

A G E N D A
OCONEE COUNTY COUNCIL MEETING
TUESDAY, May 15, 2001
3:00 PM
OCONEE COUNTY ADMINISTRATIVE OFFICES
415 SOUTH PINE STREET
WALTHALLA, SC

1. Call to Order
2. Invocation
3. Approval of Minutes (5/1/01/4/9/01/4/25/01)
4. Approval & Presentation of Resolution 2001-19, "A RESOLUTION OF APPRECIATION TO MR. J. D. TOWE"
5. Discussion Regarding Animal Control – Mr. Terry Harper, Jr.
6. Consideration of Approval of Transfers for the Health Department – Mr. Pablo Undo, Director
7. Consideration of Approval of Volunteer Fire Assistance Program Grant Applications – Mrs. Melissa Brown, Budget/Grants Supervisor
8. Consideration of Acceptance of Law Enforcement Equipment Mini-Grant – Mrs. Melissa Brown, Budget/Grants Supervisor
9. Consideration of Bids for Retaining (Erosion Control) Wall at Airport – Mr. Robert Banks, Airport Manager & Ms. Marianne Dillard, Procurement Director
10. Consideration of Bids for Environmental Remediation at old Motor Pool Site - Mr. Jon Caine, County Engineer & Ms. Marianne Dillard, Procurement Director
11. Discussion & Possible Action Regarding Annexation of Hospital Property into Seneca City Limits
12. Second Reading of Ordinance 2001-04, "AN ORDINANCE TO AMEND SECTION 4.4.13 OF ORDINANCE 99-14, OCONEE COUNTY PERFORMANCE STANDARDS ORDINANCE"
13. Old Business
14. New Business
15. Public Comment Session (Not to exceed thirty minutes)
16. Adjourn

The Oconee County Council will have an administrative briefing thirty minutes prior to each regularly scheduled Council Meeting in the Office of the Council Clerk.

MEMBERS, OCONEE COUNTY COUNCIL

Mr. Tim O. Hall, III, District I Mr. Kenneth E. Johns, Jr., District II
Mr. Harry B. Hamilton, District III Mr. Marion L. Lyles, District IV
Mr. H. Frank Ables, Jr., District V

MINUTES, OCONEE COUNTY COUNCIL MEETING

The Oconee County Council met Tuesday, May 15, 2001 at 3:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members and the County Attorney present.

Press:

Members of the press notified (by mail): Keowee Courier, Westminster News, Anderson Independent, WGOG Radio, WPEK Radio & Daily Journal.

Members of the press present: Amanda Rylander - Daily Journal & Dave Williams - Anderson Independent.

Call to Order:

The meeting was called to order by Supervisor-Chair Hughes.

Invocation:

Mr. Hamilton gave the invocation.

Minutes:

Mr. Hamilton made a motion, seconded by Mr. Johns that the minutes of the regular meeting held May 1, 2001, the minutes of the special meeting held April 9, 2001 and the special meeting held April 25, 2001 be adopted as printed.

Mr. Hall made a motion, seconded by Mr. Ables, approved 5 - 0 that the minutes of the April 25, 2001 be amended to read the reduction in solid waste fees to the citizens of Oconee County would be \$130,000 rather than \$75,000 if the hospital property was annexed into the Seneca City Limits.

Mr. Ables made a motion, seconded by Mr. Lyles, approved 5 - 0 that the May 1, 2001 minutes be amended to reflect Mr. Hall's absence at the meeting.

The motion, as amended, was then adopted 5 - 0.

SC Comptroller General:

Mrs. Anne Dodd, Treasurer, introduced Mr. James A. Lander, SC Comptroller General, who was visiting Oconee County Offices.

Miss Oconee County:

The Council Members are contributing personal funds for an advertisement sponsoring Ms. Holly Thompson, Miss Oconee who addressed those present informing them she is a Walhalla High School graduate, a Clemson student majoring in elementary education and she will be participating in the Miss South Carolina pageant.

Resolution 2001-19:

Mr. Hall made a motion, seconded by Mr. Ables, approved 5 - 0 that Resolution 2001-19, "A RESOLUTION OF APPRECIATION TO MR. J. D. TOWE" be adopted on first and final reading. Mrs. Hughes presented the resolution to Mr. Towe.

Animal Control:

Mr. Terry Harper, Jr. addressed Council regarding Animal Control. Mr. Harper stated he did not feel the Animal Control Officers were doing their job as a neighbor's dog had tried to bite his niece and they did not pick up the dog when they said they would. Mrs. Hughes asked Mr. Harper to go by the front office and leave his name and telephone number and she would make sure someone with him regarding the matter.

Sewer Issues:

Mr. Hall made a motion, seconded by Mr. Johns, approved 5 - 0 that Mr. Larry Brandt be allowed to address Council regarding sewer issues.

Mr. Brandt, a local attorney, stated he represented Blue Ridge Electric, Bobby Wood Chevrolet, some of the Hospital Board Members and he was also addressing Council as a taxpayer, attorney and sewer system user.

Mr. Brandt asked Council to review the structure of the sewer system and think about the fact that is a countywide sewer system owned by Oconee County, the Sewer Commission is not autonomous but a right hand of this body, county government. The commission manages the day-to-day operations of the sewer, the technical requirements, etc. The commission has no authority except what Council gives it. Council must approve their budget, and neither can the Sewer Commission set policies and procedures.

However, what troubles Mr. Brandt is that he is also a member of the hospital association and the hospital is caught in the middle of the dispute between the City of Seneca and Blue Ridge Electric. Nevertheless, what troubles Mr. Brandt more is moratoriums being imposed on new users of the sewer system, to his knowledge there is not a written policy on moratoriums, it is being used on new users coming into the system simply because the cities are wanting to use it as a hammer to force annexation for economic reasons. While Mr. Brandt understands those reasons, he also believes in personal, individual freedoms and you shouldn't be forced if that is not your wish.

Mr. Brandt also informed Council that when the Sewer Commission was formed the collection lines in the cities belonged to the cities and he was not telling Council that the county owns those collection lines, however, from the time the Sewer Commission was "born" and public funds were used other than city monies to advance that system, grants from County Council were used to assist the cities solve their infiltration and inflow (I&I) problems, public funds were used to upgrade and help the cities and those were funds that came from people out in the county, not just the people in the cities and not just the users of the system, therefore it was his thoughts that the county has a vested interest in even the collection lines in the cities.

Further, Mr. Brandt informed Council that his client, Bobby Wood bought a tract of land outside the Walhalla City Limits on Highway 28 that is being developed by the Moore Brothers. Mr. Wood needs sewer on this tract of land and the City of Walhalla told him they would not give him sewer unless he annexed; Mr. Brandt called the city and informed them Mr. Wood was not contiguous to the city limit and could not annex if he wanted to. The City of Walhalla has reconsidered and written Mr. Wood a letter that they will connect him to the sewer if he will promise that if he ever becomes contiguous he will annex. The sewer line is on his property, all he has to do is pay to run the line and the county give him a tap.

When the Sewer Commission was formed, there needed to be a vehicle by which fees could be collected and the system could be policed. The cities were to put flow meters in certain areas outside the city limits and the cities would oversee anything behind the flow meter would be overseen by the city in the way of implementing and enforcing the policies of the county by the Sewer Commission which is the right arm of the county whose policies and procedures are approved by County Council.

The flow meter used to bill the City of Walhalla for its share of the cost of operating the sewer treatment facility is well beyond the city limits, the same for Seneca and Westminster. The lines that took the existing collection lines from each of the cities to transport waste to the Coneross treatment plant was not paid for by the cities, it was paid for by sewer funds which is paid for by user fees and there are some users outside the city limits that has been paying the user fees and depreciated cost of that system because that goes into the fee basis. People who do not live inside the municipal limits who cannot vote in city elections but have a business inside the municipal limits also contribute to those funds.

In 1991 the county gave the towns hundreds of thousands of dollars to rectify I&I problems so there are funds in the system other than the cities' funds even in the collection lines. Bobby Woods' property is behind a Walhalla meter so Mr. Brandt's thinking was that Walhalla could determine who could or could not tap onto the sewer system.

Mr. Brandt stated he did not feel any authority existed that would give the authority to add a requirement onto the existing policies and procedures of this body that the sewer commission could qualify someone for sewer service if it is available or they are willing to pay to get to it. Furthermore, Mr. Brandt informed Council the agreements between the cities and the county set forth the rate structure and the policies whereby the county could assist the cities and the cities would assist the county and sewer commission but it is a county system, all the rights-of-ways are in the name of Oconee County, not the Sewer Commission and the grants were in the name of Oconee County.

Mr. Brandt also informed Council that Bobby Wood had gotten a septic tank permit from DHEC so his problem could be solved without his having to come into the Walhalla City Limits; but he would like to tap onto the sewer, which is on his property.

Mr. Brandt further stated he felt it was unfair and unlawful that any municipality tell anyone they would not be given sewer unless they annexed into the city limits as this allows the cities to put an additional qualification for service which is not written in the law and not approved by Council.

It was Mr. Brandt's opinion that Council could solve the problem by not allowing the cities to requirements of annexation before giving sewer service and if the city refuses to allow a sewer tap, the county has the authority to allow the tap, under the agreements between the cities and the county, Council could direct Walhalla to allow Mr. Wood to tap onto the sewer system.

Mr. Brandt also stated he felt Council could give sewer service to the new Wal-Mart with or without Seneca's approval, then if Wal-Mart chooses to be annexed into the city limits that is their choice which Blue Ridge Electric agrees with.

Mr. Brandt then stated as a taxpayer and citizen, for any municipality to use what he considers part of his system as a hammer to force someone into the city limits for the betterment of their city and maybe not for the betterment of the county he did not think was fair or lawful.

To Mr. Ables' inquiry, Mr. Brandt assured Council the sewer trunk lines are owned by the county and the county can give permits for sewer service. Normally this would be accomplished through the Sewer Commission as they carry out the day-to-day operations, however, if the commission refuses, Council can override their decision and give them a directive.

To Mr. Lyles' inquiry, Mr. Brandt informed Council the sewer system is a county system and the cities have agreed to take their collection lines that was in existence when the Sewer Commission was formed and connect their lines to the county lines and for a period of forty (40) years the cities would use county trunk lines to dispose of their wastewater to the treatment facility.

To Mr. Hamilton's inquiry, Mr. Brandt informed Council the property being graded between Walhalla and Seneca is not contiguous to the Walhalla City Limits and the property purchased by Bobby Wood is a portion of that property.

To Mr. Johns' inquiry, Mr. Brandt stated he is asking Council to approve a sewer tap for Bobby Wood Chevrolet and Council to step forward with definitive authoritative action and basically tell the cities to quit using our system as a hammer to force people into the city limits. He also stated that usually when there was a moratorium it was defined and there was going to be exceptions to the moratorium, the exceptions would be defined and there are no exceptions defined. What criteria are being used for exceptions?

To Mr. Hall's statement regarding the need for sewer in the county, Mr. Brandt suggested a meeting of Council, the Cities, and the Sewer Commission so that everyone could understand the structure of the sewer system and their definitive role.

Mr. Brandt also informed Council that when the sewer system was installed, the cities would be the main users and a skeletal system in the rural areas and that system would grow.

Mr. Brandt also expressed an opinion that the treatment facility was going to have to be upgraded, however, financing of the treatment facility is limited to user fees as that is the way it was written into the referendum. The financing method for the sewer facility may need to be reviewed, but Mr. Brandt's immediate concern was the fact that the cities are putting additional requirements on the qualifications as a user of the sewer system.

To Mr. Hall's inquiry, Mr. Tom Hendricks, County Planner stated he also felt the practice in dealing with sewer in the county has diverged greatly from the written ordinance. Mr. Hendricks also stated at best, the Sewer Commission is a subdivision of Oconee County and it is most likely a department of the county and their actions, if displeasing, to Oconee County are no more tolerable than if his actions are displeasing to the Supervisor or County Council. The governing body has to determine the expansion of the system, in some cases it will be beneficial to expand the system in a high growth area, in other cases it may not be cost beneficial and you (the governing body) will have to make the decision that the lines need to be installed out there anyway even though they are not going to pay for themselves but that is an important growth area or an important area for Oconee County.

Mr. Hendricks reiterated his concerns regarding the validity of a moratorium, as he cannot find where the governing body of Oconee County voted to enforce or to put in place a moratorium. The ordinances require that actions of the Sewer Commission be approved the Oconee County Supervisor and/or County Council. This is a service system and has never been a great money producer, the way to keep the cost low to the users is to increase the number of users, that way the rate structure is lower unless there is an artificially set low rate structure in place. The governing body is responsible overall for fairness to its citizens, the county has provided grants for I&I and the revenue sharing the county has provided to the cities over the years has more than paid its fair share of the sewer system. In the contract between the county and the cities it states that if the cities are unwilling or unable to pay the net cost of the system the county will withdraw revenue sharing, Mr. Hendricks further stated that in his opinion that revenue sharing was designed to help pay the cost of the sewer system. If the county and the citizens have paid a share, have the citizens of Fair Play, Long Creek, Oakway and Cleveland received their net return on their investment?

When expansion of the system is examined, Mr. Hendricks stated it was his opinion that the governing body of the county controls expansion. He further stated he could find nothing to give the authority to anyone else to expand the sewer out of its nuclear service area and the trunk lines are titled to Oconee County.

To Mr. Hall's inquiry, Mr. Brandt concurred with Mr. Hendricks and went further to say he did not feel the cities can restrict growth in the county and growth needs to be under the guidance and supervision of the county.

To Mr. Hall's further inquiry, Mr. Brandt stated his opinion that a moratorium on sewer is non effective and unlawful. Mr. Brandt further stated it was his opinion that the county could direct the Sewer Commission to allow someone a sewer tap and the city would collect the fee because if it is user supported it is a zero gain. Theoretically, the county should tell the cities what their share of operating the sewer system is and the cities collect same from the users. The cities are arbitrarily, without any authority saying to potential customers that they will not allow them to tap onto the sewer system unless the customer will annex into the city limits. Furthermore, Mr. Brandt stated, that in his opinion, the use of taxes to fund the sewer system applies to both county and municipal taxes.

Mr. Brandt also stated he felt the referendum prohibited the use of county and municipal taxes being used toward the sewer system. However Mr. Norton, County Attorney did not agree with Mr. Brandt and felt it only applied to county taxes.

To Mrs. Hughes inquiry, Mr. Brandt stated a moratorium would have to be addressed in the County Ordinance and if a property owner is contiguous to the city limits, he can request annexation into the city limits and the city adopts an ordinance approving that annexation. He also said that Mr. Jerry Fedder is the author of the sewer ordinance and Mr. Fedder concurred with his opinions and views.

