and land use reports, as well as discussions with local and regional planners and stakeholder focus groups.
- *Economic Development Infrastructure and Support Services:* The design and implementation of an effective economic development plan requires a thorough evaluation of the current distribution of economic development roles, responsibilities, and capacity for the area. This analysis needs to be carried out by region as well as for the state as a whole. Accordingly, we propose to inventory existing public and private economic development organizations available locally and statewide to assess their resources and identify their strengths and weaknesses relative to carrying out an effective economic diversification program. This process will ensure recommendations for action will be consistent with institutional capacities assigned to carry them out. The national experience of the WSA Team provides us with the context to identify gaps in economic development supports, if any.

**Task 1: Economic Base Analysis – Key Deliverables**

Task No.	Task	Deliverable
1.A	Review Existing Studies and Collect Data on the Local Economic Base	Annotated bibliography of existing economic development work statewide Identification of key issues by region, industry and sector
1.B	Conduct Baseline Economic Analysis - Quantitative Analysis of Economic Structure	Trend analysis by region & statewide Industry performance analysis SWOT Analysis by region & statewide
1.C	Economic Resource Core Analysis	Inventory and evaluation of economic development resources by region & statewide

**Task Deliverable:** A technical report detailing the community's economic base and identifying strengths, weaknesses, opportunities and threats (SWOT analysis) and potential "at risk" employment as well as future business recruitment opportunities. The EDGE tool will provide an assessment of the community's attributes by industry, allowing the WSA Team to zero in on the most problematic areas as well as those offering most potential. These competitive disadvantages will be tied to the projects to be funded via the local option sales tax in an effort to establish purpose and need for the tax.

**Task 2: Estimation of Sales Tax Exportation**

The burden of any tax on county residents is reduced if a portion of the tax is exported to non-residents. In many instances, local communities are able to export a significant portion of local sales taxes. It is important to be able to quantify the potential for sales tax exportation as this can be key in promoting the passage of such a tax. In order to inform policymakers and the general public on the County's ability to export the burden of a local option Capital Improvements Sales Tax, WSA proposes to quantify the County's ability to export a potential local option sales tax.

Sales tax exporting usually occurs because of spending on goods or services by commuters and tourists. WSA will estimate the extent to which Boone County sales tax exportation to non-residents would occur through four transactions:

- (1) purchases made by in-commuters;
- (2) purchases made by non-residents, non-commuters from neighboring counties;
- (2) purchases made by tourist to the County, for leisure or business; and
- (3) taxation of business purchases that are borne by non-residents.

**Task Deliverable:** The findings of this analysis would be documented in a full color, easy to read, executive summary document aimed at the lay audience. An

accompanying PowerPoint Presentation with speaker's notes would be prepared. These tools would be used for promoting the sales tax referendum.

**Task 3: Estimation of Potential Economic Impacts of Investments to be funded via the Capital Improvement Sales Tax**

Public investments in capital projects often serve as an economic catalyst, especially if these investments are targeted to address known regional weaknesses or competitive shortcomings. In these instances, capital investments can lead to significant economic impacts including increase in income and employment and expansions of the local tax base. WSA proposes conducting an analysis of the potential projects to be funded by a Capital Improvement Tax to estimate the potential economic impacts and resulting tax base expansion.

To accomplish this, WSA will again employ its EDGE tool which allows for the estimation of the impacts arising from alternative capital investments. The impacts will be reported in terms of employment, income and local tax base expansion on a project by project basis. This process will also provide valuable input into the project selection and prioritization process.

**Task Deliverable:** A report summarizing the potential economic impact for alternative projects to be funded by a Capital Improvements Local Option Sales Tax.



	Paula Dowell	Jared Loacholt	Total
Task 1: Economic Base Analysis	120	200	320
Task 2: Sales Tax Exemption	40	80	120
Task 3: Economic Impact Assessment	60	100	160
Total hours	220	380	600
Hourly billable rate	160	68	
Total labor costs	\$35,200	\$25,080	\$60,280
Travel costs			\$2,000
Data acquisition			\$1,000
Other direct costs			\$800
Total direct costs			\$3,800
Professional fee			\$7,233
Total costs			\$71,123

	Paula Dowell	Jared Loadholt	Total
Task 1: Economic Base Analysis	120	200	320
Task 2: Sales Tax Exportation	40	80	120
Task 3: Economic Impact Assessment	60	100	160
Total hours	220	380	600
Hourly billable rate	160	68	
Total labor costs	\$35,200	\$26,080	\$60,280
Travel costs			\$2,000
Data acquisition			\$1,000
Other direct costs			\$810
Total direct costs			\$3,810
Professional fee			\$7,233
Total costs			\$71,123



Wilbur Smith Associates

**PAULA E. DOWELL, Ph.D.**

Director, Economics, Freight and Finance

## EDUCATION

Ph.D., Economics, 2000, University of Tennessee, Knoxville

M.A., Economics, 1998, University of Tennessee, Knoxville

B.B.A., Economics, 1994, East Tennessee State University

## AREAS OF SPECIALIZATION

Dr. Dowell is a senior economist and financial analyst with over eight years experience in fiscal and economic development analysis. Since joining Wilbur Smith Associates she has served as a senior analyst on major transportation corridor studies, fiscal forecasting studies and economic development projects. Prior to joining WSA she served as a Post Doctorate Research Associate for the Center of Business and Economic Research (CBER) at the University of Tennessee, Knoxville. Her areas of specialization include State and Local Public Finance and Urban and Regional Economics. She has served as a Public Finance Specialist consultant to the World Bank in Bosnia-Herzegovina and a technical assistant in Bank related work in Russia. In addition to her extensive background in fiscal and economic development analysis, Dr. Dowell has over five years of project management and classroom instruction/curriculum development experience.

## PROFESSIONAL EXPERIENCE

### International

**Public Finance Specialist: Tax Policy and Fiscal Federalism in Bosnia-Herzegovina, 1995-2000.** Accompanied World Bank sponsored missions to Bosnia to evaluate policy and administrative needs of the Ministry of Finance and local governments and assisted in designing tax structures and revenue sharing arrangements. Responsibilities included meeting with officials at the all levels of government to discuss issues related to fiscal federalism. The goal of the mission was to examine mechanisms that would lead to a more equitable and efficient tax and service delivery system between the cantons in the Federation as well as between the two state entities that comprise the

nation. Specifically, a tax sharing arrangement that resulted in tax revenues being destination-based as opposed to origin-based and a centralized healthcare funding plan were devised.

**Public Finance Research Associate: Fiscal Federalism in Russia, 1997.** USAID Project, funded through The Center for Business and Economic Research. Provided short-term technical assistance including statistical modeling and report preparation for Russia policymakers visiting the U.S. to gain insight into local government debt financing.

### Fiscal and Economic Development Analysis

**Anderson County Sales Tax Analysis.** Project manager for a study to conduct an analysis in support of an upcoming referendum on a Special Local Option Sales Tax. Specifically, WSA estimated the potential for exportation of the tax burden. This analysis confirmed that a significant portion of the revenue collected from this tax would be paid by non-residents as a result of commuters, tourism, business to business sales and pass through traffic. In addition, the study also examined the potential economic impact of the projects to be funded via the tax.

**Laclede County, MO Comprehensive Economic Development Strategy.** Project manager for the project that includes developing the County's first CEDS and target industry analysis. The project includes conducting a SWOT analysis, target industry analysis, developing industry intelligence reports, public involvement and the recruitment of the a Director of Economic Development.

**Buckwalter Mixed-Use Development, Development Feasibility and Fiscal Impact Analysis.** Project manager and senior analyst for an analysis of Beaufort County Buckwalter Development Business Plan and Fiscal Forecast including TIF estimates, build-out scenarios and projections, fiscal impact modeling and economic feasibility of proposed infrastructure improvements.