Mr. Johns made a motion, seconded by Mr. Hall, approved 5 – 0 that *Discussion & Possible Action Regarding Annexation of Hospital Property into Seneca City Limits* be moved to this time on the agenda.

Mr. Ables stated that the county would lose approximately \$130,000 in solid waste revenues if the hospital and surrounding properties are annexed into the city limits, which would in effect put the cost of the annexation on the tax payers of Oconee county; the possibility that the annexation would cause economic harm to county citizens by increasing electrical rates and decreasing the county tax revenues by \$51,000 per year; the fact that over 40,000 Oconee citizens are members of the Blue Ridge Electrical Co-op and would be hurt by the annexation; over sixty (60%) percent of the citizens will be harmed if the annexation takes place which is not acting in the best interest of Oconee County and the \$75,000 savings is based on utilities costs from hospital buildings which are situated on county owned property the harm would be greater than the benefits to the hospital if the properties were annexed into the city limits.

Mr. Ables then made a motion, seconded by Mr. Eyles that Council not allow the county owned properties leased by Oconee Memorial Hospital to be annexed and that Council adopt a resolution requesting the Oconee County Hospital Board of Directors reverse its vote of April 23, 2001 which considered annexation into the City of Seneca the property owned and controlled by the Oconee Memorial Hospital Board of Directors.

Mr. Lyles expressed support for the motion based on the number of contacts he had opposing the annexation.

Mr. Hamilton stated his intention to vote against the motion, as it was his opinion that the overall worth to the county would override the negatives and felt it was in the best interest of the county to annex the hospital.

Mr. Johns expressed his support for the motion based on the number of contacts he had opposing the annexation 150 against and one for and he again expressed concern that the hospital property would be used to reach the Wal-Mart property.

Mr. Norton again informed those present that based on a January 12, 2000 letter from the State Ethics Commission, Mr. Hall can discuss or vote on any issue regarding the hospital except funding.

Mr. Hall also stated he had received a number of calls opposing the annexation and he felt it would be detrimental to the hospital in terms of public perception, however he felt an issue as divisive as this also hurts the City of Seneca. Mr. Hall further stated he felt it was his responsibility to make the decisions that were in the best interest of the majority of the citizens. Mr. Hall stated the issue is two separate pieces of property, one owned by the hospital association and one on which the Oconee Memorial Hospital and Lila Doyle is situated owned by Oconee County and leased by the hospital.

In making the decision whether to annex the county owned property, Council has to examine the benefits and costs of annexation and determine what is in the best interest of all citizens. It is Mr. Hall's desire that our cities grow and prosper and a strong spirit of cooperation between the county and the cities for the common good of our county is not only attractive but also essential to the successful future of Oconee County. However, in his opinion the annexation proposition would create conditions that would be detrimental to many of our citizens and it is unfair to ask the majority of the citizens to shoulder the economic burdens it would cause. Although it is unusual for County Council to play any role in municipal annexation but he believes the annexation is not in the best interest of our county for the following reasons:

- (1) The case made by proponents of the annexation is for savings for electrical, water and sewage for the hospital, which would result in an increase in expenses and decrease in revenues to the county, which would have to be borne by all the people of the county, it is not good business to lose \$130,000 to save \$75,000 annually.
- (2) This issue has been portrayed by some as a territorial struggle between Blue Ridge Electric and Seneca Light & Water and it is not the mission of Council to take sides if this is the case.

- (3) Anything that could potentially harm 40,000 citizens of the county is significant for the Council to take note.

Mayor Dan Alexander, City of Seneca informed Council annexation is important to the growth of the city. Mr. Alexander also stated the sewer lines that went to Wal-Mart were Seneca lines, it is important to generate revenues, the City of Seneca became active in utilities in 1907 and were able to take funds from the utilities to keep cost of the city low and run water lines into the county and the city. Mr. Alexander further stated he felt the City of Seneca had helped the county and he wanted to continue to do so. However, he also stated he felt he would not be doing his job if he did not pursue annexation and potential customers for the Seneca utilities.

Mr. Charles Dalton, Blue Ridge Electric stated his appreciation to the openness of Council, he further stated Blue Ridge felt their customers would be less harmed if the annexation does not move forward. There are service areas that were assigned to Blue Ridge Electric in 1969 and there is no legal way to expand that territory, the cities were exempt from this because they chose not to join the territorial assignment, therefore they have annexation ability that allows them to increase their territory. The Rural Development Act allows Blue Ridge Electric to assist with expansion of sewer services in the county where industry is brought into the county and jobs are created. Mr. Dalton further stated Blue Ridge Electric would rather use those funds to help the county expand sewer services in the county than pay the monies in taxes.

Mr. Rex Ramsay, representing the Doyle family, who donated the property for the hospital, also opposed the annexation stating it was the wishes of his family that the hospital remain outside any municipal limits.

Mr. Richard Adcis, Treasurer, Hospital Board, stated he voted against the annexation, he had grave concerns about the annexation and he also expressed concerns that the hospital had been placed in an unfair position.

Mr. Johns made a motion, seconded by Mr. Hall, approved 5 - 0 that Mr. Able's motion be amended to separate the two actions requested.

Mr. Hamilton stated his intentions are to seek to improve the quality of life of the citizens of the county, he was not the enemy of Blue Ridge Electric, his father wired homes where they were unable to pay for the wiring so they could have electricity, a few years ago when Blue Ridge could not get rights-of-ways for poles and lines in desired locations on the Shiloh Roadway he signed for the poles and lines across his property. Mr. Hamilton further stated that some twenty-five years ago when unemployment in Oconee County was twenty-two percent and the textile industry began to decline, citizens, primarily from the three towns carefully worded a referendum for a new sewage treatment plant and trunk lines from the towns, no county taxes could be or has been used in this endeavor, as a result of this vision, coupled with Duke Power Projects sewer lines have been run from the towns to proposed industrial locations, consequently unemployment has been reduced causing more industrial development, new businesses and new homes across Oconee County. Mr. Hamilton further suggested one of the principal beneficiaries of these expansions has been Blue Ridge Electric; perhaps the expansions have prevented or reduced electrical rate increases at the expense of the towns. As he understands the annexation process, residents and business can choose their supplier of electrical service, perhaps lower rates will result as competition. Blue Ridge Electric would gain many new customers if an industrial park becomes a reality in the I-85 corridor although Mr. Hamilton favors the annexation of the hospital his major emphasis is on planned and orderly growth in the county. Mr. Hamilton challenged the administration to seek the cooperation of all county entities and the exclusion of none.

Mr. Ables made a motion, seconded by Mr. Lyles, approved 4 - 1 (Mr. Hamilton voting against) that the county property on which the hospital and Lila Doyle are situated not be annexed into the City of Seneca.

Mr. Ables made a motion, seconded by Mr. Lyles, approved 4 - 1 (Mr. Hamilton voting against) that Council adopt a resolution urging the Hospital Board to reverse its April 23, 2001 vote regarding annexation.

Mrs. Hughes stated she did not believe the annexation was in the best interest of the county and she supported Mr. Ables motions.

Health Department:

Upon request of Mr. Robert Craig & Mr. Pablo Uda, Health Department, Mr. Hall made a motion, seconded by Mr. Ables, approved 5 - 0 that the attached transfers in the total amount of \$5,117.15 for the Health Department be adopted.

ATAX Grant:

Upon recommendation of Mr. Jack Bishop, ATAX Committee, Mr. Hall made a motion, seconded by Mr. Ables; approved 5 – 0 that the attached ATAX Grants be adopted:

Seneca Merchants Association	\$1,000
Red Cross	\$1,400
March of Dimes	\$3,500

Humane Society (Contingency):

Upon request of Ms. Mimi Hunt, Humane Society, Mr. Hamilton made a motion, seconded by Mr. Hall, approved 5 – 0 that \$14,225 be taken from contingency and placed in line item 010 002 00150 25560 for emergency funding.

Rural Fire (Contingency):

Mr. Hall made a motion, seconded by Mr. Hamilton, approved 4 – 1 (Mr. Johns voting against) that the attached Volunteer Fire Assistance Program Grant Applications be adopted and \$11,230 be encumbered from contingency as the local match.

Law Enforcement Mini-Grant:

Mr. Ables made a motion, seconded by Mr. Lyles, approved 5 – 0 that the attached Law Enforcement Equipment Mini-Grant in the amount of \$6,400 be adopted.

Aeronautics:

Mr. Lyles made a motion, seconded by Mr. Ables, approved 5 – 0 that the bid for a retaining wall (erosion control) at the airport be awarded to Zorn Company, Inc. who was low bid at an estimated \$12,000.

Old Motor Pool Remediation:

Mr. Lyles made a motion, seconded by Mr. Hall, approved 5 – 0 that the bid for engineering for environmental remediation at the old motor pool be awarded to Rogers & Culcutt Engineers, Inc. at a cost of \$7,284 with a 100% contingency for unforeseen problems that might arise.

Ordinance 2001-04:

Mr. Hamilton made a motion, seconded by Mr. Johns, approved 5 – 0 that Ordinance 2001-04, "AN ORDINANCE TO AMEND SECTION 4.4.13 OF ORDINANCE 99-14, OCONEE COUNTY PERFORMANCE STANDARDS ORDINANCE" be adopted on second reading.

Infrastructure Grant:

Mrs. Linda Shagart, Grants Coordinator presented Council the attached information regarding the State of South Carolina Tobacco Settlement Revenue Management Authority Act Water and Wastewater Infrastructure Fund.

Solid Waste Appointment:

Mr. Hall made a motion, seconded by Mr. Lyles, approved 5 – 0 that Mr. Dean Wyatt be appointed to represent District 1 on the Solid Waste Commission.

Aeronautics:

Upon request of Mr. Robert Banks, Airport Director, the recommendation of the Budget & Finance Committee to reduce the rental fee by one-half during the construction of the runway was defeated 0 – 5.

Mr. Johns then made a motion, seconded by Mr. Hall, approved 5 – 0 that the rental fee be waived during the month of July 2001.

Local Accommodations Tax:

Mr. Hall requested that Council begin thinking about whether they would like to see a local accommodations tax in the county.

Sewer Commission Appointment:

Mr. Ables made a motion, seconded by Mr. Hall, approved 5 – 0 that Mr. Jerry Barlow be appointed as at large member to the Oconee County Sewer Commission.

Public Comment Session:

Mr. B. J. Littleton again expressed his displeasure with the Regional Alliance Council is considering and his displeasure with the Humane Society. Mr. Littleton did however, compliment the Budget & Finance meetings and expressed pleasure with the Rural Fire meeting.

Executive Session:

Mr. Johns made a motion, seconded by Mr. Hall, approved 5 – 0 that Council go into executive session for a legal and contractual matter.

Open Session:

When open session resumed, Mr. Hamilton made a motion, seconded by Mr. Ables, approved 5 – 0 that the county lease a blower flare for remediation of methane at the landfill.

Mr. Hall made a motion, seconded by Mr. Johns, approved 5 – 0 that the bid procedure be waived and Goldie & Associates provide operation and maintenance for approximately six (6) months at a cost of \$46,000 as per Section C, Subsection 4 of Ordinance 85-2, "MANUAL OF CENTRALIZED PURCHASING": When in the Purchasing Agent's judgment, and with the concurrence of County Council, it is to the advantage of the County's interest to do so.

Mr. Johns made a motion, seconded by Mr. Hamilton, approved 5 – 0 that the bid procedure be waived and Goldie & Associates design and seek the permit for the C&D landfill at a cost of \$33,000 as per Section C, Subsection 4 of Ordinance 85-2, "MANUAL OF CENTRALIZED PURCHASING": When in the Purchasing Agent's judgment, and with the concurrence of County Council, it is to the advantage of the County's interest to do so.

Adjourn:

Adjourn: 7:00 PM

Respectfully Submitted,



Opal O. Green
Council Clerk

DEPARTMENT BUDGET ADJUSTMENT AUTHORIZATION

RECEIVED

Date: 4/26/01 Department: Health OS7

Change No. APR 27 2001

It is requested that the following changes be made in my Fiscal Year 00-01 Budget.

W. W. WISE COUNTY
HOSPITAL DISTRICT

1. To: 10-57-150-00031 (Supp) Office Equip \$ 480.-
(Fill in line item name.) (Fill in line item name.)

From: 10-57-150-00032 (Supp Hqs) Operational \$ 480.-
(Fill in line item name.) (Fill in line item name.)

Justification: To buy 4 transport Dolly for the Dakota Chairs
procurement for the New Services Clinic

2. To: _____ \$ _____
(Fill in line item name.) (Fill in line item name.)

From: _____ \$ _____
(Fill in line item name.) (Fill in line item name.)

Justification: _____

**ACCOUNT BALANCE VERIFIED
FINANCE OFFICE**
 Date 4/27/01 By [Signature]

3. To: _____ \$ _____
(Fill in line item name.) (Fill in line item name.)

From: _____ \$ _____
(Fill in line item name.) (Fill in line item name.)

Justification: _____

Department Head: Approved [Signature] Pablo J. [Signature] 4/26/01
 Disapproved Signature of Department Head Date

Procurement Director: Approved _____
 Disapproved Signature of Procurement Director Date

County Supervisor: Approved _____
 Disapproved Signature of County Supervisor Date

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
Division of Industries

Sales Order *Quote*

WORK ORDER NO: _____

DATE: 4/25/01

Sold To: Customer No: _____
Oconee County

Ship To: Location No: _____

To Attn of: Pablo Uria

Telephone No: _____

To Attn of: _____

Telephone No: _____

Salesman No: _____

PQ No: _____

Job No: _____

Location No: _____

SHIPPING/SPECIAL INSTRUCTIONS:

Quant.	Model No.	Description	Unit Price	Total Price
1	CI-MXD/BL	Transport Dolly (Holds 25 Dakota chairs)	\$120.00	

White: DCI Administration
Country: Customer Copy

Anita Durbin

Office of Finance Director

Oconee County

415 South Pine Street
Walhalla, SC 29681

Phyllis E. Lombard
Finance Director

Phone (864) 636-4235
FAX (864) 636-4241

January 19, 2001

Mr. Pablo V. Unda
Oconee County Health Department
415 South Pine Street
Walhalla, South Carolina 29691

RE: Funds Unexpended on Seneca Health Department Construction

Dear Mr. Unda:

I am writing as a follow-up to our meeting on Thursday, January 18. After further thought, I have determined that in order to follow procedure we will need to handle the transfer of these funds from encumbrance reserve and fund balance during the supplemental process. I apologize for the confusion from our previous conversations.