**Dorchester County Fiscal Impact Model.** Project manager for an analysis examining the fiscal im-

parts of a proposed 600 Unit housing development on the County of Dorchester in South Carolina. Assignments included developing a model evaluating the fiscal impacts of the proposed development over a twenty five year period and preparing the results for presentation to the county council. The purpose of the study was to evaluate the county's position regarding providing development incentives to the commercial developer.

**Columbia Owens Field Mixed-Use Development Master Plan (2003).** Senior economist responsible for economic development component of master plan including labor force analysis, targeted industry analysis, and estimation of economic impacts arising from the proposed development.

**Scott County, TN Economic Development Program (2003).** Project Manager responsible for preparing an overview of the county's economy, conducting a SWOT analysis, identifying key industry clusters, evaluating the role of tourism as an economic development tool and analyzing retail sales leakages. The results of the research was presented at a day-long economic development summit.

**Guich Business Improvement District, Nashville, TN (2001/2002).** Project manager and principal investigator for an analysis of the Economic Feasibility and Fiscal Impacts of the Urban Mixed-Use Development in the Guich Business Improvement District in Davidson County, Tennessee. The study included evaluating the economic and fiscal impacts associated with alternative mixes of land use including commercial, retail and residential. The alternative strategies were based on the market feasibility analysis component of the study. Knoxville, TN: Center for Business and Economic Research.

**Thrillopolis Theme Park, Nashville, TN (2002).** Project manager and principal investigator for an analysis of the feasibility and fiscal impacts of "Thrillopolis" Theme Park in Downtown Nashville, Tennessee. Knoxville, TN: Center for Business and Economic Research.

**Industry Recruitment Analysis** Principal investigator for an analysis of the Location Decisions of Automotive Suppliers in Tennessee and the Southeast by developing both an empirical model based on historical data and a model based on

survey data collected from firms located in the region during the study period. Knoxville, TN: Center for Business and Economic Research.

**Industrial Cluster Analysis for State of Tennessee.** Principal investigator for a study examining supply gaps and surpluses for key industrial clusters in Tennessee. Analysis included using input/output techniques, location quotients and economic base theories to provide guidelines for industrial recruitment efforts. Once supply gaps were identified, an inventory of the state's competitive advantages and disadvantages deemed important in the "gap" industries were evaluated to determine the feasibility of actively recruiting firms in these industries.

**Economic Impacts of Dell Computer on the Nashville MSA (1999).** Principal investigator for an analysis of the economic and fiscal impacts of the location of a Dell Computer assembly plant in Middle Tennessee. The analysis also involved evaluating the skills and wages of Dell-related workers relative to the Nashville MSA labor market. A staffing feasibility analysis, which involved profiling potential labor market participants and journey-to-work data, was conducted as part of study due a persistently low unemployment rate in the region. Knoxville, TN: Center for Business and Economic Research.

**Tennessee Titans Stadium (1999).** Conducted a feasibility analysis of local government financing of a stadium in downtown Nashville for the new Tennessee professional football team. Knoxville, TN: Center for Business and Economic Research.

**Economic Growth in Williamson County, TN (1998).** Project manager and principal investigator for an analysis of the Economic and Fiscal Consequences of Economic Growth in Williamson County with a focus on growth management and developing a strategic plan for future development. The study also included developing a socio-demographic profile of the county an economic and conducting fiscal impact analysis of alternative types of industry using case studies of MetLife, Ford Financial, and Nissan Motor Corporation. A third section of the study involved evaluating the need and potential for affordable housing in the county. Knoxville, TN: Center for Business and Economic Research.

**Electric Utility Deregulation (2001).** Project



manager and principal investigator for an analysis of the Fiscal Consequences of Electric Utility Deregulation for Local Governments in Tennessee. Provided an in-depth analysis of the fiscal impacts of electric utilities on local governments and the potential effects that changes in the industry, including privatization, may have local governments in terms of their ability to adequately provide and finance local services. Knoxville, TN: Center for Business and Economic Research.

**Economic Impact of U.S. Department of Energy (1999-2002).** Project manager and lead analyst for an annual analysis of the Economic and Fiscal Benefits of U.S. Department of Energy funded operations for the State of Tennessee. Fiscal Years 1998, 1999, 2000 and 2001. Knoxville, TN: Center for Business and Economic Research, University of Tennessee, Knoxville.

**Covenant Health Systems.** Knoxville, TN (2002). Project manager and principal investigator for an economic and fiscal feasibility analysis of privatizing and relocating a county-owned hospital in Loudon County, Tennessee. The study included evaluating private financing options, cost-benefit analysis and economic impacts in terms of jobs and earnings.

**Knoxville MSA Labor Market Study (2001).** Project manager and lead analyst for an in-depth analysis of the Knoxville Metropolitan labor market for industry recruitment. Purposes for private development company. The analysis consisted of compiling a labor market profile, skill-match analysis, labor-force participation study and journey-to-work profile. Significant components of the project included evaluating the effects of transportation networks on labor mobility within Knoxville MSA and developing a process to measure the level of under-employment in a labor market.

**Industrial Recruitment Analysis and Economic Development (2001).** Prepared industrial recruitment analysis and economic development plans for Giles County, Tennessee for the Tennessee Institute for Economic Development, East Tennessee State University. Study involved preparing a socio-demographic profile of the region, surveying businesses, assessing the competitive advantages and disadvantages of the county based on alternative industrial recruitment strategies and evaluating labor market conditions including skill levels, labor force participation and under-

employment.

**Water Resources and Economic Development (2000).** Conducted an Economic Analysis of Designing Outstanding National Resource Waters in Tennessee. The demand for alternative water uses was modeled based on surveys of current water users as well as historical data. Monroe County, Tennessee.

**Economic and Fiscal Impacts of Lake Recreation (1998).** Lead analyst for an analysis of the Economic and Fiscal Impacts of TVA Lake Draw-Downs on Douglas and Cherokee Lakes using visitor and retail survey data and an empirical model based on historical data. Knoxville, TN: Center for Business and Economic Research.

**SPS and JINS Facilities (1998).** Conducted an analysis of the Economic and Fiscal Effects of the construction and operation of the U.S. Department of Energy's Spallation Neutron Source and the Joint Institute for Neutron Sciences on the State of Tennessee. Knoxville, TN: Center for Business and Economic Research.

**Economic Impacts of the University of Tennessee Athletic Program (1997).** Lead analyst for an analysis of the Economic Impact of the University of Tennessee Athletic Department on the Knoxville MSA. Knoxville, TN: Center for Business and Economic Research.

#### Transportation and Economic Development

**Appalachian Region Commission, Intermodal Freight Transport Study for the Appalachia.** Senior Economist for project involving identifying mode-specific and intermodal commodity flows, measuring capacity by mode, assessing domestic and international factors impacting provision of transportation services, synthesizing data regarding shipper practices, challenges and expectations, forecasting future demand for freight transportation in region and identifying opportunities to enhance efficiency of freight movement.

**Latin American Trade and Transportation Study, Phase II.** Senior Economist responsible for identifying economic development opportunities and potential benefits arising from trade with Latin American by analyzing commodity flow data and input/output data for the 16 member alliance region. The study also examines the use of free

trade zones (FTZ) as an economic development tool within the region.

**Nogales Cyberport Project, Mexico/Arizona,** Senior Economist for preparing forecast of future freight flows by commodity and mode for analysis of alternative models of the border crossing in Nogales, Arizona. Forecasts are to be used in planning for future infrastructure needs on both the Mexican and U.S. side of the border.

**I-10 Corridor Freight Study,** Senior Economist for conducting an analysis of the economic benefits of interregional and intraregional truck freight movement by commodity type along the I-10 Corridor and developed economic development strategies for rural communities along the corridor.

**Route 12 Corridor Study, NY** Senior Economist for conducting an analysis of the Route 12 corridor which includes the preparation of a socio-economic profile of the four county region in New York State that is serviced by the Route 12 corridor and economic impact analysis of major employers located along the corridor. The results of the study will be used to assist in the evaluation of economic development benefits arising from improvements to the corridor.

**North Carolina Long-Term Transportation Plan,** Senior Economist responsible for conducting an analysis of the economic and social trends that effect how goods and people travel through the state. The results of the analysis will serve as input into the state's long-range transportation plan.

**The Economic Impact of U.S. Aviation Industry,** Senior Economist Conducted an analysis of the effects of September 11<sup>th</sup> on the U.S. economy as a result of the impact on commercial aviation. Both short-term and medium-term effects were modeled and estimated.

#### Financial Forecasting and Analysis

**Hilton Head Island TIF Review** Senior analyst for an analysis of revenue forecast for Tax Increment Finance (TIF) district in the Town of Hilton Head Island, South Carolina. Study involved projecting build-out values of future development based on land-use and future market value of development and redevelopment activities.

**Quarterly Revenue Forecasting Model for the State of Tennessee** Developed and maintained an econometric model used to forecast quarterly revenue collections for eighteen different revenue categories for the State of Tennessee. The forecast was used in the legislature's budget process.

**Quarterly revenue Forecasting Model for Nashville Metro Government** Lead analyst in the development and maintenance of a revenue forecasting model for the Nashville Metro Government. The forecast provided projections for all major revenue sources including property taxes, local option sales taxes, fees, charges and payments-in-lieu-of-taxes. Knoxville, TN: Center for Business and Economic Research.

**Monthly Tax Revenue Reports for the State of Tennessee** Compiled and analyzed monthly revenue and fund balance data and wrote monthly reports for dissemination to state policy makers for the State of Tennessee.

**Alternative Revenue Structure Analysis** Conducted analysis of alternative state revenue structures for the State of Tennessee. The study involved evaluating several features of alternative taxing options at the state level including revenue forecasting, incidence analysis, equity statements and elasticity measurements. Knoxville, TN: Center for Business and Economic Research.

**Funds Allocation and Forecasting Model** - Developed a fiscal resource allocation and caseload-forecasting model for child-care service subsidies for the State of Tennessee. Department of Human Services.

**Child Care Financial Model** Project manager and Principal Investigator for a study establishing financial guidelines for state subsidized child care centers in Tennessee based on analysis of survey data for the State of Tennessee. Department of Human Services.

#### Survey Techniques and Data Analysis

**Financial Survey of State-Subsidized Child-care Facilities in Tennessee (2002)** Project manager for a study aimed at establishing financial guidelines for childcare centers in Tennessee receiving \$75,000 or more annually in state subsidies. The project involved utilizing data gathered via mail surveys and phone interviews

to established financial audit rules for childcare centers. Responsibilities included survey design, participant identification, establishing a "help-desk" for those completing the survey, quality control, database compilation, analysis and forming recommendations. Center for Business and Economic Research, University of Tennessee.

**Demand for Lake Recreation (2000)** Principal investigator for a study that utilized on-site survey results to derive contingent valuation measures of the willingness-to-pay for various lake recreation activities. The study was conducted at several TVA managed reservoirs in East Tennessee. Responsibilities included survey design, quality control, database management, analysis and final report preparation. Center for Business and Economic Research, University of Tennessee.

**Location Decisions of Automotive Suppliers in the Southeast (1999)** Principal investigator for a study that included conducting a mail survey of automotive supply firms located in the Southeast. The survey was designed to measure the relative importance of various factors in their business location decision. Responsibilities included survey design, supervision, quality control, analysis and final report preparation. Center for Business and Economic Research, University of Tennessee.

**Decision Resources (1998-2000):** Served as survey supervisor for survey/polling consulting company. Projects included phone surveys for political campaigns and marketing firms and mail surveys for various entities including private companies, home owners associations and municipal governments. Responsibilities included survey design, supervision of survey staff, quality control, database compilation and analysis.

## PUBLICATIONS

### Journal Articles

The Effects of Fluctuating Water Levels on Reservoir Fishing, (with Paul Jakus and Matthew N. Murray), *Journal of Agricultural Resource Economics*, 25(2) December 2000: 520-532.

### Book Chapters

Competition Between Decentralized Governments: Does it Matter, Does it Help?, (with William F. Fox), Richard Bird, ed., *forthcoming*

### Published Reports

Tennessee Socioeconomic Profile, 1990 to 2000, in *An Economic Report to the Governor of the State of Tennessee*, Knoxville, TN: Center for Business and Economic Research, University of Tennessee, Knoxville, January 2002.

General Economic Characteristics in Tennessee: Examining Changes in Labor Market Conditions and Income Levels, 1993-2000, *Tennessee Policy Research Brief*, Vol. 1, No. 2, Center for Business and Economic Research, University of Tennessee, Knoxville, October 2001.

General Demographic Changes in Tennessee, 1990-2000: Understanding the Economic Implications, *Tennessee Policy Research Brief*, Vol. 1, No. 1, Center for Business and Economic Research, University of Tennessee, Knoxville, September 2001.

Local Governments and Electric Utility Deregulation in Tennessee, Technical Report of Tennessee Advisory Commission on Intergovernmental relations, State of Tennessee, June 2001.

The Location Decisions of Automotive Suppliers in Tennessee and the Southeast, State of Tennessee, Department of Economic and Community Development, June 1999 (with Matthew N. Murray and David T. Mayes).

Examining Supply Gaps and Surpluses in the Automotive Cluster in Tennessee, State of Tennessee, Department of Economic and Community Development, May 1999 (with Matthew N. Murray).

Tourism in Tennessee, *An Economic Report to the Governor of the State of Tennessee*, March 1998, Knoxville, TN: Center for Business and Economic Research.

## ACHIEVEMENTS AND AWARDS

University of Tennessee, Post-Doctoral Fellowship, 2001-2002

Fred J. Holly Dissertation Fellowship, 1999-2000

University of Tennessee Graduate School Travel  
Fund Award, 1999

Beta Gamma Sigma Honor Society, 1998

East Tennessee State University College of Busi-  
ness Academic Scholarship, 1994-1995

**PROFESSIONAL MEMBERSHIPS**

American Economic Association

National Tax Association

Southern Economic Association

Western Economic Association International



## Economic Development Experience

WSA has assembled a team of professionals with expertise in all facets of economic development, including both practitioners and researchers. WSA offers "hands-on" project management supported by highly qualified professionals with over 40 years of relevant consulting, research, and practical experience in staffing and implementing successful economic development initiatives. We have carefully structured our team so that we provide ***both strong analytical and research experience as well a unique industry perspective*** to determine "what matters" for economic development initiatives.

## Company Overview

WSA is a multidiscipline consulting firm that provides professional services in the fields of economic analysis, strategy/policy development, and transportation/infrastructure engineering. Established in 1952, WSA is a 100% employee-owned corporation that employs close to 1,000 professionals and operates 85 offices worldwide, including 50 offices within the United States. Since its inception, WSA has completed more than 30,000 projects within 117 countries. Our specializations include transportation, infrastructure, and economic development.

## Economic Development Services

WSA has been offering economic development services to state and local governments for more than 40 years. Traditionally known as a transportation infrastructure firm, WSA has made the natural extension of services to include a broad range of economic development services. These services include:

- SWOT analyses
- Targeted industry studies
- Strategic development plans
- Feasibility plans
- Economic and fiscal impact studies
- Site selection and development
- Marketing and business incentive plans
- Revitalization/redevelopment plans

The firm's economic development staff consists of a team of experienced economists, planners and marketing specialists with backgrounds in all aspects of economic development, both from an academic and an "on-the-ground" practical viewpoint. In addition, the economic development team is routinely assisted by professionals in WSA's other areas of expertise, including community planning, roadway access, freight and logistics, traffic studies, and industrial park planning. WSA's vast resources and extensive project and program implementation experience provides significant value for our clients through our understanding of what it takes to position local regions for sustainable economic growth and retention.