I have included the following transaction in supplemental. If it is incorrect, please notify me as soon as possible. We will meet with Council in regard to supplemental on Tuesday evening.

10-057-00150-00022	\$	2,000.00
10-057-00150-00031	\$	8,294.00
10-057-00150-00840	\$	4,500.00
10-057-00150-00032	\$	5,092.00
10-057-00150-00032 (Miscellaneous)	\$	8,693.00
10-057-00150-00062	\$	3,207.00
TOTAL	\$	33,786.00

Please do not hesitate to contact me with any questions.

Sincerely,



Phyllis E. Lombard, Finance Director

cc: Bob Craig, District Manager

DEPARTMENT BUDGET ADJUSTMENT AUTHORIZATION RECEIVED

Date: 4/26/01 Department: Health 057 Change No. APR 27 2001

It is requested that the following changes be made in my Fiscal Year 00-01 Budget.

DO NOT WRITE IN THESE SPACES

1. To: 10-57-150-00031 (Sup) Office Equip. \$ 264.90
(Fill in line item name.) (Fill in line item name.)

From: 10-57-150-00032 (Sup) Hse) Operational Misc \$ 264.90
(Fill in line item name.) (Fill in line item name.)

Justification: To buy a Tabletop display for the Health Educator. This display will allow her to offer a better outreach on health fairs to her patients/clients.

2. To: _____ \$ _____
(Fill in line item name.) (Fill in line item name.)

From: _____ \$ _____
(Fill in line item name.) (Fill in line item name.)

Justification: _____
ACCOUNT BALANCE VERIFIED
FINANCE OFFICE
 Date 4/27/01 By [Signature]

3. To: _____ \$ _____
(Fill in line item name.) (Fill in line item name.)

From: _____ \$ _____
(Fill in line item name.) (Fill in line item name.)

Justification: _____

Department Head: Approved [Signature] 4/26/01
 Disapproved Signature of Department Head Date

Procurement Director: Approved _____
 Disapproved Signature of Procurement Director Date

County Supervisor: Approved _____
 Disapproved Signature of County Supervisor Date

For Top Quality Tabletop Displays

**SALE
PAGE**

EZ-UP Performer DISPLAYS



There's a reason the EZ22 Tabletop is our all-time best seller. The size is generous enough to display all your material, yet it's compact enough to carry with you.

And the price is the best in the country.

All EZ-UP table top displays include a durable, easy-to-carry reinforced fabric case. Floral use for EZ22 is available. EZ22C - \$175.50.

Expedited delivery available for items on this page. Call for availability.



Table top included.

EZ 22

\$218.95

List price
\$610.00

8-22 1/2" X 36" | double-sided velcro fabric panels
1-24" W X 12" H double-sided fabric header panel
1 permanent reinforced fabric carrying case.

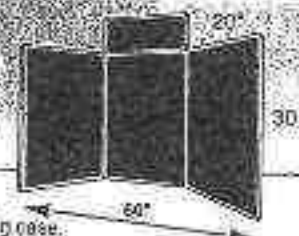
Specify Black, Silver, Red or Blue fabric.
Specify Black, Silver or Gold frame.
Weight - 26 LBS. Ships UPS - FOB FL warehouse.
Lead time - 2 weeks.

EZ 21

3-20" W X 30" H
double-sided
velcro fabric
panels.
1-20" W X 8" H
double-sided fabric
header panel.
1 permanent reinforced fabric carrying case.

\$208.50

List price
\$480.00



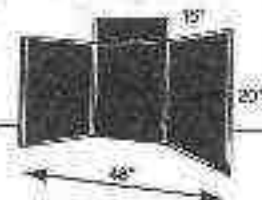
Specify Black, Silver, Red or Blue fabric. Specify Black, Silver or Gold frame. 17 LBS. Ships UPS. FOB FL warehouse. Lead time - 2 weeks.

EZ 20

5-16" W X 20" H
double-sided velcro
fabric panels.
1-16" W X 5" H
double-sided fabric
header panel.
1 permanent
reinforced fabric carrying case.

\$153.95

List price
\$350.00



Specify Black, Silver, Red or Blue fabric. Specify Black or Silver frame. Weight - 12 LBS. Ships UPS - FOB FL warehouse. Lead time - 2 weeks.

EZ 23

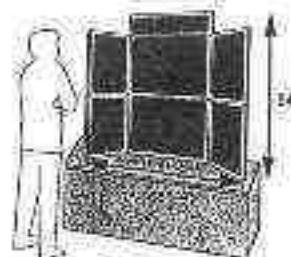
A sophisticated, lightweight table top display. Stands 54" high.

Package includes:

6 single-sided velcro fabric panels. 4 outer panels - 17" W X 24" H. 2 center panels - 34" W X 24" H.

1-34" W X 8" H single-sided header panel. 1 reinforced fabric carrying case.

Specify Black, Silver, Red or Blue fabric. Specify Black or Silver frame.
Weight - 30 lbs. Ships UPS - FOB FL warehouse. Lead time - 2 wks.



\$488.50

List price \$1044.00

All EZ-UP ShowGoers arrive completely assembled and fold down to fit in one permanent re-usable shipping case.

EZ-UP Performer Colors



Black



Red



Silver



Blue

Office of Finance Director
Oconee County

415 South Pine Street
Walhalla, SC 29691

Phyllis E. Lombard
Finance Director

Phone (864) 638-4235
FAX (864) 638-4241

January 19, 2001

Mr. Pablo V. Unda
Oconee County Health Department
415 South Pine Street
Walhalla, South Carolina 29691

RE: Funds Unexpended on Seneca Health Department Construction

Dear Mr. Unda:

I am writing as a follow-up to our meeting on Thursday, January 18. After further thought, I have determined that in order to follow procedure we will need to handle the transfer of these funds from encumbrance reserve and fund balance during the supplemental process. I apologize for the confusion from our previous conversations.

I have included the following transaction in supplemental. If it is incorrect, please notify me as soon as possible. We will meet with Council in regard to supplemental on Tuesday evening.

10-057-00150-00022	\$	2,000.00
10-057-00150-00031	\$	8,294.00
10-057-00150-00040	\$	6,500.00
10-057-00150-00032	\$	5,092.00
10-057-00150-00032 (Miscellaneous)	\$	8,693.00
10-057-00150-00062	\$	3,207.00
TOTAL	\$	33,786.00

Please do not hesitate to contact me with any questions.

Sincerely,



Phyllis E. Lombard, Finance Director

cc: Bob Craig, District Manager

DEPARTMENT BUDGET ADJUSTMENT AUTHORIZATION

RECEIVED
APR 27 2001

Date: 4/26/01 Department: Health 057 Change No: 00-01 Budget

It is requested that the following changes be made in my Fiscal Year 00-01 Budget.

1. To: 10-057-150-00031 (Sup) Office Equipment \$ 408.24
(Fill in line item name.) (Fill in line item name.)

From: 10-057-150-00032 (Sup) Operational Misc \$ 408.24
(Fill in line item name.) (Fill in line item name.)

Justification: To purchase Office Jet Fax T45 for Environmental Health. This will allow a more efficient handling of permits, plans etc. among our inspectors and contractors, etc.

2. To: _____ \$ _____
(Fill in line item name.) (Fill in line item name.)

From: _____ \$ _____
(Fill in line item name.) (Fill in line item name.)

Justification: _____

ACCOUNT-BALANCE VERIFIED
FINANCE OFFICE
 Date: 4/27/01 By: [Signature]

3. To: _____ \$ _____
(Fill in line item name.) (Fill in line item name.)

From: _____ \$ _____
(Fill in line item name.) (Fill in line item name.)

Justification: _____

Department Head: Approved Disapproved

[Signature] Pablo V. Ureche 4/26/01
Signature of Department Head Date

Procurement Director: Approved Disapproved

Signature of Procurement Director Date

County Supervisor: Approved Disapproved

Signature of County Supervisor Date

All-In-One Machines

HP OFFICEJET SHEETFEED T45 COLOR ALL-IN-ONE MACHINE

The HP OfficeJet Sheetfed T45 combines advanced performance office communication with easy-to-use features. It brings 4 functions to the desktop in one compact product: incredibly fast, black and white and photo-quality color printing with HP's exclusive PhotoREt II color-layering technology, faxing and copying capabilities without connection to a PC, and easy-to-use eye-button features. Printer cable required.

OfficeJet T45 features:

Print Speed: 6 ppm black, 6.5 ppm color

Printer Resolution: 300 dpi

100-sheet automatic sheet feeder (20 lb. paper)

Memory: 65 page

Fax Speed: 14.4 Kbps modem

Fax Resolution: 300 x 300 dpi (up to 1200 dpi enhanced)

Fax Transmission Speed: 6 seconds per page

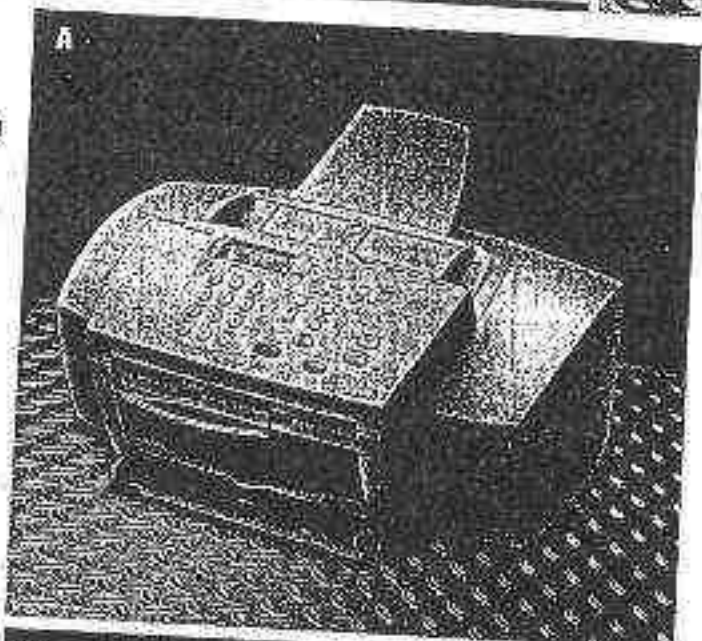
24-bit color, 8-bit grayscale (256 levels of gray for improved contrast)

Copy Speed: Up to 6 cpm black, 2 cpm color

Up to 99 copies and reduces/enlarges 50%-200%

3-year warranty

Part #	Mfr. #	Description	Qty.	Unit
447	D8559W45A	HP OfficeJet T45 Color All-in-One	EA	485.00
771	HP518404	Black Inkjet Cartridge	EA	25.99
787	HP518290	Tri-Color Inkjet Cartridge	EA	30.99
551	HP518237	Tri-Color Inkjet Cartridge, 2-Pack	2-PK	60.99



HP OFFICEJET 770 COLOR ALL-IN-ONE MACHINE

It's easy and convenient to communicate in color with this all-in-one product that offers you photo quality color printing, PC assisted color copying, convenient full color copying, effortless color scanning, and the

Office of Finance Director

Oconee County

415 South Pine Street
Walhalla, SC 29681

Phyllis E. Lombard
Finance Director

Phone (864) 638-4235
FAX (864) 638-4241

January 19, 2001

Mr. Pablo V. Unda
Oconee County Health Department
415 South Pine Street
Walhalla, South Carolina 29691

RE: Funds Unexpended on Seneca Health Department Construction

Dear Mr. Unda:

I am writing as a follow-up to our meeting on Thursday, January 18. After further thought, I have determined that in order to follow procedure we will need to handle the transfer of these funds from encumbrance reserve and fund balance during the supplemental process. I apologize for the confusion from our previous conversations.

I have included the following transaction in supplemental. If it is incorrect, please notify me as soon as possible. We will meet with Council in regard to supplemental on Tuesday evening.

10-057-00150-00022	\$	2,000.00
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10-057-00150-00840	\$	6,500.00
10-057-00150-00032	\$	6,092.00
10-057-00150-00032 (Miscellaneous)	\$	8,693.00
10-057-00150-00062	\$	3,207.00
TOTAL	\$	33,786.00

Please do not hesitate to contact me with any questions.

Sincerely,



Phyllis E. Lombard, Finance Director

cc: Bob Craig, District Manager

DEPARTMENT BUDGET ADJUSTMENT AUTHORIZATION

RECEIVED

Date: 4/26/01 Department: Health 057

Charge No. APP 27 2001

It is requested that the following changes be made in my Fiscal Year 00-01 Budget.

1. To: 10-057-150-00031 (Supp) Office Equip- \$ 358.¹⁰⁰
(Fill in line item name.) (Fill in line item name.)

From: 10-57-150-00032 (Sup H:3) Operational M:3 \$ 358.⁴⁰
(Fill in line item name.) (Fill in line item name.)

Justification: To purchase for 2 (two) Medical Records Shelves
\$ 320.- + 22.40 Inst.'s Delivery + 16.00 tax = 358.40
from HDN.

2. To: _____ \$ _____
(Fill in line item name.) (Fill in line item name.)

From: _____ \$ _____
(Fill in line item name.) (Fill in line item name.)

**ACCOUNT BALANCE VERIFIED
FINANCE OFFICE**

Date 4-1-27-01 By [Signature]

3. To: _____ \$ _____
(Fill in line item name.) (Fill in line item name.)

From: _____ \$ _____
(Fill in line item name.) (Fill in line item name.)

Justification: _____

Department Head: Approved
 Disapproved

[Signature] Paula V. Under 4/26/01
Signature of Department Head Date

Procurement Director: Approved
 Disapproved

Signature of Procurement Director Date

County Supervisor: Approved
 Disapproved

Signature of County Supervisor Date

Office of Finance Director

Oconee County

415 South Pine Street
Walhalla, SC 29691

Phyllis E. Lombard
Finance Director

Phone (864) 638-4235
FAX (864) 638-4241

January 19, 2001

Mr. Pablo V. Unda
Oconee County Health Department
415 South Pine Street
Walhalla, South Carolina 29691

RE: Funds Unexpended on Seneca Health Department Construction

Dear Mr. Unda:

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I have included the following transaction in supplemental. If it is incorrect, please notify me as soon as possible. We will meet with Council in regard to supplemental on Tuesday evening.

10-057-00150-00022	\$	2,000.00
10-057-00150-00031	\$	8,294.00
10-057-00150-00840	\$	6,500.00
10-057-00150-00032	\$	5,092.00
10-057-00150-00032 (Miscellaneous)	\$	8,693.00
10-057-00150-00042	\$	3,207.00
TOTAL	\$	33,786.00

Please do not hesitate to contact me with any questions.