### Relevant Experience

#### **Sales Tax/Impact Fee Support Projects**

##### ***Anderson County, SC SPLOST Economic Analysis***

WSA was selected by Anderson County to conduct an analysis in support of an upcoming referendum on a Special Local Option Sales Tax. Specifically, WSA estimated the potential for exportation of the tax burden. This analysis confirmed that a significant portion of the revenue collected from this tax would be paid by non-residents as a result of commuters, tourism, business to business sales and pass through traffic. In addition, the study also examined the potential economic impact of the projects to be funded via the tax. This analysis demonstrated that these public investments could produce a significant return in terms of increased employment, income and tax base expansion.

##### ***Lowndes County Impact Fee Study***

WSA was selected by Lowndes County, Georgia to study the feasibility of implementing impact fees. The study included developing economic forecast, developing a fiscal impact model, establishing impact fee schedules and providing public information support. Impact fees were examined in the following areas: road, water and sewer, library and parks, and fire services.

##### ***Titusville Cost of Growth Model and Impact Fee Assessment***

WSA was hired by the City of Titusville, Florida to develop a cost of growth model and to assess the feasibility of implementing impact fees. A cost of model used to project future revenue streams and costs associated with alternative growth scenarios was constructed. This model

was then used to determine the feasibility and level of impact fees required to cover the associated costs of new development.

### **Economic Development Projects**

#### ***Laclede County, MO, Economic Development Strategic Plan***

WSA was selected by the City of Lebanon and Laclede County, Missouri, to assist in developing the area's first-ever Comprehensive Economic Development Strategy. In response to shrinking manufacturing employment and the recent closing of a prominent employer in the County, the local Chamber of Commerce and various business leaders have urged the County and City to develop a comprehensive strategy aimed at diversifying the economic base, creating and retaining jobs, and expanding the local tax base. The primary components of the study to be undertaken by WSA include:

- Conduct a community assessment and compile an electronic database
- Undertake comparable community benchmarking
- Conduct a target industry analysis and provide industry intelligence on selected industries
- Evaluate the retail market conditions and provide a plan for expansion of retail business and resulting local sales tax base by conducting a retail sales leakage analysis
- Develop a marketing strategy and incentive plan
- Provide an implementation plan and schedule



#### ***Scott County Economic Development Program***

Scott County is located in northeastern Tennessee on the Cumberland Plateau in the western foothills of the Appalachian Mountains. The eastern portion of Scott County contains the Appalachian



Mountains, and the western part contains the Big South Fork Cumberland River Gorge. Scott County is approximately 85 miles northwest of Knoxville, approximately 175 miles northeast of Nashville, and approximately 120 miles south of Lexington, KY.

WSA conducted an assessment of the economic outlook and economic development opportunities for the County. The study included:

- A socio-economic profile
- SWOT analysis
- Comparative communities analysis
- Evaluation of the use tourism as economic development for the county

The findings of the investigation were presented at a day-long conference with County officials and business leaders. The purpose of the study and the conference was to assist community leaders in developing their comprehensive economic development strategy and a guiding vision for their development efforts. The project was completed in February 2003.

#### ***Dillon County, SC – EDA Grant Assistance***

Dillon County, SC, was seeking funding for the planning of a new general aviation airport. It was generally agreed that the County needed a solid business plan in order to obtain financial assistance from the FAA. After evaluating the various alternatives of funding sources, WSA initiated the process of applying for a grant from the U.S. Department of Commerce, Economic Development Administration on behalf of the County.

WSA was responsible for meeting with the regional EDA representative and preparing the initial scope of work and background material. This step included working with the regional Council of Government to update the region-wide economic development strategic plan to include the Dillon County airport as a project that would aid in the development of the overall region – a step necessary for the project to qualify for funding.



Upon review of the initial scope, the project was given approval to move into the "pre-application" phase of the EDA process. WSA completed the required documentation for the submission, and the project was moved to the final application phase. Steps in this phase included coordinating meetings between county officials, EDA representatives, and COG personnel. The grant has been approved and WSA has been engaged by the County to oversee the administration of the grant and to ensure the County stays in compliance with EDA's grant regulations.

### *Hopkins County – Industrial Land Needs Study*

Hopkins County, KY, enjoys a high-level quality of life and wanted to make sure that future generations could continue to live and work in the community. Hopkins County realized that their existing business land inventory was limited and that the community needed to develop a long-term strategy for economic development that would include acquiring land for industrial parks, funds to develop this inventory, and an incentive strategy that would enable them to effectively compete in the future.

The County hired WSA to help them assess their long-term land needs for economic development and develop a strategy to assure that the community could successfully compete for good jobs in the future. WSA utilized GIS information from various sources to build a "mosaic" for the County to identify



potential areas for future development. WSA developed site selection criteria similar to those used by industries in their site evaluations and conducted extensive field research and interviews to create an assessment of land inventory conditions. WSA discovered that Hopkins County had a serious problem; very little remaining land in the county could be developed for business and industry. Although a significant amount of land is not conducive for industrial and business development, WSA has helped the community identify sites that can be developed to support the economic future of Hopkins County. WSA is working with the County Fiscal Court and the Economic Development Authority to identify strategies to preserve appropriate property



for future development. WSA is also helping the community develop a Long-Range Acquisition and Development Strategy that will ensure that the community has the resources to support this process in the future.

### ***Pigeon Forge Long Range Strategic Development Plan***

Pigeon Forge has enjoyed tremendous economic success in the recent past. With a significant growth in tourism, local tax revenues have increased – providing outstanding public services for this unique community. New businesses have located in the community, and existing businesses have expanded. However, regional competition, national economic forces, and other factors have a significant impact on the Pigeon Forge economy and the community's future.



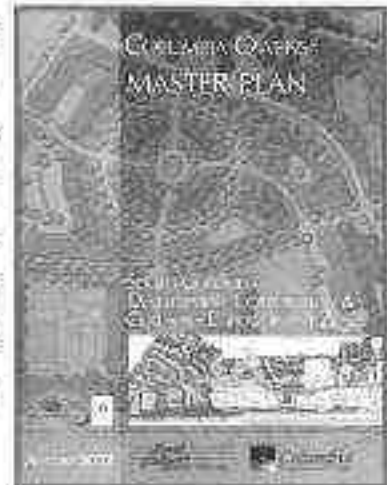
Realizing that changes will be necessary if the community is to continue to enjoy success in the future, the City hired WSA to provide economic development services and work with the City to develop a Long-Range Economic Development Strategy. The economic development services include a program to reposition certain retail businesses and improve performance; a new Targeted Recruiting and Business Assistance Program for the City; an enhanced Business Retention Program; development strategies for key sites within the City; and improved ordinances and regulations to encourage quality development.

The City's Long-Range Economic Development Strategy is intended to guide future actions and investments and provide the framework for economic prosperity and long-term competitiveness. The strategy focuses the resources, energies, and commitments of the community in a common direction to achieve a better future.

## Development/Redevelopment Projects

### ***Columbia Owens Field Business Park***

WSA was retained by the South Columbia Development Corporation to prepare an economic development Master Plan for the Rosewood Community in Columbia, South Carolina. The Master Plan strategy was to identify types of businesses for targeted recruitment and expansion efforts. Business development analysis focused on determining those sectors most likely to positively influence the local tax base and have the greatest impact on employment while ensuring neighborhood and community standards were satisfied.



Efforts to prepare the plan included multiple elements. The first was an ongoing public outreach process designed to keep the community informed of the consultant team's activities, as well as illicit ideas and comments from local stakeholders. Additionally, a physical site planning assessment determined existing infrastructure and utility requirements, traffic flow patterns, accessibility, parking requirements, and landscaping needs. Also, so that economic attractions were incorporated, existing tax incentives for businesses, expansion and labor pool characteristics were cataloged.

### ***Myrtle Beach, South Carolina, Urban Village***

WSA developed a Business and Implementation Plan for a mixed-use Urban Village to be developed over the next two decades on the former Myrtle Beach Air Force Base. The development will provide a traditional mix of urban uses, including residential, commercial, retail, and institutional. WSA evaluated historical real estate transactions and building permits and worked with local developers to establish the area's first full-scale real estate market estimate, determining real estate sales volumes for the Grand Strand's market. An economic model was developed to compare the economic potential of the Urban Village versus a commercial development and whether the Urban Village would be a good replacement for the Air Force Base as an economic stimulant. WSA also developed an infrastructure capital improvement plan, a financial plan, and a marketing plan.

### ***Charleston, South Carolina, Naval Base Annex***

WSA conducted a real estate feasibility study for the Charleston Redevelopment Authority (RDA), an agency established in response to the closure of the Charleston Naval Base. WSA was charged with finding the best and highest use for the property situated on a prime intersection of Interstate 26. The plan provided for an industrial and office park and included traffic circulation, roadway and utilities infrastructure, as well as a marketing and implementation plan. Several alternatives were tested, and a financial analysis of the different alternatives was included in the market analysis.

### ***Buckwalter Development Business Plan***

Buckwalter Commercial, LLC, a private development company in Bluffton, South Carolina, is developing over 3,700 acres of former timberland adjacent to the Town of Bluffton. WSA developed a business plan to guide the financing of the infrastructure basics needed to service the development, which includes a high-end, golf-centered residential and a mixed-use urban village. WSA also recruited commercial tenants for the village. The plan included projecting the fiscal costs and benefits of the planned development as well as potential financing alternatives.

### ***University of South Carolina New River Campus TIF Program***

WSA is currently working with the University of South Carolina in its efforts to convert USC Beaufort to a four-year baccalaureate degree-granting institution. To date, WSA has been contracted to develop a business plan and a redevelopment plan. A significant portion of these projects involved forecasting real estate demand by land use and estimating the fiscal impacts of alternative land uses, including defining capital project needs and costs and resulting property tax revenues.

### ***Town of Hilton Head Island TIF District***

The Town of Hilton Head Island, South Carolina, adopted TIF legislation in 1998 to finance the infrastructure needed for development and redevelopment in three regions of the town. In its preparation to issue bonds, the town contracted WSA to forecast the incremental property tax



revenues for the next fifteen years resulting from alternative land uses, including industrial, commercial, and residential. The results of the study will help guide the town in its zoning and planning decisions.

### Other Relevant Experience

#### ***Regional Transportation and Infrastructure Analysis for NESA***

WSA was retained by The North Eastern Strategic Alliance (NESAs) to conduct a regional transportation and infrastructure analysis for its ten-county area, including the Pee Dee and Waccamaw regions of South Carolina. The project was initiated to identify and assess existing infrastructure resources in the NESAs region and provide technical expertise in the development of recommendations/strategies to improve and expand the capabilities of these systems.



The work included the development of a contact list of all utility providers in the ten-county region (including water, wastewater, electricity, natural gas, and telecommunications) and the compilation of technical information on the water and wastewater systems (such as capacities, locations of tanks, valves, and treatment facilities and the mapping of major trunk lines in the systems). The project also included the inventory of transportation infrastructure with evaluations of transit systems, rail infrastructure, and port facilities.

The work included the development of a contact list of all utility providers in the ten-county region (including water, wastewater, electricity, natural gas, and telecommunications) and the compilation of technical information on the water and wastewater systems (such as capacities, locations of tanks, valves, and treatment facilities and the mapping of major trunk lines in the systems). The project also included the inventory of transportation infrastructure with evaluations of transit systems, rail infrastructure, and port facilities.

#### ***East Tennessee Alternatives Study – 10 Counties in Tennessee***



WSA was hired as the lead consultant of a six-firm team to provide transportation planning, economic development planning, tourist-marketing, and public involvement services to develop a future transportation strategy for a ten-county region. Agencies working on the alternatives plan include the Knoxville/Knox County Metropolitan Planning

Commission, the East Tennessee Development District, and the National Park Service. The study area includes the Knoxville urbanized area as well as the Great Smoky Mountains National Park.

### ***South Carolina Infrastructure Study***

WSA, working with the Rutgers University Center for Urban Policy Research, prepared projections of South Carolina's statewide infrastructure costs, savings, and financing alternatives for the years 1995-2015. The study first projected state, regional, and county growth and then determined infrastructure needs. Statewide infrastructure costs as well as regional infrastructure costs were developed.



The Study showed that South Carolina's most significant statewide infrastructure needs were those related to transportation. This category alone amounts to 51 percent of the entire infrastructure needs projection for the state. Three-quarters of that 51 percent is directly attributable to road needs. The report estimates that new growth infrastructure needs over the next 20 years amount to \$15,500 per new state resident and \$3,000 per year for backlog and infrastructure rehabilitation costs, for a total cost of \$58 billion.

### ***Assessment of Opportunities to Enhance Regional Economic Development: North Country Transportation Study, Upstate New York***

The Development Authority of the North Country commissioned this study because residents have long wanted improved transportation and facilities. Unlike many traditional transportation corridor studies, a significant aspect of this study consisted of economic development. WSA will examine a full range of options for improving transportation, including rail, air, and bus system improvements, as well as highway and telecommunications. The technical and financial feasibility of various alternatives will also be evaluated.

More specifically, WSA will:

- Develop a full range of alternative highway and other transportation improvements that address the region's economic development and accessibility needs
- Assess economic conditions in the region, identify non-transportation options for improving economic conditions, and develop a framework for ongoing monitoring of regional economic conditions
- Provide appropriate economic impact and cost-benefit modeling to evaluate potential investments
- Prioritize and shortlist alternatives for further evaluation
- Evaluate the short-listed alternatives by analysis of technical and financial feasibility, economic costs and benefits, and social and environmental impacts
- Recommend a preferred alternative and specify project phasing, implementation mechanisms, and funding options

**AGENDA ITEM SUMMARY**  
**COUNCIL MEETING DATE: 1/17/06**  
**COUNCIL MEETING TIME: 7:00 pm**

**ITEM TITLE OR DESCRIPTION:**

Appointment of County Members to the one-cent Capital Projects Sales Tax Commission.

**BACKGROUND OR HISTORY:**

The Oconee County Council adopted Resolution 2005-21, "A RESOLUTION TO ESTABLISH A COMMISSION TO CONSIDER PROPOSALS FOR FUNDING CAPITAL PROJECTS IN OCONEE COUNTY, SOUTH CAROLINA, PURSUANT TO SECTION 4-10-300 ET. SEQ. OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED TO PROVIDE FOR THE APPOINTMENT, COMPOSITION, DUTIES AND RESPONSIBILITIES OF SUCH COMMISSION; AND OTHER MATTERS RELATING THERETO". This Commission is to be comprised of three municipal members and three County members, with a mission to form a listing of capital projects that will appeal to all County residents. This listing will need to have estimated costs attached. The six person Commission will also formulate the ballot question to be placed before the citizens in a November referendum. Due to the City of Seneca's population, one of the municipal representatives will be appointed by Seneca and the other two municipal appointees will be chosen by the municipalities. County Council will appoint three members who cannot be municipal residents.

**SPECIAL CONSIDERATION OR CONCERNS:**

Council will want to consider appointing three appointees with a broad vision that will positively impact all of our citizens in the capital projects to be recommended.

The County Council can review the project list and the ballot question drafted by the commission, but cannot change either of them.

**STAFF RECOMMENDATION FOR COMMITTEE ACTION:**

- Appointment by the County Council of three County members to the Capital Projects Sales Tax Commission.
- Receive input on the three municipal appointments and confirm their appointment.