Sincerely,



Phyllis E. Lombard, Finance Director

cc: Bob Craig, District Manager

DEPARTMENT BUDGET ADJUSTMENT AUTHORIZATION

RECEIVED

Date: 4/26/01 Department: Health 057 Change No: APP-27 2001

It is requested that the following changes be made in my Fiscal Year 00 - 01 Budget.

1. To: 10-57-150-00031 (Sup) Office Equipment \$ 499.80
(Fill in line item name.) (Fill in line item name.)

From: 10-57-150-00032 (H.S.F) Operations \$ 499.80
(Fill in line item name.) (Fill in line item name.)

Justification: To purchase a SAFCO Wire LAN Work Station. This station will allow our IRC to be able to accommodate our servers and service them more efficiently.

2. To: _____ \$ _____
(Fill in line item name.) (Fill in line item name.)

From: _____ \$ _____
(Fill in line item name.) (Fill in line item name.)

Justification: _____

ACCOUNT BALANCE VERIFIED
FINANCE OFFICE
 Date 4/27/01 By [Signature]

3. To: _____ \$ _____
(Fill in line item name.) (Fill in line item name.)

From: _____ \$ _____
(Fill in line item name.) (Fill in line item name.)

Justification: _____

Department Head: Approved [Signature] 4/26/01
 Disapproved Signature of Department Head Date

Procurement Director: Approved _____
 Disapproved Signature of Procurement Director Date

County Supervisor: Approved _____
 Disapproved Signature of County Supervisor Date

353.50
363.50
381.50
393.50

Model #
SAF5201SL

Description
48" W x 29 1/2" D
List
41.00

Model #
SAF5202SL

Description
48" W x 17 1/2" D
List
22.95

Model #
SAF5203SL

Description
48" W x 17 1/2" D
List
22.95

Model #
SAF5204SL

Description
48" W x 17 1/2" D
List
22.95

Model #
SAF5205SL

Description
48" W x 17 1/2" D
List
22.95

Model #
SAF5206SL

Description
48" W x 17 1/2" D
List
22.95

Model #
SAF5207SL

Description
48" W x 17 1/2" D
List
22.95

Model #
SAF5208SL

Description
48" W x 17 1/2" D
List
22.95

Model #
SAF5209SL

Description
48" W x 17 1/2" D
List
22.95

Model #
SAF5210SL

Description
48" W x 17 1/2" D
List
22.95

Model #
SAF5211SL

Description
48" W x 17 1/2" D
List
22.95

Model #
SAF5212SL

Description
48" W x 17 1/2" D
List
22.95

Model #
SAF5213SL

Description
48" W x 17 1/2" D
List
22.95

Model #
SAF5214SL

Description
48" W x 17 1/2" D
List
22.95

Model #
SAF5215SL

Description
48" W x 17 1/2" D
List
22.95

Model #
SAF5216SL

Description
48" W x 17 1/2" D
List
22.95

Model #
SAF5217SL

Description
48" W x 17 1/2" D
List
22.95

Model #
SAF5218SL

Description
48" W x 17 1/2" D
List
22.95

Model #
SAF5219SL

Description
48" W x 17 1/2" D
List
22.95

Model #
SAF5220SL

Description
48" W x 17 1/2" D
List
22.95

Model #
SAF5221SL

Description
48" W x 17 1/2" D
List
22.95

Model #
SAF5222SL

Description
48" W x 17 1/2" D
List
22.95

Model #
SAF5223SL

Description
48" W x 17 1/2" D
List
22.95

Model #
SAF5224SL

Description
48" W x 17 1/2" D
List
22.95

Model #
SAF5225SL

Description
48" W x 17 1/2" D
List
22.95

Model #
SAF5226SL

Description
48" W x 17 1/2" D
List
22.95

Model #
SAF5227SL

Description
48" W x 17 1/2" D
List
22.95

Model #
SAF5228SL

Description
48" W x 17 1/2" D
List
22.95

**SAFECO®
WIRE LAN WORK STATION**

Temporary design features a generous laminate work surface of 48" W x 29 1/2" D. Two wire frame shelves measuring 48" W x 18" D with laminate support up to 653 lbs. each and adjust in 1" increments. Mobile cart measuring 42" W x 24" D rolls easily on casters and allows access to cables. Work space is enhanced by one pull-out keyboard tray, and two pullout wire keyboard holders free up additional work space. Optional Nifty Basket (SAF5202SL) stores files in cabinets. Scratch-resistant metallic gray powder-coat finish. Ready to ship. Installation available (not included). Available in 72 hours (during transit time).

WIRE LAN WORK STATION

48" W x 29 1/2" D
Model # SAF5210SL
Description Work Station
List 505.00

**KAYLINE®
COMPUTER RACKING SYSTEM**

For the rapidly changing needs of managing network servers, routers, and communications equipment. Modular, flexible, and economical systems offers a variety of keyboard supports and cable management options. Accommodates 21" and larger monitors. Gray/Charcoal. Installation available (not included).

24" SERVER STATION

24" Server rack includes four 24" W x 18" D shelves and one 24" W x 29 1/2" D server shelf.

24" LAN STATION (NOT SHOWN)

Includes two 24" W x 18" D shelves, one 24" W x 20" D work surface, and one 24" W x 29 1/2" D server shelf.

Model # 21124
Description 24" LAN Station (Not Shown)
List 635.00

48" LAN STATION

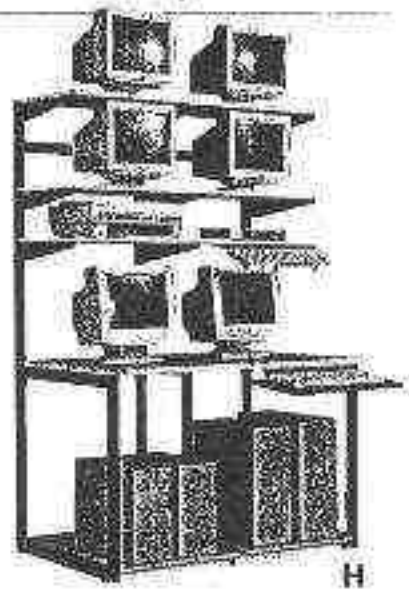
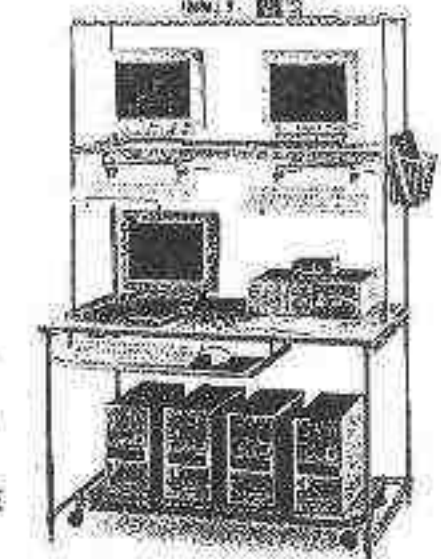
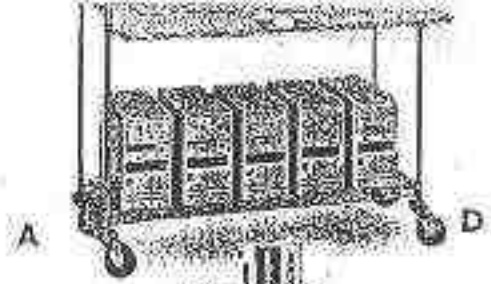
Includes two 48" x 18" D shelves, one 48" W x 30" D work surface, and one 48" W x 29 1/2" D server shelf.

Model # 21148
Description 48" LAN Station
List 925.00

72" LAN STATION (NOT SHOWN)

Includes two 72" W x 18" D shelves, one 72" W x 30" D work surface, and one 72" W x 29 1/2" D server shelf.

Model # 21172
Description 72" LAN Station (Not Shown)
List 1535.00



6" (approx.)
x 10" (1")

List
237.50
237.50
237.50
237.50

x 11 1/2"
x 12" D

List
211.00
211.00
211.00
211.00

List
29.95
29.95
29.95
29.95

List
79.00
79.00
79.00
79.00

8", 10",
12" D

List
12.00
12.00
12.00
12.00

3-compartment
finished back
stored in the
cabinet.

List
107.00
107.00
107.00
107.00

we represent

ESDCL

ESDCL

Contact your Customer Service Representative for your discounted price.

Office of Finance Director

Oconee County

415 South Pine Street
Walhalla, SC 29691

Phyllis E. Lombard
Finance Director

Phone (864) 638-4235
FAX (864) 638-4241

January 19, 2001

Mr. Pablo V. Unda
Oconee County Health Department
415 South Pine Street
Walhalla, South Carolina 29691

RE: Funds Unexpended on Seneca Health Department Construction

Dear Mr. Unda:

I am writing as a follow-up to our meeting on Thursday, January 18. After further thought, I have determined that in order to follow procedure we will need to handle the transfer of these funds from encumbrance reserve and fund balance during the supplemental process. I apologize for the confusion from our previous conversations.

I have included the following transaction in supplemental. If it is incorrect, please notify me as soon as possible. We will meet with Council in regard to supplemental on Tuesday evening.

10-057-00150-00022	\$	2,000.00
10-057-00150-00031	\$	8,294.00
10-057-00150-00840	\$	6,500.00
10-057-00150-00032	\$	5,092.00
10-057-00150-00032 (Miscellaneous)	\$	8,693.00
10-057-00150-00062	\$	3,207.00
TOTALS	\$	33,786.00

Please do not hesitate to contact me with any questions.

Sincerely,



Phyllis E. Lombard, Finance Director

cc: Bob Craig, District Manager

DEPARTMENT BUDGET ADJUSTMENT AUTHORIZATION RECEIVED

Date: 4/26/01 Department: Health 057 Change APP 27-2001

It is requested that the following changes be made in my Fiscal Year 00-01 Budget:

Approved by _____
Date _____

1. To: 10-57-150-00031 (Sup) Office Equipment \$ 1,423.50
(fill in line item name.) (fill in line item name.)

From: 10-57-150-00032 (Sup Hd) Operational \$ 1,423.50
(fill in line item name.) (fill in line item name.)

Justification: To purchase Copier for Vital Records. The amount for this department has increased. Special Safety paper has to be used and safeguarded.

2. To: _____ \$ _____
(fill in line item name.) (fill in line item name.)

From: _____ \$ _____
(fill in line item name.) (fill in line item name.)

Justification: _____
ACCOUNT BALANCE VERIFIED
FINANCE OFFICE

Date 4/27/01 By AKP

3. To: _____ \$ _____
(fill in line item name.) (fill in line item name.)

From: _____ \$ _____
(fill in line item name.) (fill in line item name.)

Justification: _____

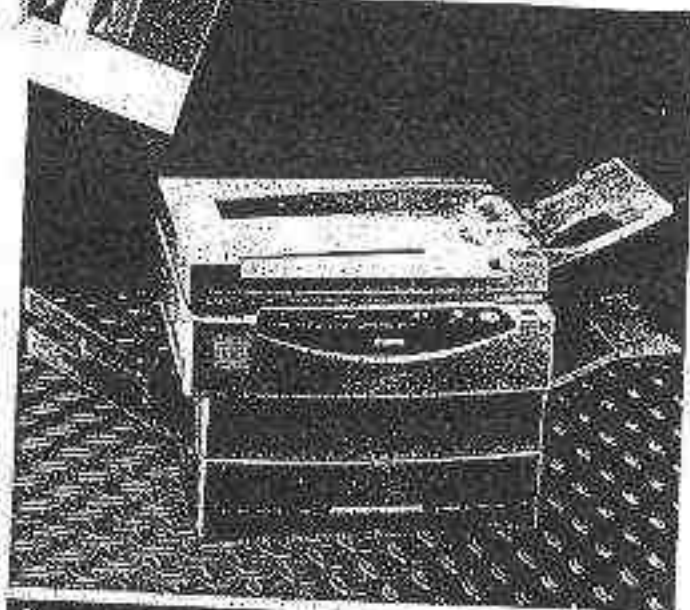
Department Head: Approved Disapproved
[Signature] Patricia V. Arnold 4/26/01
Signature of Department Head Date

Procurement Director: Approved Disapproved

Signature of Procurement Director Date

County Supervisor: Approved Disapproved

Signature of County Supervisor Date



A. CANON PC-990 COPIER

The new PC-990 has the advanced features you need for any of your copying needs. Fast copying speed, zoom from 70% to 141%, 500 sheet paper cassette, instant warm up and even a starter toner cartridge, allow you to concentrate on your business—not your machines.

- Copy Speed: 13 copies per minute
- Includes starter toner cartridge
- 30 page auto document feeder
- Up to 100 copies at a time
- 500 sheet bypass feeder
- Zoom Reduction/Enlargement (70%-141%)
- Warranty: 3 year, 1 year next day on-site service

Model	Mfr. #	Description	Qty.	List
412-281	CAN13-8220-500	Canon PC-990 Copier	EA	\$695.00
412-437	CAN11-8421-750	E-40 Toner Cartridge	EA	160.00



B. CANON PC-920 COPIER

The new PC-920 is a valuable addition to any office with 10 copies per minute, instant no wait warm up and a compact design. The single cartridge system means virtual maintenance free performance and it comes with a starter cartridge.

- Copy Speed: 10 copies per minute (letter), 9 copies per minute (legal)
- 250 sheet front loading cassette
- Zoom: 70% to 140% in 1% increments

Office of Finance Director
Oconee County

415 South Pine Street
Walhalla, SC 29691

Phyllis E. Lombard
Finance Director

Phone (864) 638-4235
FAX (864) 638-4241

January 19, 2001

Mr. Pablo V. Unda
Oconee County Health Department
415 South Pine Street
Walhalla, South Carolina 29691

RE: Funds Unexpended on Seneca Health Department Construction

Dear Mr. Unda:

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10-057-00150-00032 (Miscellaneous)	\$	8,493.00
10-057-00150-00062	\$	3,207.00
TOTAL	\$	33,786.00

Please do not hesitate to contact me with any questions.

Sincerely,



Phyllis E. Lombard, Finance Director

cc: Bob Craig, District Manager

DEPARTMENT BUDGET ADJUSTMENT AUTHORIZATION

Date: 4/26/01 Department: Health 057 Change Received

It is requested that the following changes be made in my Fiscal Year 00 - 01 Budget, APR 27 2001

1. To: 10-057-00150-00062 (Supp) Medical \$ 1,206.36
(Fill in line item name.) (Fill in line item name.)

From: 10-057-00150-00032 (Supp H/s) Operational Misc. \$ 1,206.36
(Fill in line item name.) (Fill in line item name.)