**FINANCIAL IMPACT:**

- The Infrastructure Advisory Commission suggests that based on net taxable sales of \$555,000,000 as of April 2004, the County could conservatively assume it would generate \$39,000,000 over seven years for capital projects.
- After a seven year period, the special sales tax will "sunset" and no longer be collected unless approved at another referendum.

**ATTACHMENTS:**

(1) Resolution 2005-21  
Submitted or Prepared By:

*Opal O. Green*  
Department Head

Approved for Submittal to Council

  
Ron H. Rabun, County Administrator

Reviewed By/Initials:

\_\_\_\_ Finance  
Attorney

\_\_\_\_ N/A \_\_\_\_\_ County

\_\_\_\_ N/A \_\_\_\_\_ Other

STATE OF SOUTH CAROLINA  
COUNTY OF OCONEE  
RESOLUTION 2005-21

**A RESOLUTION TO ESTABLISH A COMMISSION TO CONSIDER PROPOSALS FOR FUNDING CAPITAL PROJECTS IN OCONEE COUNTY, SOUTH CAROLINA, PURSUANT TO SECTION 4-10-300 ET. SEQ. OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED, TO PROVIDE FOR THE APPOINTMENT, COMPOSITION, DUTIES AND RESPONSIBILITIES OF SUCH COMMISSION; AND OTHER MATTERS RELATING THERETO**

**WHEREAS**, in accordance with Section 4-10-300, et. seq. of the Code of Laws of South Carolina, 1976, as amended ("Code"), entitled *Capital Projects Sales Tax Act*, a county may, upon approval by the electorate at a duly noticed referendum, levy a sales and use tax of one percent on the gross proceeds of sales within said county for specific purposes and for a limited amount of time to collect a limited amount of money; and

**WHEREAS**, the governing body of a county is authorized to create a commission, by resolution, subject to the provisions contained in Section 4-10-320 of the Code for the purpose of considering proposals for funding capital projects within the county area and for the formulation of a referendum question regarding the one percent tax which shall appear on the ballot; and

**WHEREAS**, Oconee County, South Carolina ("County"), a body politic and corporate and political subdivision of the State of South Carolina, acting by and through its County Council finds that the imposition of a capital projects sales tax will generate revenues which may be used to fund or defray the costs of capital improvements within the County, and other related matters,

**NOW, THEREFORE**, be it resolved by Oconee County Council, in session duly assembled, that:

- (1) Oconee County Council hereby establishes a commission ("Commission"), as defined in Section 4-10-320 of the Code, with such duties and responsibilities as provided by law, to consider proposals for funding capital projects within the County, and to formulate a referendum question which shall appear on the ballot of the general election scheduled for November 7, 2006.
- (2) The Commission shall consist of six members, appointed as follows, all of whom must be residents of Oconee County, South Carolina:
  - (a) Oconee County Council shall appoint three (3) members to the Commission



- (b) The City of Seneca shall appoint one (1) member, who must be a resident of the City of Seneca, to the Commission.
  - (c) The other two members of the Commission shall be appointed by the municipalities of Oconee County.
- (3) In formulating the question that will appear on the ballot, the Commission shall, *inter alia*:
- (a) Specify the purpose for which the proceeds of the one percent tax will be used;
  - (b) Specify the maximum time, stated in terms of calendar or fiscal years or quarters, or a combination thereof, not to exceed seven years from the date of imposition, for which the tax may be imposed;
  - (c) Specify the maximum cost of the project or facilities funded from proceeds of the tax, and the maximum amount of net proceeds to be raised by such tax; and
  - (d) Specify other conditions to the imposition of the sales and use tax, or conditions or restrictions on the use of sales and use tax revenue.
4. The referendum question shall be in substantial compliance with the provisions of Section 4-10-330 of the Capital Project Sales Tax Act, Code of Laws of South Carolina, 1976, as amended, the terms and provisions of which are incorporated into and made a part of this resolution by reference.
5. This resolution shall be effective immediately upon its adoption.
6. All orders and resolutions in conflict herewith are, to the extent of such conflict only, repealed and rescinded.
7. Should any part or portion of this resolution be deemed unconstitutional or otherwise unenforceable by any court of competent jurisdiction, such finding shall not affect the remainder hereof, all of which is hereby deemed separable.

**APPROVED & ADOPTED** on first and final reading this 20<sup>th</sup> day of December 2005 as evidenced by the hand of the Council Chair and attestation of the Clerk to Council.

## Steven R. Moore

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**From:** Donald Fuller [mdafnne@webtv.net]  
**Sent:** Sunday, January 15, 2006 10:49 PM  
**To:** StevenMoore@earthlink.net  
**Subject:** D A Fuller Resume

EsMoynan College - 1993 BS Pure Science  
Physics Major

Magnum 125 - 1989 - Electronics Eng

Honeywell - 1961-1975 - Mkt Mgr

Boards - 1979-1989 - Mkt Director

Allied Signal - 1989-1992 - Mgr Director/General

Litton Systems Canada - 1992-1997 - VP Mkt

Senior level marketing and sales executive, experienced in military aerospace related technology products and systems serving worldwide DPM and government markets. Particularly skilled at developing new or improved positions in the market and establishing long term strategic business relationships. Extensive international experience in developing and implementing strategies to establish new market positions.

Since retiring to Keowee Key in 1997 have been active in the following KKPCA Committees and other organizations.

BOC Committee - 1997-1999

Planning Committee - 1999-2000

Planning Committee (Chair) - 2000-2002

Marketing Committee - 1999-2001

KK Boating Assoc - 2000-2002

KK Boating Assoc (President) - 2002-2004

KK Boating Committee - 2000-2002

KK Boating Committee (Chair) - 2002-2004

KK Lake Committee - 2002-2005

Clemson Lifelong Learning (Board) - 2001-2005

Clemson Lifelong Learning (President) - 2005

Knights of Columbus - 2002-2005

ROK33 - 2000-2005

OCRP - Stamp Creek Precinct Officer  
1999- 2003

OCRP - Stamp Creek Precinct President  
2004-2005

*6 SPT @ James Jones  
Summ 246 116  
9/24/2013*

**AGENDA ITEM SUMMARY  
OCONEE COUNTY, SC**

**COUNCIL MEETING DATE: January 17, 2006  
COUNCIL MEETING TIME: 3:00 p.m.**

**ITEM TITLE OR DESCRIPTION:**

Permission to request funding in the amount of \$99,240.00 from the Water Recreational Resources Fund through the Oconee County Delegation and the Department of Natural Resources.

**BACKGROUND OR HISTORY:**

According to SC Code of Laws section 12-28-2730, one percent of the proceeds from the thirteen cent State gasoline user fee must be transmitted to the State Department of Natural Resources (DNR) to go into special water recreational resources fund of the State. The fund must be apportioned based upon the number of registered boats or other watercraft in each county and expended by DNR to acquire, create, or improve water recreational resources. "Water recreational resources" refers to public waters which are naturally occurring or which provide habitat for fish, aquatic animals, or waterfowl and which must provide public recreational opportunities.

Each county delegation may make recommendations to DNR for projects to acquire, create, or improve water recreational resources through use of the water recreational resources fund. DNR must give these recommendations primary consideration over any other projects.

**SPECIAL CONSIDERATIONS OR CONCERNS:**

If approved, these proposed funds will be used to construct five (5) new boat docks. Three docks, each size 28' x 32' will replace the existing courtesy docks at South Cove and High Falls landings. An additional two docks, each 28' x 46' with slips for up to 6 boats, are proposed as new docks. One dock will be placed in the South Cove Recreational Area to extend from the existing concrete pier. The second dock will be placed in the High Falls Cove of Lake Keowee between the existing launch site and the campground. Additional funds will also be used to improve handicapped access to the docks at South Cove and High Falls.

**STAFF RECOMMENDATION:**

Recommendation to approve request be presented/submitted to the Oconee County Delegation so that they in turn will make a recommendation to the State DNR to fund the requested projects listed in the agenda item.

**FINANCIAL IMPACT:**

- Water Recreational Resources Fund      \$99,240.00
- There is NO local match required

**ATTACHMENTS:**

NONE

Submitted or Prepared By:

*Vivanda Holmwood Lewis*

County Board/Level: Grants Administration

Reviewed By/ Initials:

    N/A     County Attorney

    JEL     Finance

    N/A     Other

C: Clerk to Council

Approved for Submittal to Council:

*Ron H. Rabun*

Ron H. Rabun, County Administrator

OLD BUSINESS

AGENDA ITEM SUMMARY  
OCONEE COUNTY, SC

COUNCIL MEETING DATE: January 17, 2006  
COUNCIL MEETING TIME: 7:00 p.m.

**ITEM TITLE OR DESCRIPTION:**

Confirm or modify Hospital appointment.

**BACKGROUND OR HISTORY:**

At the January 3, 2006 meeting of Council, the Chairman appointed County Administrator Ron Rabun as the Council's representative on this board. A close review of the County's Charter, the hospital interlocal, and a section of the hospital bylaws (all attached) does not paint a clear picture of who has final responsibility for the appointment, the Chairman or the County Council.

The County Charter in fact only addresses Council Committees. The Hospital is not a committee of Council. Therefore, it is recommended that the Council confirm or modify the Chairman's January 3<sup>rd</sup> appointment by voting.

**SPECIAL CONSIDERATIONS OR CONCERNS:**

None

**STAFF RECOMMENDATION:**

Council act to confirm or modify the January 3<sup>rd</sup> Hospital Board Appointment.

**FINANCIAL IMPACT:**

None


**ATTACHMENTS:**

1. Excerpt of County Charter/Organizational Ordinance
2. Hospital Interlocal Agreement
3. Excerpt of Hospital Bylaws

Submitted or Prepared by:

Approved By:

Opal Green, Clerk to Council

  
Ron H. Rabun,  
Oconee County Administrator

Reviewed By/ Initials:

\_\_\_\_\_ County Attorney

\_\_\_\_\_ Finance

\_\_\_\_\_ Other

C: Clerk to Council

**EXCERPT OF  
STATE OF SOUTH CAROLINA  
COUNTY OF OCONEE  
ORDINANCE 2003-07 (Replaces Ordinance 2000-06)  
ESTABLISHMENT OF THE COUNTY-ADMINISTRATOR FORM OF  
GOVERNMENT**

**SECTION 6.1.2 (Beginning on page 3 and continuing on page 4 of ordinance)**

6.1.2: Standing Committee Chairman And Membership: Each Standing Committee shall be chaired by a Council Member appointed in January by the Council Chair, with approval of Council, to a one year term. Each Council Member, except the Council Chair who may choose to chair a Standing Committee or not shall be appointed to chair at least one Standing Committee, and no Council Member shall be appointed to chair more than two Standing Committees. All Council Members shall be members of the Budget, Finance and Procurement Committee. All other Standing Committees shall have two additional Council Members appointed by the Council Chair with approval of Council. Each Standing Committee shall at its first meeting of the year select one of its members other than the Committee Chair as its Vice-Chair for the year. Standing Committee vacancies shall be filled in the same manner as the vacated position was originally filled.



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AGREEMENT

between:

OCONEE COUNTY, SOUTH CAROLINA

and:

OCONEE MEMORIAL HOSPITAL

Dated as of June 7, 2005

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This Agreement, dated as of June 7, 2005, is between Oconee County, South Carolina (the "County") and Oconee Memorial Hospital, Incorporated, a South Carolina nonprofit corporation (the "Hospital").

#### RECITALS

The Hospital was founded in 1938 as Oconee County Hospital Association and the 40 bed hospital opened in February 1939. In February 1948, a resolution was adopted amending the original charter to change the name from Oconee County Hospital Association to Oconee Memorial Hospital.

Pursuant to two Deeds dated July 9, 1959, recorded in Deed Book 7-W at pages 144 & 145, fifty-three (53.0) acres of the Hospital's property was conveyed to the County. In 1959, construction began on a new 126-bed facility located less than one mile away from the original facility. Upon completion of the new acute care hospital in 1963, the original building was extensively renovated and expanded. The renovated 80-bed facility was opened as the Lila Doyle Chronic Hospital. In 1971, the facility was relicensed as a skilled nursing facility with 79 beds and the name changed to the Lila Doyle Nursing Center.

By an Indenture of Lease dated June 29, 1959, the County leased to the Hospital all of the real estate, buildings and improvements, fixtures and equipment then situate and to be added to Oconee Memorial Hospital Association of which the Hospital is successor. The Indenture of Lease had a term of 15 years with the option of renewal for two additional 15-year terms. Pursuant to an Amendment to Indenture of Lease dated December 20, 1996, the term of the Lease was extended to June 1, 2025, so as to coincide with the maturity date of revenue bonds to be issued by the South Carolina Jobs-Economic Development Authority in the principal amount of \$17,500,000. The Bonds were issued in 1995. In consideration of the extension, the Hospital agreed that no change in the Bylaws or Constitution of the Hospital could be made without the prior written consent of the majority of the Oconee County Legislative Delegation and the governing body of the County. In 1994 the Hospital transferred an additional non-adjacent parcel of land to the County, in consideration for which the County by Second Amendment to the Indenture of Lease extended the term of the Indenture of Lease until June 1, 2050. No Lease payments were required to be paid by the Hospital to the County under the Indenture of Lease or either of the Amendments to Indenture of Lease. The County also entered into a Limited Assignment of Lease dated as of March 15, 1995, granting certain rights to terminate the indenture of Lease to First Union National Bank of South Carolina, of which Wachovia Bank, National Association, is successor as master trustee.

In 2000, the County issued \$4,113,000 General Obligation Bonds, Series 2000 to fund improvements to the Lila Doyle Nursing Care Facility. In connection with the issuance of the Series 2000 Bonds, the Hospital agreed upon request of the County to refinance the outstanding Series 2000 Bonds if the Hospital obtained an investment grade rating. The Hospital has requested and the County did approve on May 3, 2005 the issuance of not exceeding \$35,000,000 Hospital Refunding Revenue Bonds, Series 2005A, by the South Carolina Jobs-Economic Development Authority and did adopt a resolution on May 3, 2005 in support of the issuance of the Series 2005A Bonds, a part of which will defease the Series 2000 Bonds issued by the County for the Lila Doyle Nursing Care Facility.

In consideration of the premises and the covenants the agreements contain herein, the County and the Hospital agree as follows:

Section 1. Agreement of the Parties.