Justification: This Ventilator Chair will allow us to better handle patients that pass out. Currently we have to help them (ease them) to the floor.

2. To: _____ \$ _____
(Fill in line item name.) (Fill in line item name.)

From: _____ \$ _____
(Fill in line item name.) (Fill in line item name.)


Justification: _____

ACCOUNT BALANCE VERIFIED
FINANCE OFFICE
 Date 4/27/01 By APP

3. To: _____ \$ _____
(Fill in line item name.) (Fill in line item name.)

From: _____ \$ _____
(Fill in line item name.) (Fill in line item name.)

Justification: _____

Department Head: Approved  Pablo V. White 4/26/01
 Disapproved Signature of Department Head Date

Procurement Director: Approved _____
 Disapproved Signature of Procurement Director Date

County Supervisor: Approved _____
 Disapproved Signature of County Supervisor Date

Office of Finance Director

Oceane County

415 South Pine Street
Wahalla, SC 29691

Phyllis E. Lombard
Finance Director

Phone (864) 638-4235
FAX (864) 638-4241

January 19, 2001

Mr. Pablo V. Unda
Oceane County Health Department
415 South Pine Street
Wahalla, South Carolina 29691

RE: Funds Unexpended on Seneca Health Department Construction

Dear Mr. Unda:

I am writing as a follow-up to our meeting on Thursday, January 18. After further thought, I have determined that in order to follow procedure we will need to handle the transfer of these funds from encumbrance reserve and fund balance during the supplemental process. I apologize for the confusion from our previous conversations.

I have included the following transaction in supplemental. If it is incorrect, please notify me as soon as possible. We will meet with Council in regard to supplemental on Tuesday evening.

10-057-00150-00022	\$	2,000.00
10-057-00150-00031	\$	8,294.00
10-057-00150-00840	\$	4,500.00
10-057-00150-00032	\$	5,092.00
10-057-00150-00032 (Miscellaneous)	\$	8,693.00
10-057-00150-00062	\$	3,207.00
TOTAL	\$	33,786.00

Please do not hesitate to contact me with any questions.

Sincerely,



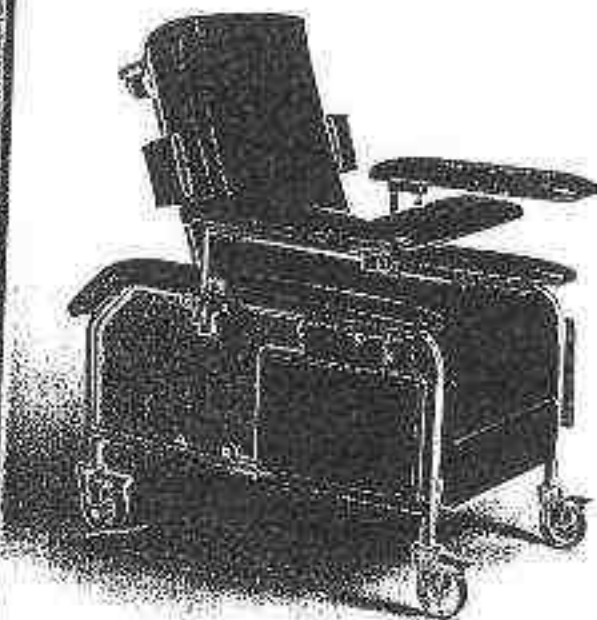
Phyllis E. Lombard, Finance Director

cc: Bob Craig, District Manager

Multi-Med Series



1508-AS/FT
(With Options A1506-AS and A1503-FT)



BA1508-AL/FT
(Shown With Options A1506-AL and A1503-FT)

Multi-Med Series

Multi-Med chair with walking arm options provides increased versatility, especially for examinations and non-procedures. The arms are fully adjustable both horizontally and vertically plus the angle may be able to ensure optimum positioning. The smaller arm configuration allows for a comfortable writing range of motion up to three inches in your seat. The BA1508 option is equipped with two horizontal access table. The BA1508 is also built with a strategic and affordable adjustment.

Additional options include:

• Backrest Recliner

• Leg Extensions

• Neck Pillow

• Table Mounts

CCI

April 25, 2001

Mr. Pablo Landa
 Adm.
 Geriatric Health Dept.
 200 Booker Dr.
 Wallula, Sc. 99691

Quoted & Approved BY: Nichole Pullen

QUOTATION

QUANTITY	DESCRIPTION	PRICE PER	TOTAL PRICE
1	BA1508-A1-A1 Male Med. Chair with options A1508-PI, Folding Table and A1508-A1 Auxiliary Arms Articulating	\$1,095	\$1,095
1	Shipping		\$56.61

Shipping Prepay @ Add

TERMS: Net 90

DELIVERY: 2-5 Weeks

Quote Approved By: _____ (Customer) Date: _____

Quote valid for 30 days and payable in U.S. Funds only.

Please refer to purchase order to:

C.C.I.
 P.O. Box 677189
 Orlando, FL 32867-7189
 or Fax (407) 366-8246

Thank you for this opportunity to quote your needs.

C.C.I.

DEPARTMENT BUDGET ADJUSTMENT AUTHORIZATION

RECEIVED

Date: 4/26/01 Department: Health 057 Change Order: 27-2001

It is requested that the following changes be made in my Fiscal Year: 00 - 01 Budget:

1. To: 10-57-0150-00062 (Sup) Medical \$ 475.65
(Fill in line item name.) (Fill in line item name.)

From: 10-57-0150-00032 (Sup) Ops Operational M.G. \$ 475.65
(Fill in line item name.) (Fill in line item name.)

Justification: To purchase two rolling stands for the two Welch Allyn Examination lights that were donated by Torrington, Bergen # 582669

2. To: _____ \$ _____
(Fill in line item name.) (Fill in line item name.)

From: _____ \$ _____
(Fill in line item name.) (Fill in line item name.)

Justification: _____

3. To: _____ \$ _____
(Fill in line item name.) (Fill in line item name.)

From: _____ \$ _____
(Fill in line item name.) (Fill in line item name.)

Justification: _____

**ACCOUNT BALANCE VERIFIED
FINANCE OFFICE**

Date: 4/27/01 By: [Signature]

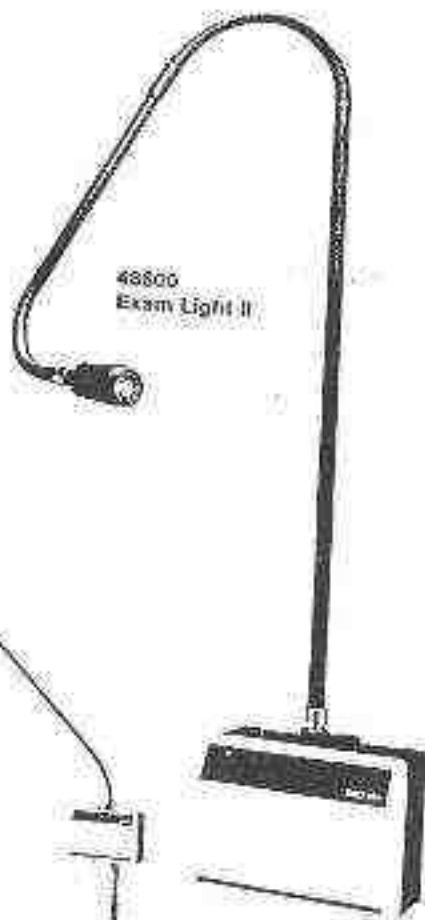
Department Head: Approved [Signature] Pablo V. [Name] 4/26/01
 Disapproved _____
Signature of Department Head Date

Procurement Director: Approved _____
 Disapproved _____
Signature of Procurement Director Date

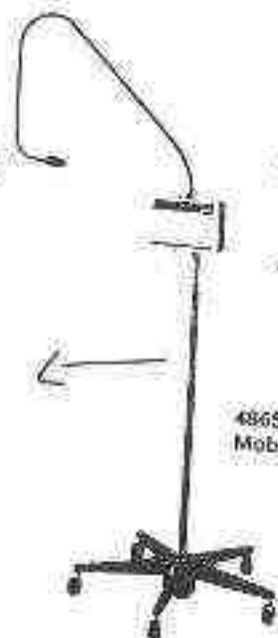
County Supervisor: Approved _____
 Disapproved _____
Signature of County Supervisor Date

Examination Lights

Welch
General Exam



48600
Exam Light II



48650
Mobile Stand

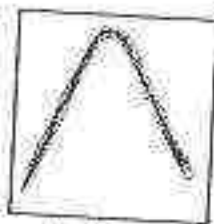
Exam Light II not included with stand



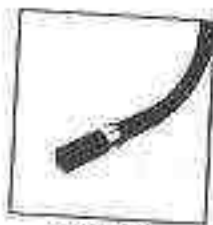
Exam Light II™

- Halogen light for true tissue color and consistent, long lasting light.
 - Light intensity of 750 footcandles (8070 LUX) at a 4 inch (10.16 cm) at 16 inches (40.64 cm).
 - Color Temperature is 3200° K for true tissue color.
 - Flexible fiber optic light pipe for cord distal light.
 - Compact light head provides unobtrusive illumination.
 - Focusing sleeve gives sharp definition of examination field. Spot size from 4 inches (10.16cm) to 10 inches (25.4 cm) at 16 inches (40.64 cm).
 - Non-drift light pipe with 360° rotation ensures fixed position on table or stand.
 - Molasses light box eliminates distraction and can be mounted on table or stand.
 - Disposable sheaths available to prevent cross-contamination.
 - Special light pipe available for neonatal transillumination.
- No. 48600—Exam Light II, complete, includes focusing sleeve, mobile stand, bracket and light box, 110-130v, 50/60 Hz for North America, UL listed, CSA certified.
- No. 48625—Same as No. 48600, but export (specify country and voltage). Conforms to IEC 601-1, 220-250v, 50/60 Hz.
- No. 48610—Exam Light II complete, includes fiber optic neonate light pipe and light box, 110-130v, 50/60 Hz for North America, UL listed, CSA certified.
- No. 48635—Same, but export (specify country and voltage). Conforms to IEC 601-1, 220-250v, 50/60 Hz.
- No. 48200—Fiber optic light pipe, length 49.5 inches (126 cm).
- No. 48210—Fiber optic neonate light pipe.
- No. 52640—Box of 25 disposable sheaths 52 inches (132 cm). Sold in distributor in case quantity only—5 boxes/case.
- No. 52641—Disposable Sheath Dispenser.
- No. 48605—Focusing sleeve.
- No. 48830—Light Box, 110-130v, 50/60 Hz; UL listed, CSA certified.
- No. 48835—Same, but export (specify country and voltage). Conforms to IEC 601-1, 220-250v, 50/60 Hz.
- No. 48650—Mobile stand with locking casters, height adjustable from 40" (105 cm) to 102 cm.
- No. 48659—Universal Table Bracket.
- No. 04200—Halogen replacement lamp for Nos. 48600, 48610, 48625, 48635 (see page 56 for actual lamp size).

*Expert Ordering Example: No. 48625—Philippines—220v



No. 52640
Disposable Sheath
52 inches (132 cm)



No. 48210
Fiber Optic Neonate
Light Pipe



No. 48659
Universal Table Bracket



Shig
12/2-17/0

11885
8 L

Office of Finance Director

Oconee County

415 South Pine Street
Wahalla, SC 29691

Phyllis E. Lombard
Finance Director

Phone (864) 638-4235
FAX (864) 638-4241

January 19, 2001

Mr. Pablo V. Unda
Oconee County Health Department
415 South Pine Street
Wahalla, South Carolina 29691

RE: Funds Unexpended on Seneca Health Department Construction

Dear Mr. Unda:

I am writing as a follow-up to our meeting on Thursday, January 18. After further thought, I have determined that in order to follow procedure we will need to handle the transfer of these funds from encumbrance reserve and fund balance during the supplemental process. I apologize for the confusion from our previous conversations.

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10-057-00150-00062	\$	3,207.00
TOTAL	\$	33,786.00

Please do not hesitate to contact me with any questions.

Sincerely,



Phyllis E. Lombard, Finance Director

cc: Bob Craig, District Manager

Gerl McSwain
Chairperson
335 Fernwood Drive
Salem, SC 29676

Lilly Blas
Vice-Chairperson/Secretary
7812 Rochester Highway
Seneca, SC 29672

Jack Bishop
Treasurer
7 Rum Row
Salem, SC

Gerald Foster
116 Sam Brown Rd.
Seneca, SC 29676

Andy Davis
624 State Park Rd.
Mountain Rest, SC 29664

Jack McLane
570 McLane Farm Rd.
Seneca, SC 29678

Ansley Fraser
409 Rudder Ridge
Seneca, SC 29678



*Accommodations
Tax Advisory Committee*

DATE: 5/25/01

TO: Opal Green

RE: Recommended ATAX Fund Disbursements

The following individuals/groups have requested funds from the Oconee County Accommodation Tax Committee.

Grant Requests that were tabled:

- 1. _____ \$ _____
- 2. _____ \$ _____

Denied Grant Request were:

- 1. _____ \$ _____
- 2. _____ \$ _____

Approved Grants were:

- 1. Seneca Merchants Assoc. \$ 1,000.00
- 2. Sea Crow Requested \$5,000.00 \$ 1,400.00
- 3. Blanch de Dora Requested \$7,800.00 \$ 3,300.00
- 4. _____ \$ _____

Please place the approved Grant Requests on the agenda for the May 15, 2001 (date) Oconee County Council meeting with the following individual(s) presenting them to the Council.

Jack Bishop, Treasurer

Thank You.
The Oconee County ATAX Advisory Committee

Gerl McSwain
Chairperson
335 Fernwood Drive
Salem, SC 29676

Oconee County



Lilly Blue
Vice-Chairperson/Secretary
7812 Rochester Highway
Seneca, SC 29672

Jack Bishop
Treasurer
7 Rum Row
Salem, SC 29676

Gerald Foster
116 Sam Brown Rd.
Seneca, SC 29678

Andy Davis
624 State Park Rd.
Mountain Rest, SC 29684

Jack McLane
570 McLane Farm Rd.
Seneca, SC 29678

Accommodations

Ansley Fraser
400 Rudder Ridge
Seneca, SC 29678

Tax Advisory Committee

Given elements request for \$1,000.00 was be forwarded
for approval. They are currently paid for \$3,000.00 due
to time commitments in receiving AT&T funds.