- A. The Hospital will transfer funds to the County from the proceeds of the Hospital's Series 2005A Bonds sufficient to cause a legal defeasance of the County's Series 2000 Bonds on the date of issuance of the Hospital's Series 2005A Bonds.
- B. The County will authorize by Ordinance the transfer to the Hospital by a limited warranty deed for the 53.0 acres of property and all improvements constructed thereon on which Oconee Memorial Hospital is located for the purpose of constructing a patient tower.
- C. The Hospital will work diligently with the County and its planners to participate in feasibility and strategic planning related to the possible location and construction of an Aquatics/Wellness Center on a mutually acceptable portion of the Hospital's property, including development of a proposed site plan and identification of appropriate rights-of-way for ingress or egress. In the event Oconee County decides to build an Aquatics/Wellness Center and associated facilities on Hospital property, the Hospital agrees to deed to the County up to twenty-two (22) acres for said facilities at a mutually agreeable location site on the Hospital's campus. The land will be conveyed at no cost to the County, and the Hospital will not mortgage or otherwise encumber the agreed upon property prior to the conveyance to the County. The County may exercise this option by written notification to the Chief Executive Officer of the Hospital on or before December 31, 2020. The property will be deeded to the County within sixty (60) days of receipt of the written notification.
- D. The Indenture of Lease, as amended, between the County and Hospital as it relates to the County's ownership of the land and improvements constituting the hospital facilities will terminate once ownership is deeded by the County to the Hospital.
- E. The Hospital will continue to operate Oconee Memorial Hospital and the Lila Doyle Nursing Care Facility for the benefit of the citizens of Oconee County, including annual charity care expenditures consistent with community need, and industry and regulatory standards.
- F. The Hospital will continue to support the Ross Clark Free Clinic by providing a financial subsidy for pharmacy personnel, staffing, rotating residents from the Seneca Lakes Rural Residency Program through the clinic as volunteer physicians and in-kind donation of radiology and laboratory testing for clinic patients.
- G. The Hospital will continue to own, manage and operate the County-wide Emergency Medical Services (EMS). The Hospital and the County will negotiate annual budget appropriations to support this service; provided, the County may provide annual appropriations of at least \$150,000 to support this service, consistent with its budgetary process. In addition, in the event that the County decides to construct additional EMS service site(s), the Hospital and the County agree to discuss any additional funding needed to cover the operating cost of any physical plant, equipment and personnel needed by the Hospital to cover the additional service site(s).
- H. The Hospital Board will adopt Board membership criteria to be used by the Hospital's nominating committee in the Board nominations process in substantially the form attached hereto, and apply these criteria when making nominations of Board members to be elected for the 2006-2010 term. The Hospital will consult with the County Administrator prior to making any future substantive amendments to the Articles of Incorporation or the corporate Bylaws, and will forward any such amendments to the County Council for its written approval. The Hospital will amend its Articles of Incorporation to include the County

Council as a third party that approves changes to the Hospital's Articles of Incorporation and corporate Bylaws.

- I. The County will authorize the County Administrator to enter into a consulting agreement with the Hospital that provides for:
  1. Strategic assistance to the County at no cost with respect to the Rosa Clark Free Clinic, including but not limited to, Board development, identification of public and private funding opportunities, management, staffing and expense structure consulting;
  2. Strategic assistance to the County and its affiliates at no cost with respect to the Lake View Assisted Living facility, including but not limited to identification of public and private funding opportunities, management, operational and organizational structure options, and identification of ownership alternatives;
  3. Development of an arrangement with the County at no cost to the County supportive of the County Coroner's operations, including the provision of autopsy services and support of forensic pathology at the Hospital facilities.
  
- J. The Hospital agrees to a one-time reimbursement to the County of fifty percent (50%) of the financial consulting costs incurred by the County associated with the planning and financial review of the Hospital's current expansion/construction and refinancing plans by the County's financial advisors, Merchant Capital, and the County's Bond Counsel, Haynsworth Sinkler Boyd, P.A. Fees to be paid by the Hospital shall not to exceed Fifteen Thousand Dollars (\$15,000).
  
- K. The Hospital agrees to provide access to the County to all information and other records of the Hospital pertaining to any funds of the County and to the Hospital's compliance with the covenants contained in this Agreement, to the same extent Hospital would be required to provide such information were it a public body subject to the South Carolina Freedom of Information Act. The Hospital and County agree that nothing in this paragraph shall be construed to give third party rights to any person or entity or to allow a third party to obtain Hospital information by submitting a Freedom of Information Act request to the County.
  
- L. In addition, the Hospital will provide the County Administrator monthly with a copy of all Hospital Board regular session agendas and meeting minutes, the CEO or her designee will meet quarterly with the County Administrator to discuss matters of consultation described in this Agreement and other issues of public health.
  
- M. The Hospital will provide the County Administrator with the following information to demonstrate the Hospital and its Board and Administration's performance: a copy of the annual report made to the Hospital's Association members; a copy of the quarterly reports made to the Hospital's bond insurer; a copy of the Hospital's annual financial audit; a copy of the Hospital's accreditation survey by the Joint Commission on Accreditation of Healthcare Organizations; information concerning the Hospital's performance as measured by nationally recognized private performance measurement organizations with which the Hospital participates.

#### Section 2. Execution Effective Date.

The Chairman of County Council and the County Administrator are hereby authorized to execute this Agreement and the Clerk of County Council is authorized to affix the seal and attest the same. This Agreement has been duly authorized by the Hospital's Board. This Agreement shall be effective as of the date hereof.

(SEAL)

OCONEE COUNTY, SOUTH CAROLINA

Attest:

Opal C. Johnson  
Clerk to County Council

By: A. Fred Abbott  
Chairman  
By: Don A. Johnson  
County Administrator

OCONEE MEMORIAL HOSPITAL, INCORPORATED

By: Jeanne L. Ward  
Jeanne L. Ward, CEO  
By: Archie L. Barron  
Archie L. Barron, Board Chairman



## Oconee Memorial Hospital Board Membership

Approved Changes to Article VIII – Election of Directors (approved by OMH Board May 23, 2005)

Revised first paragraph to read:

The Board of Directors shall be composed as follows: two (2) Members from each of the five (5) single-member election districts established for Oconee County Council; the Chief of the Medical Staff of Oconee Memorial Hospital and the Chief-elect of the Medical Staff of Oconee Memorial Hospital; the Chief Executive Officer of Oconee Memorial Hospital, who shall serve ex-officio without vote; the County Administrator or a member of County Council appointed by County Council; and a member elected at large by the Board of Directors to assure diversity in gender and ethnic background.

Revised fifth paragraph to read:

Members of the Board of Directors' terms of office shall be four (4) years; with the exception of the County Administrator or County Council member, the chief of the medical staff, the chief-elect of the medical staff and the chief executive officer, who serve by virtue of their position. Directors may be nominated to serve no more than two (2) consecutive four (4) year terms of office. At the end of a Director's second term of service, the Director may not be re-elected to the Board for at least one year. A Director who is elected by the Board to serve a partial term of less than four (4) years will be designated to serve the remainder of the term being filled, and thereafter may be nominated to serve a subsequent full four (4) year term. Nothing herein shall require the Nominating Committee to nominate a Director for a second four year term of office. Directors shall serve without pay for their terms of office.

On May 23, 2006 the OMH Board of Directors adopted the following criteria to guide the Nominating Committee in nomination of candidates for election to the Board of Directors:

### A. Board Membership Criteria

The Nominating Committee shall work with the Board of Directors on an annual basis to determine the appropriate characteristics, skills and experience for the Board as a whole and its individual members. In evaluating the suitability of an individual to serve on the Board of Directors, the Nominating Committee shall take into account a variety of factors, including general understanding of finance, business, medicine, marketing or other disciplines relevant to the success of the Hospital. The Nominating Committee evaluates each individual in the context of the Board as a whole, with the objective being to recommend a group that can best perpetuate the success of the Hospital and represent the interests of the Hospital and the community it serves. In determining whether to recommend an existing director for re-election, the Nominating Committee shall also consider



FCAR

**Stephanie Matheson**

**From:** Tom Hendricks  
**Sent:** Tuesday, January 17, 2006 3:47 PM  
**To:** Stephanie Matheson  
**Subject:** RE: information

TRF TO FAIRPLAY F.D.

It is a 1964 Chevy Fire Truck. Vin C6535B103754 Asset # 01121. Let me know if you need something else.

-----Original Message-----

**From:** Stephanie Matheson  
**Sent:** Tuesday, January 17, 2006 10:58 AM  
**To:** Tom Hendricks  
**Subject:** information  
**Importance:** High

Tom,

Please send Mr. Rabun the following information on the '66 Chevy Fire truck in Anderson: VIN, asset #, etc. Council will be making a motion to transfer this truck to Fair Play & he needs all the info available.

Thank you,

*Stephanie Matheson*

\*\*\*\*\*  
Senior Administrative Assistant  
Oconee County Administrator's Office  
415 South Pine Street  
Walhalla, SC 29691  
(p) (864) 638-4244  
(f) (864) 638-4246  
\*\*\*\*\*

Tom: Council approved  
this truck transfer to  
Fair Play 1/17/06.  
Thanks,  
mj