Paul

**OCONEE COUNTY ATAX GRANT
APPLICATION FORM
FOR TOURISM RELATED PROJECT**

I. APPLICANT

- A. Name of Organization American Red Cross Oconee County Chapter
- B. Address 224 East Main Street Waltham, SC 29691

II. FUNDS REQUESTED

- A. ATAX Funds Requested \$ 5000.00
- B. Itemized Budget for ATAX funds requested (attach on separate sheet)
- C. Funds furnished by your organization: \$ 0
- Matching Grant \$ 0 Source _____
- Other Funding \$ 5000.00 Source Oconee Tourism (Advertising Only)

III. NARRATIVE PROJECT DESCRIPTION

- A. Project Title 5th Annual Classic Car Collection and Summer Fling
- B. Description of Project The Classic Car Collection and Summer Fling is a show for classic cars, tractors, motorcycles and other vehicles with activities and attractions for people of all ages.

I have read the guidelines for the Oconee County Accommodations Grant Request and do hereby agree to comply with all rules and requirements. I understand failure to comply may result in a loss of funding for the project.

A. Contact Name Joseph A. Zaydel
Title Health & Safety Administrator
Signature Joseph A. Zaydel Date 4/12/2001
Phone Number(s) (864) 638-5619

B. Alternate Contact Kathy Rogers
Title Executive Director
Signature Kathy Rogers Date 4/12/2001
Phone Number(s) (864) 638-5619

EXHIBITORS

1	Atlanta, GA
2	Clarksville, GA
3	Clemson, SC
4	Columbus, GA
5	Greenville, SC
6	Macon, GA
7	Toccoa, GA
8	Aiken, SC
9	Hendersonville, NC
10	Tyler, NC
11	Mansfield, OH
12	Anderson, SC
13	Cherokee, SC
14	Lenoirville, SC
15	Norcross, NC
16	Rock Hill, SC
17	Spartanburg, SC
18	Six Mile, SC
19	YORK, PA
20	Mountain Rest, SC
21	Salon, NC
22	Seneca, SC
23	Wadesboro, NC
24	Must Union, SC
25	Wagram, NC
26	YORK, PA

Participated 1994-1996

1	Wadesboro, NC
2	Mountain Rest, SC
3	Seneca, SC

Participated 1998, 1999, 2000

1	Clemson, SC
2	Wadesboro, NC

Participated 1997, 1999, 2000

1	Wethers, SC
---	-------------

Participated 1999, 2000

1	Clayton, GA
2	Hendersonville, NC
3	Seneca, SC
4	Wadesboro, NC

Participated 1997, 1999, 2000

1	Toccoa, GA
2	Wagram, NC
3	Seneca, SC

Participated 1999, 2000

1	Wadesboro, NC
---	---------------

New Participants 2000

1	Clemson, SC
2	Hendersonville, NC
3	Columbus, GA
4	Columbus, GA
5	Greenville, SC
6	Wadesboro, NC
7	Toccoa, GA
8	Aiken, SC
9	Tyler, NC
10	Mansfield, OH
11	Anderson, SC
12	Lenoirville, SC
13	Mountain Rest, SC
14	Norcross, NC
15	Rock Hill, SC
16	Aiken, SC
17	Seneca, SC
18	Spartanburg, SC
19	Seneca, SC
20	Wethers, SC
21	Must Union, SC
22	Wagram, NC
23	YORK, PA

april

OCONEE COUNTY ATAX GRANT APPLICATION FORM

FOR TOURISM RELATED PROJECTS

I. APPLICANT

A. Name of Organization March of Dimes / Quality Coffee Ser.

B. Address P.O. Box 477
Seneca SC 29679

II. FUNDS REQUESTED

A. ATAX funds requested \$ 5500.00

B. Itemized budget for ATAX funds requested (attach on separate sheet)

C. Funds furnished by your organization \$ _____

Matching grant \$ _____ Source _____

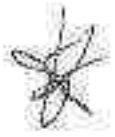
Other Funding \$ _____ Source _____

III. NARRATIVE PROJECT DESCRIPTION

A. Project Title Jerry Rhyme Bass Tournament

B. Description of project Fishing Tournament

South Lake pk Largest Tournament
in an area 400 anglers + families +
thousands of spectators



Home 659-7790

I have read the guidelines for the Oconee County Accommodations Grant Request and do hereby agree to comply with all rules and requirements. I understand failure to comply may result in a loss of funding for the project.

A. Contact Name Mark Thompson

Title Country Club Office Sec. Owner

Signature [Signature] Date 4/14/01

Phone Number (s) 864 634 5282

B. Alternate Contact Melody Thompson

Title GCC VIP's Team Capt.

Signature Melody Thompson Date 4/12/01

Phone Number (s) Mobile 864 273 3646 m.a.b.ave. et

Expenses Oconee Humane Society
Animal Shelter
May-June 2001

Bank Balance:	\$3351.04
Salaries:	\$ 10,400.00
Operations:	\$ <u>1,000</u>
Vehicle Insurance:	\$ 900.00
Workers Comp:	\$ 1,100.00
Liability Ins.:	\$ 636.00
Medical Expenses:	\$ <u>2,000</u>
Utilities:	\$ <u>500</u>
Vet Bills:	\$ <u>390.00</u>
Gas:	\$ <u>260</u>
Phone Bill:	\$ <u>280</u>
Total:	\$ 21,577 \$21,576 ⁰⁰

Estimated Revenue: \$4,000.00

Replace Heat Pump
No air cond
for employees

\$ 14,224⁹⁶ start

OCONEE COUNTY FINANCE DEPARTMENT

MEMORANDUM

TO: Opal Green
CC: Phyllis E. Lombard, Finance Director
Ann H. Hughes, Supervisor-Chair
Melissa Brown, Budget and Grant Supervisor
Oconee County Council Members
FROM: Linda Shugart
DATE: May 10, 2001
SUBJECT: Volunteer Fire Assistance Program

Please find attached four (4) applications for County Council's review. The Volunteer Fire Assistance Program (VFA) provides monetary grants to qualifying fire departments. The funding is provided by the US Forest Service and the program is administered in South Carolina by the Forestry Commission. The purpose of the program is to assist the most needy fire departments based on criteria like, ISO rating, budget and budget source. All grants are awarded on a 50-50 matching funds basis. The fire departments are prepared to provide the required match.

Please place the attached items on the May 15, 2001 Oconee County Council meeting agenda. Should you need additional information, please do not hesitate to call me.

LINDA SHUGART, GRANTS COORDINATOR

**SOUTH CAROLINA FORESTRY COMMISSION
VOLUNTEER FIRE ASSISTANCE
~ APPLICATION ~**

05/25/2001

57-6000391

Date Submitted

Federal ID #

Cleveland Fire Department

Oconee County

Fire Department Name

County

142 Collins Road

Westminster

SC

29693

Mailing Address

City

State

Zip

Travis V. Collins

Fire Chief

Contact Person

Title

(864)47-9439 / 647-8058

(864)778-1022

tbh@oconeeccsc.com

Telephone

Fax

Email

Amount Requested: 50/50 Matching Funds

Federal \$ 2,500.00 (not more than 50% of total)

Applicant \$ 2,500.00 (at least 50% of total)

Total \$ 5,000.00

Important: For county fire departments, the person in charge of county government must sign. For rural fire departments not connected with a county or city, the chairman of the board of directors should sign. For incorporated town fire departments, the mayor should sign. The fire chief alone cannot sign.

Ann H. Hughes

Oconee County Supervisor

Typed or printed name of authorized representative

Title

(864)638-4242

Signature of authorized representative

Date signed

Telephone #

NOTE: Enclose copy of charter and map of service area if you have not previously applied.

Mail to: Larry Barr, VFA Coordinator
SC Forestry Commission
PO Box 21707
Columbia SC 29221-1707
PH: 803-896-8856 FAX: 803-798-8097
Email: lbarr@forestry.state.sc.us

**Deadline:
May 31, 2001**

**SOUTH CAROLINA FORESTRY COMMISSION
VOLUNTEER FIRE ASSISTANCE
~ FIRE DEPARTMENT INFORMATION ~**

Cleveland Fire Department

Department/Station Name:

142 Collins Road

Westminster

SC

29693

Mailing Address

City

State

Zip

Department/Station ISO Rating: 9/10

Year Department/Station Organized: 1964

Population Protected: 1,500

Total Protection Area (Square Miles): 20

Previous Year(s) in Which Funds Received Under This Program:

2000

1999

1998

Before 1998

Never

Average Annual Budget: \$ 5,500.00

Source of Annual Operating Funds:

Tax \$ 3,000.00

Fund Raising/Donations \$ 2,500.00

Number Volunteer Firemen: 24

Number Paid Firemen: 0

Memorandum of Understanding with SC Forestry Commission: Yes No

Requested/Received Wildland Fire Training through SC Forestry Commission:

Yes No

Department/Station Responds To All Fires within Established Protection Area:

Yes No

Travis F. Collins

Person Completing This Information (Print Name)

Travis F. Collins
Signature of Person Completing This Information

(864)638-5748

(864)718-1022

Daytime Telephone No. of This Person (include area code)

Fax No. (if available)

tsugarto@co.wteesc.com

Email address (if available)

**SOUTH CAROLINA FORESTRY COMMISSION
VOLUNTEER FIRE ASSISTANCE
~ APPLICATION ~**

05/25/2001

Date Submitted

57-6000391

Federal ID #

Mountain Rest Fire Department

Oconee County

Fire Department Name

County

PO Box 27

Mountain Rest

SC

29664-0027

Mailing Address

City

State

Zip

Mack R. Moore

Treasurer

Contact Person

Title

(864)638-3748

(864)718-1027

lhughes@oconee.net

Telephone

Fax

Email

Amount Requested: 50/50 Matching Funds

Federal \$ 2,186.30 (not more than 50% of total)

Applicant \$ 2,186.30 (at least 50% of total)

Total \$ 4,372.60

Important: For county fire departments, the person in charge of county government must sign. For rural fire departments not connected with a county or city, the chairman of the board of directors should sign. For incorporated town fire departments, the mayor should sign. The fire chief alone cannot sign.

Ann H. Hughes

Oconee County Supervisor

Typed or printed name of authorized representative

Title

Signature of authorized representative

Date signed

(864)638-4247

Telephone #

NOTE: Enclose copy of charter and map of service area if you have not previously applied.

Mail to: Larry Barr, VFA Coordinator
SC Forestry Commission
PO Box 21707
Columbia SC 29221-1707
PH: 803-896-8858 FAX: 803-798-8097
Email: lbarr@forestry.state.sc.us

**Deadline:
May 31, 2001**

**SOUTH CAROLINA FORESTRY COMMISSION
VOLUNTEER FIRE ASSISTANCE
~ FIRE DEPARTMENT INFORMATION ~**

Mountain Rest Fire Department

Department/Station Name:

PO Box 27

Mountain Rest

SC

29664-0027

Mailing Address

City

State

Zip

Department/Station ISO Rating: 7/9

Year Department/Station Organized: 1964

Population Protected: 3,300

Total Protection Area (Square Miles): 35

Previous Year(s) in Which Funds Received Under This Program:

2000

1999

1998

Before 1998

Never

Average Annual Budget: \$ 3,600.00

Source of Annual Operating Funds:

Tax \$ 3,000.00

Fund Raising/Donations \$ 600.00

Number Volunteer Firemen: 71

Number Paid Firemen: 0

Memorandum of Understanding with SC Forestry Commission:

Yes No

Requested/Received Wildland Fire Training through SC Forestry Commission:

Yes No

Department/Station Responds To All Fires within Established Protection Area:

Yes No

Mack R. Moore

Person Completing This Information (Print Name)

Mack R. Moore
Signature of Person Completing This Information

(864) 944-0724

(864) 718-1122

Daytime Telephone No. of This Person (include area code)

Fax No. (if available)

ishugart@concesc.com

Email address (if available)

**SOUTH CAROLINA FORESTRY COMMISSION
VOLUNTEER FIRE ASSISTANCE
~ APPLICATION ~**

05/25/2001

57-6000391

Date Submitted

Federal ID #

Salem Fire Department

Oconee County

Fire Department Name

County

PO Box 21

Salem

SC

29676

Mailing Address

City

State

Zip

Robert F. Cullins

Fire Chief

Contact Person

Title

(864)441-0224

(864)718-0022

rbarn@oconee.com

Telephone

Fax

Email

Amount Requested: 50/50 Matching Funds

Federal	\$	3,000.00	(not more than 50% of total)
Applicant	\$	3,000.00	(at least 50% of total)
Total	\$	6,000.00	

Important: For county fire departments, the person in charge of county government must sign. For rural fire departments not connected with a county or city, the chairman of the board of directors should sign. For incorporated town fire departments, the mayor should sign. The fire chief alone cannot sign.

Ann H. Hughes

Oconee County Supervisor

Typed or printed name of authorized representative

Title

(864)638-4242

Signature of authorized representative

Date signed

Telephone #

NOTE: Enclose copy of charter and map of service area if you have not previously applied.

Mail to: Larry Barr, VFA Coordinator
SC Forestry Commission
PO Box 21707
Columbia SC 29221-1707
PH: 803-896-8856 FAX: 803-790-8097
Email: lbarn@forestry.state.sc.us

**Deadline:
May 31, 2001**

**SOUTH CAROLINA FORESTRY COMMISSION
VOLUNTEER FIRE ASSISTANCE
~ FIRE DEPARTMENT INFORMATION ~**

Salem Fire Department

Department/Station Name

PO Box 21

Salem

SC

29676

Mailing Address

City

State

Zip

Department/Station ISO Rating: 7.9

Year Department/Station Organized: 1960

Population Protected: 3,567

Total Protection Area (Square Miles): 20

Previous Year(s) in Which Funds Received Under This Program:

2000

1999

1998

Before 1998

Never

Average Annual Budget: \$ 10,000.00

Source of Annual Operating Funds

Tax \$ 4,000.00

Fund Raising/Donations \$ 6,000.00

Number Volunteer Firemen: 29

Number Paid Firemen: 0

Memorandum of Understanding with SC Forestry Commission: Yes No

Requested/Received Wildland Fire Training through SC Forestry Commission:

Yes No

Department/Station Responds To All Fires within Established Protection Area:

Yes No

Robert F Collins

Person Completing This Information (Print Name)

Robert F. Collins

Signature of Person Completing This Information

(864)944-0724

(864)718-1032

Daytime Telephone No. of This Person (include area code)

Fax No. (if available)

lsbogart@a.ocs.ces.sc.edu

Email address (if available)

**SOUTH CAROLINA FORESTRY COMMISSION
VOLUNTEER FIRE ASSISTANCE
~ APPLICATION ~**

05/10/2001 57-8000301
Date Submitted Federal ID #

South Union Fire Department Oconee County
Fire Department Name County

115 Champion Drive Fair Play SC 29643
Mailing Address City State Zip

Roger Glenn Fire Chief
Contact Person Title

(864)972-4857 (864)718-1822 ishugart@oconeesc.com
Telephone Fax Email

Amount Requested: 50/50 Matching Funds

Federal \$ 3,350.00 (not more than 50% of total)
Applicant \$ 3,350.00 (at least 50% of total)
Total \$ 6,700.00

Important: For county fire departments, the person in charge of county government must sign. For rural fire departments not connected with a county or city, the chairman of the board of directors should sign. For incorporated town fire departments, the mayor should sign. The fire chief alone cannot sign.

Ann B. Hughes Oconee County Supervisor
Typed or printed name of authorized representative Title

(864)638-4242
Signature of authorized representative Date signed Telephone #

NOTE: Enclose copy of charter and map of service area if you have not previously applied.

Mail to: Larry Barr, VFA Coordinator
SC Forestry Commission
PO Box 21707
Columbia SC 29221-1707
PH: 803-396-8856 FAX: 803-796-8097
Email: lbarr@forestry.state.sc.us

**Deadline:
May 31, 2001**

**SOUTH CAROLINA FORESTRY COMMISSION
VOLUNTEER FIRE ASSISTANCE
- FIRE DEPARTMENT INFORMATION -**

South Union Fire Department

Department/Station Name

115 Champion Drive Fair Play SC 29841
Mailing Address City State Zip

Department/Station ISO Rating: 7/9

Year Department/Station Organized: 1975

Population Protected: 3,200

Total Protection Area (Square Miles): 1.25

Previous Year(s) in Which Funds Received Under This Program:

2000 1999 1998 Before 1995 Never

Average Annual Budget: \$ 8,000.00

Source of Annual Operating Funds:

Tax \$ 3,000.00 Fund Raising/Donations \$ 5,000.00

Number Volunteer Firemen: 22 Number Paid Firemen: _____

Memorandum of Understanding with SC Forestry Commission: Yes No

Requested/Received Wildland Fire Training through SC Forestry Commission:
Yes No

Department/Station Responds To All Fires within Established Protection Area:
Yes No

Robert G. Lewis
Person Completing This Information (Print Name)

[Signature]
Signature of Person Completing This Information

(864) 977-4857 (864) 778-1022
Daytime Telephone No. of This Person (include area code) Fax No. (if available)

lschwartz@conestogasc.com
Email address (if available)

OCONEE COUNTY FINANCE DEPARTMENT

MEMORANDUM

TO: Opal Green

CC: Phyllis E. Lombard, Finance Director
Ann H. Hughes, Supervisor-Chair
Melissa Brown, Budget and Grant Supervisor
Oconee County Council Members

FROM: Linda Shugart

DATE: May 10, 2001

SUBJECT: Law Enforcement Equipment Mini-Grant

Please find attached the award letter from the SC Department of Public Safety, Office of Highway Safety. Oconee County Sheriff's Office is one of 85 agencies that was selected to receive a mini-grant. The total amount of the grant received is \$6,400.00. We are asking that County Council please consider acceptance of this grant.

Please place the attached item on the May 15 2001 Oconee County Council meeting agenda. Should you need additional information, please do not hesitate to call me.

LINDA SHUGART, GRANTS COORDINATOR



South Carolina Department of Public Safety

Office of Highway Safety

April 18, 2001

The Honorable James E. Singleton
Sheriff of Oconee County
Oconee County Sheriff's Office
415 South Pine Street
Walhalla, SC 29691-2145

**RE: SECTION 164 (REPEAT OFFENDERS TRANSFER) FUNDS
Law Enforcement Equipment Mini-Grant: 2MG0176**

Dear Sheriff Singleton:

The South Carolina Department of Public Safety, Office of Highway Safety, has completed the review of requests for traffic control equipment to be used in the detection of alcohol-related collisions and is proud to announce that the Oconee County Sheriff's Office is one of 85 agencies selected to receive a mini-grant. In fact, your agency should have already received the official notification from the Governor that you have been awarded a mini-grant in the amount of up to \$6,400. The purpose of this letter is to provide you with additional information concerning the conditions under which the mini-grant awards are made and the reimbursement procedures.

Your agency has been approved to purchase the following equipment:

Passive Alcohol Sensor(s)	3@ up to \$900	Total: up to \$2700
In-Car Video Camera(s)	1@ up to \$3700	

This funding is provided through a reimbursement process. When making these expenditures, you must comply with either your agency's procurement guidelines or the State's procurement guidelines, whichever is stricter. You may want to contact your finance office for the correct procedures. Once you have purchased and paid for the item(s), please submit your letter requesting reimbursement up to the authorized amount. You must include copies of purchase documentation as well as the serial number(s) for the items purchased. **The reimbursement request must be submitted and received in this office no later than June 8, 2001.** Enclosed for your convenience is a sample reimbursement letter to use as a guide. Additionally, your equipment must be available for inspection upon request by the appropriate representative of the South Carolina Department of Public Safety, Office of Highway Safety. If you decide to discontinue the use of this equipment, please notify the Office of Highway Safety.

Page -2-

April 18, 2001

Please note that the Office of Highway Safety will not reimburse for sales tax, equipment installation expenses, extended warranties or additional accessories. The Office of Highway Safety will not make modifications to the quantities approved, nor will we allow agencies to utilize unspent funds for additional units, accessories, etc.

If you have any questions, please contact Dr. George E. Harmon, Senior Planner, Office of Highway Safety, at (803) 896-9971.

Sincerely,



Max Young
Director

Enclosures

cc: Patti Reynolds
Grant File

Approx linear ft	Bidders	Zorn Company Inc		Palmetto Scale Service Inc		K-Mac Services Inc	
		Per linear ft	Extended	Per linear ft	Extended	Per linear ft	Extended
200	Base Bid - 8' wall per linear foot	45.00	9,000.00	66.82	13,364.00	75.40	15,080.00
200	Alternate #1 - 8' wall per linear foot	60.00	12,009.00	71.42	14,284.00	75.40	15,080.00
	Addendum 1	yes		yes		yes	
	Addendum 2	yes		yes		yes	
	Addendum 3	yes		yes		yes	
	Completion	40 days		45 days		10 days	

BID NO. 00-34

(Use this number on envelopes and all related correspondence.)

BID FORM
OCONEE COUNTY PROCUREMENT OFFICE
415 S. PINE ST., ROOM 10, WALHALLA, SC 29691

The zorn Co., Inc.
submits herewith our Bid in response to bid request number shown above, and in compliance with the description(s) and/or specification(s) attached hereto for an erosion control wall at the Oconee County Airport.

Base Bid - 6' wall \$ 45 lf.

Add Alternate #1 - 8' wall \$ 60 lf.

The above stated bid is based on all applicable specifications, drawings, etc. associated with this bid and the following additional Addenda issued subsequent to the basic specifications and/or drawings.

NOTE TO BIDDER: List all Addenda with dates of any issued. If no additional Addenda is issued, write the word "NONE".

Addendum Number	Date
<u>1</u>	<u>April 5, 2001</u>
<u>2</u>	<u>April 12, 2001</u>
<u>3</u>	<u>April 23, 2001</u>

Bid shall include delivery to location stated on Bid Notice. Show any exception, deviation, extra computation, or information on Bid Supplemental Form attached hereto.

Completion/Delivery Date ARO: 40 Days

The undersigned, having fully familiarized himself with the information contained within this entire solicitation and applicable documents, submits this bid and other applicable information to the County, which I verify to be true and correct to the best of my

Addendum No. 3 Bid Pkg and Specifications Wall at Airport

knowledge. I certify that this bid is made without prior understanding, agreement, or connection with any corporation, firm or person submitting a bid for the same materials, supplies or equipment, and is in all respects, fair and without collusion or fraud. I agree to abide by all conditions of this bid and certify that I am authorized to sign this bid. By submission of a signed bid, I certify, under penalties of perjury, that the below company complies with section 12-54-1020(B) of the SC Code of Laws 1976, as amended, relating to payment of any applicable taxes. I further certify that this bid is good for a period of sixty (60) days, unless otherwise stated.

Zorn Co., Inc.
Company name as registered with
the IRS

PO Box 842
Correspondence Address:

Seneca, SC 29679
City, State, Zip

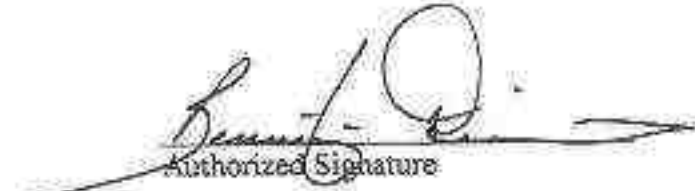
4/30/01
Date

10261 Clemson Blvd.
Remittance Address:

Seneca, SC 29678
City, State, Zip

864-882-0185
Telephone Number

57-0745923
Federal Tax ID Number


Authorized Signature

Benjie Collins
Printed Name

Vice President
Title

864-882-0185
Telephone Number

864-882-0186
Fax Number

Toll-Free Number if available

SC Sales and Use Tax Number

BID NO. 00-34
(Use this number on envelopes and
all related correspondence.)

BID FORM
OCONEE COUNTY PROCUREMENT OFFICE
415 S. PINE ST., ROOM 10, WALHALLA, SC 29691

The PALMETTO SCALE SERVICE, INC.
submits herewith our Bid in response to bid request number shown above, and in
compliance with the description(s) and/or specification(s) attached hereto for an erosion
control wall at the Oconee County Airport

Base Bid - 6' wall

\$ 66⁰² l.f.

Add Alternate #1 - 8' wall

\$ 71⁴² l.f.

The above stated bid is based on all applicable specifications, drawings, etc. associated
with this bid and the following additional Addenda issued subsequent to the basic
specifications and/or drawings.

NOTE TO BIDDER: List all Addenda with dates of any issued. If no additional
Addenda is issued, write the word "NONE"

Addendum Number	Date
<u>1</u>	<u>April 5, 2001</u>
<u>2</u>	<u>April 12, 2001</u>
<u>3</u>	<u>April 23, 2001</u>

Bid shall include delivery to location stated on Bid Notice. Show any exception,
deviation, extra computation, or information on Bid Supplemental Form attached hereto

Completion/Delivery Date ARO: 45 DAYS

The undersigned, having fully familiarized himself with the information contained within
this entire solicitation and applicable documents, submits this bid and other applicable
information to the County, which I verify to be true and correct to the best of my

equipment, and is in all respects, fair and without collusion or fraud. I agree to abide by all conditions of this bid and certify that I am authorized to sign this bid. By submission of a signed bid, I certify, under penalties of perjury, that the below company complies with section 12-54-1020(B) of the SC Code of Laws 1976, as amended, relating to payment of any applicable taxes. I further certify that this bid is good for a period of sixty (60) days, unless otherwise stated.

PALMETTO SCALE SERVICE, INC.

Company name as registered with
the IRS

P.O. Box 280546

Correspondence Address

COLUMBIA, SC. 29228

City, State, Zip

04/11/2001

Date

Daniel L. Wallace

Authorized Signature

DANIEL L. WALLACE

Printed Name

Pres.

Title

803 755 6630

Telephone Number

803 755 6869

Fax Number

P.O. Box 280546

Remittance Address

COLUMBIA, SC 29228

City, State, Zip

803 755 6630

Telephone Number

510425114

Federal Tax ID Number

800 932 8809

Toll-Free Number if available

32 042515

SC Sales and Use Tax Number


BID SUPPLEMENTAL FORM
OCONEE COUNTY PROCUREMENT OFFICE
415 S. PINE STREET, ROOM 10
WALHALLA, SOUTH CAROLINA 29691

DATE: 05/02/2001 BID NO 00-34

The PALMETTO SCALE SERVICE, INC takes the following exceptions:

(Bidder)

NONE

SIGNATURE: 

BID NO. 00-34

(Use this number on envelopes and all related correspondence.)

BID FORM
OCONEE COUNTY PROCUREMENT OFFICE
415 S. PINE ST., ROOM 10, WALHALLA, SC 29691

The K-MAC SERVICES, INC.
submits herewith our Bid in response to bid request number shown above, and in compliance with the description(s) and/or specification(s) attached hereto for an erosion control wall at the Oconee County Airport.

Base Bid - 6' wall

\$ 75.40 Lf.

Add Alternate #1 - 8' wall

\$ 75.40 Lf.

The above stated bid is based on all applicable specifications, drawings, etc. associated with this bid and the following additional Addenda issued subsequent to the basic specifications and/or drawings.

NOTE TO BIDDER: List all Addenda with dates of any issued. If no additional Addenda is issued, write the word "NONE".

Addendum Number	Date
<u>1</u>	<u>April 5, 2001</u>
<u>2</u>	<u>April 12, 2001</u>
<u>3</u>	<u>April 23, 2001</u>

Bid shall include delivery to location stated on Bid Notice. Show any exception, deviation, extra computation, or information on Bid Supplemental Form attached hereto.

Completion/Delivery Date ARO: 10 DAYS

The undersigned, having fully familiarized himself with the information contained within this entire solicitation and applicable documents, submits this bid and other applicable information to the County, which I verify to be true and correct to the best of my

Addendum No. 1 Bid Pkg and Specifications Wall at Airport

003

knowledge. I certify that this bid is made without prior understanding, agreement, or connection with any corporation, firm or person submitting a bid for the same materials, supplies or equipment, and is in all respects, fair and without collusion or fraud. I agree to abide by all conditions of this bid and certify that I am authorized to sign this bid. By submission of a signed bid, I certify, under penalties of perjury, that the below company complies with section 12-54-1020(B) of the SC Code of Laws 1976, as amended, relating to payment of any applicable taxes. I further certify that this bid is good for a period of sixty (60) days, unless otherwise stated.

K-MAC SERVICES, INC.
Company name as registered with
the IRS

108 K-MAC DRIVE
Correspondence Address

SENECA SC 29672
City, State, Zip

05/02/01
Date

108 K-MAC DRIVE
Remittance Address

SENECA SC 29672
City, State, Zip

864-882-0555
Telephone Number

57-0619988
Federal Tax ID Number

William E. King
Authorized Signature

WILLIAM E. KING
Printed Name

CONTROLLER
Title

864-882-0555
Telephone Number

864-882-1845
Fax Number

N/A
Toll-Free Number if available

N/A
SC Sales and Use Tax Number

BID SUPPLEMENTAL FORM
OCONEE COUNTY PROCUREMENT OFFICE
415 S. PINE STREET, ROOM 10
WALHALLA, SOUTH CAROLINA 29691

DATE: 05/02/01 BID NO: 00-34

The K-MAC SERVICES, INC. takes the following
exceptions:

(Bidder)

NONE

SIGNATURE: _____

William D. King

The following ten (10) firms responded:

Respondent	Arcadis Geraghty & Miller	General Engineering	Goldie & Associates	HPR/Spectrum, Inc.	LawGibb Group
	Greenville, SC	Charleston, SC	Seneca, SC	Greenville, SC	Greenville, SC
Initial Testing Method	Unknown	Unknown	Geoprobe	Geoprobe	Groundwater Wells
In-House Lab	No	yes	yes	No	No
Experience	Good	Good	Fair	Very good	Good
Work Plan to DHEC	Not addressed	Not addressed	Not addressed	Not addressed	Not addressed
Bid/Design Property	Not addressed	Not addressed	Not addressed	Yes	Not addressed
Work Load					
Other		Mobile Lab (Expensive)		Metals analysis	concessions in place & study
Hourly Rates	High	Medium	Medium	Medium	Medium
Initial Cost	None listed	None listed	None listed	\$7,920.00	Groundwater Only \$13,953.00
Travel	0.32	0.75	0.35	0.40	0.42
Reimbursables	Cost +15%		Cost +15%	Cost +10%	Cost +25%
Respondent	NESCO	The Pinnacle Consulting Group	Qore Property Sciences	Rogers & Callcott Engineers Inc	S&ME
	Columbia, SC	Greenville, SC	Greenville, SC	Greenville, SC	Spartanburg, SC
Initial Testing Method	Unknown	Direct push rig	Geoprobe	Genprobe	Geoprobe
In-House Lab	Unknown	No	No	Yes	Unknown
Experience	Very good	Fair	Good	Very good	Good
Work Plan to DHEC	Not addressed	Not addressed	Not addressed	Yes	Not addressed
Bid/Design Property	Not addressed	Not addressed	Not addressed	Yes	Not addressed
Work Load					
Other	\$75/day/per diem	Metal analysis			
Hourly Rates	Medium	Medium	Medium	Medium	Medium
Initial Cost	Not listed	\$9,550.00	\$4,380.00	\$7,284.00	\$19,446.00
Travel	Fed Rate +10%	Not listed	No charge	Included	0.42
Reimbursables	Cost +15%			Included	Cost +15%

STATE OF SOUTH CAROLINA

COUNTY OF OCONEE

ORDINANCE 2001-04

"AN ORDINANCE TO AMEND SECTION 4.4.13 OF ORDINANCE 99-14, OCONEE COUNTY PERFORMANCE STANDARDS ORDINANCE"

WHEREAS, it is the desire of the Oconee County Council to amend Section 4.4.13 Minimum Setbacks to include the following:

- b) The nearest part of any structure meeting minimum standards for human occupation as put forth in applicable building codes adopted by Oconee County.

APPROVED & ADOPTED on third and final reading this _____ day of _____

Ann H. Hughes
Supervisor/Chair
Oconee County Council

Attest:

Opal O. Green
County Clerk

*South Carolina Department of Commerce
Water and Wastewater Infrastructure Fund*

On March 22, 2001, the Tobacco Settlement Revenue Management Authority closed the sale of its \$934,530,000 Tobacco Settlement Asset Backed Bonds. Ten percent of the net proceeds of the bonds, amounting to approximately \$79,200,000, was credited to the Water and Wastewater Infrastructure Fund, under the control of the South Carolina Department of Commerce.

It is important to understand that federal tax law limits the purposes for which the monies held by the Water and Wastewater Infrastructure Fund may be used. Because these monies are the proceeds of a tax-exempt bond issue, each grant made by the Department of Commerce must individually comply with the requirements of the federal internal revenue code and regulations. A failure to so comply could render the entire bond issue taxable.

Although there are numerous such requirements, a brief overview of four basic requirements may be helpful.

1. **Name of the Entity.** The funds within the Water and Wastewater Infrastructure Fund may be awarded only to governmental entities that are not controlled by the State of South Carolina, and not to (a) the State of South Carolina or agencies or instrumentalities thereof, or (b) private utility companies, corporations, associations, or individuals.

In addition, the governmental recipient must be lawfully engaged in, or permitted to engage in, the activity for which the grant will be used. For example, if the governmental recipient is a municipality that proposes to use the grant to construct infrastructure for the provision of water service, that municipality must demonstrate that it has held a referendum authorizing it to enter into the business of providing water service. The Department of Commerce will require, as a condition of awarding any grant, that the proposed recipient demonstrate its authorization to engage in the activity for which the grant will be used.

2. **Name of the Expenditures.** The funds within the Water and Wastewater Infrastructure Fund must be used "for constructing and improving water and wastewater facilities that are necessary for public purposes, including economic development and for technology-related infrastructure grants for local units of government." In addition, the funds must be used only to fund capital projects, and may not be used to pay operation and maintenance expenses.

→ 3. **Commitment to the Project.** Generally, the grants must be used to fund projects that were authorized after November 15, 2000. If the project was authorized, and funds representing proceeds of the bonds were allocated therefor, prior to November 15, 2000, then the project is not eligible for funding from the Water and Wastewater Infrastructure Fund.

4. **Reimbursement of Prior Expenses.** Grants may be made (a) to pay qualifying expenses that are incurred after the date the grant is awarded or made, or (b) to reimburse qualifying expenses that were incurred after March 8, 2001, the date that the bonds were sold.

As noted above, this is a preliminary and basic summary of the applicable requirements. Further requirements will be implicated by the nature of the grantee and the project.

**State of South Carolina
Tobacco Settlement Revenue Management
Authority Act
Water and Wastewater Infrastructure Fund
South Carolina Department of Commerce**

Guidelines and Procedures

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Global Business Finance Division Staff	Tab VI
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MAINTENANCE OF TAX-EXEMPT ELIGIBILITY

In order to maintain and preserve the tax-exempt status of the state's \$734.53 million in tobacco bonds, grant requests must be eligible capital expenditures under both federal and South Carolina statutes. Requests that adversely affect the tax exemption of these bonds will be declined.

MAINTENANCE OF TAX-EXEMPT ELIGIBILITY

In order to maintain and preserve the tax-exempt status of the state's \$734.53 million in tobacco bonds, grant requests must be eligible capital expenditures under both federal and South Carolina statutes. Requests that adversely affect the tax exemption of these bonds will be declined.

INTRODUCTION

The South Carolina Water and Wastewater Infrastructure Fund was established as an amendment to Article 1, Chapter 1, Title 13 of the 1976 Code (the "Fund"). The Fund's purposes are "... selecting, assisting, and financing major qualified projects by providing financing assistance to governmental units ... for constructing and improving water and wastewater facilities that are necessary for public purposes, including economic development and for technology-related infrastructure grants for local units of government."

Mission

The mission of the Fund is to develop industrial-grade water and sewer facilities and capabilities that serve key sites and corridors with high potential for job creation and private investment. This strategic approach to infrastructure development will focus on improvements in South Carolina's underdeveloped areas, and will provide a long term return on the state's investment through increased economic development.

Targeted Development

The Fund will be used strategically to develop new infrastructure capacity and to increase opportunities for economic development. Water and wastewater development targets are underdeveloped areas, major highway corridors, and increasing capacity at key sites and regional industrial parks. These are to be used as guides for the program. **Eligibility of projects will be solely at the discretion of the Secretary of Commerce.**

Community development

Improve or increase water and sewer capacity to meet existing or potential economic development needs. These needs are most pronounced in

- underdeveloped areas of the state,
- areas of the state hurt by the decline of the tobacco industry, and
- areas of the state where local communities have partnered with the Department of Commerce to develop local strategic plans for improved or new infrastructure needed to facilitate economic development.

Corridor development

Encourage development along the state's primary traffic corridors. This will be accomplished by providing critical water and sewer infrastructure along these corridors, particularly in the underdeveloped areas of the state.

Water/Sewer Capacity at Key Sites and Regional Industrial Parks

Develop water and sewer capacity at "marquee" industrial sites, particularly those which offer potential for large, regional, high impact employers who are capable of generating significant economic benefit.

Financial Tools

The Fund should be used primarily as "gap financing", or as a tool to enable other types of financing.

• Grants

Grants-in-aid for eligible projects will be provided to eligible units of local government that are political subdivisions of the state, to undertake the development of water and wastewater infrastructure or other eligible projects as provided for in the Act. All grants will be made from tax-exempt funds, which must be allocated and expended strictly according to the requirements governing the use of such funds established by the IRS.

• Convertible Grants

In some cases, convertible grants may be provided to communities who could not otherwise afford to undertake the development of the water and/or sewer infrastructure necessary to support a needed economic development product (e.g., water/sewer service to a new publicly owned industrial park.) These "convertible grants" will be used to fund fast-track, large projects with significant potential for immediate economic and industrial development growth. These "convertible grants" are "grants" which will carry with them an obligation for repayment only at such time as the project generates sufficient funds for that purpose. They will not create general obligation debt of the community. The Secretary of Commerce, at his discretion, may waive the repayment of the obligation. All "convertible grants" will also be made from tax-exempt funds, which must be allocated and expended strictly in accordance with the requirements governing the use of such funds established by the IRS.

Convertible grants may also be used for the purpose of assisting the community in leveraging and qualifying for funds from more traditional infrastructure funding sources such as the USDA's Rural Development Program and the State's infrastructure Revolving Loan Fund. For example, a convertible grant under the program may be combined with a loan and/or grant from USDA or the state's Revolving Loan Fund in order to raise the necessary moneys for a particular project. Alternatively, a convertible grant under this program may be used to fund the required "debt service reserve fund" under the state's Revolving Loan Fund that requires the local recipient to cash-fund a "debt service reserve fund," usually equal to one annual debt service payment, at the time the loan is made.

ELIGIBILITY

The purposes of the South Carolina Water and Wastewater Infrastructure Fund are for "selecting, assisting, and financing major qualified projects by providing financing assistance to governmental units ... for constructing and improving water and wastewater facilities that are necessary for public purposes, including economic development, and for technology related infrastructure grants for local units of government."

The Secretary of Commerce is responsible for the administration of the Water and Wastewater Infrastructure Fund. Through his staff, he will administer the funds according to the statutes and be responsible for preserving the tax-exempt status of the bonds that funded this program. In order to remain in compliance with all regulations of the IRS, moneys under this program will be made available only to governmental units, which are primarily comprised of the state's municipalities, counties, and special purpose districts that are authorized to construct, operate, or own a qualified project. Projects for which financing assistance can be sought are defined by statute as "major qualified projects" involving "the constructing and improving of water and wastewater facilities that are necessary for public purposes, including economic development, ..."

Examples of eligible capital expenditures include, but are not limited to, the following:

- Water and sewer lines
 - Into industrial parks
 - Along interstate routes
 - Expansions into underdeveloped communities
- Waste treatment facilities
- Fiber optic infrastructure

The statute provides an extensive list of criteria that the Secretary may consider in making a determination that an eligible project is a project qualified to receive assistance:

- local project support and local financial contribution,
- economic benefit,
- project readiness,
- repayment ability of the applicant of the project,
- development status of the county in which the applicant is located, and
- determination of the necessity of the project for economic development.

In addition, the statute specifically requires the Secretary to consider "the feasibility of the project and the amount of financial risk" in making project determinations. It also requires the Secretary to give "priority in funding to projects which are located in underdeveloped areas of the State."

In order to be considered for funding, projects must be consistent with the strategy developed for the Fund and must contribute toward the realization of the goals established for the Fund. The following are policies/criteria for the determination of "eligible projects" and are based upon the statutory requirements:

- The proposed project must be one that will be undertaken by a governmental unit that is authorized to construct, operate, or own a qualified project.
- The construction of water and wastewater facilities as well as technology related infrastructure will be the only eligible items. Only those costs directly associated with the construction (engineering, acquisition, legal, etc.) will be eligible. Studies, preliminary reports, feasibility studies, etc. should not be eligible project costs unless required for, and included in, the financing package.
- Projects that are primarily "remedial" generally will not be eligible for financing assistance. Exceptions can be made for projects having an immediate economic development impact; for example, a project to address existing facility malfunctions or a SCDHEC imposed moratorium might be eligible if necessary for an identified new industry to locate or an existing industry to expand in the community. Projects simply addressing existing problems generally will not be eligible.
- The project must enable or create a significant economic development opportunity, serve a new or expanding plant vital to the area's economic base, implement a Secretary approved economic development strategy for a region or community, or be necessary for regionalization or significant expansion of facilities in an underdeveloped area.
- If the project requires additional financing assistance, there must be a clear commitment of all additional funds needed to complete the project. If the project is tied to the simultaneous development of industrial property, there must be a clear commitment and plan for bringing the land under public control.
- The projects must demonstrate local levels of effort, through the maintenance of adequate rate structures and local contributions to the overall project financing.

The Secretary will determine which of the entities applying to the Fund have "eligible projects", and which of those eligible projects are "qualified projects". Qualified projects are those for which the Secretary will provide financing assistance and for which the applicant will become a "qualified recipient". Project selection will be at the sole discretion of the Secretary of Commerce.

APPLICATION PROCESS OUTLINE

Award and Administration of the Program

The following outlines the process by which the South Carolina Water and Wastewater Infrastructure Fund will be awarded and administered.

1. Solicit Pre-Applications for Projects

- Work through the state's ten regional Councils of Governments
- Meet with COG Executive Directors and staff to explain process
- COGs send out letters inviting interested potential applicants to attend regional meetings by May 1, 2001
- Hold regional meetings, if necessary, to explain the process and answer questions
- Distribute pre-applications through COGs to all interested applicants
- Provide 45 days for pre-applications to be filed with COGs, May 15-June 30, 2001
- COG staff assists applicants in preparing pre-applications
- COGs collect pre-applications and deliver to Department of Commerce

2. Review of Pre-Applications by Department of Commerce

- Seek all needed information not supplied
- Summarize the projects and provide a list to Secretary of Commerce
- Secretary of Commerce selects list of projects to invite to submit final applications
- Screen all invitees and projects for eligibility
- Invite final applications with a letter from Secretary of Commerce

3. Solicit Final Applications and Issue Grant Awards

- COG staff helps applicants with final applications. At this time the applicant submits a fee to the applicable COG for either \$1,000, if the application request is less than \$100,000, or for \$3,000, if the application request is greater than \$100,000.
- Applicants submit detailed engineering cost estimate information
- Applicants supply all information about other land development to occur with the projects
- Applicants supply all information about commitments of additional financing needed for projects
- DOC and COG staff seek needed additional information
- DOC staff submits final project list to Secretary of Commerce for funding

- At Secretary's direction, DOC staff issues Grant Awards. At the time the successful applicant accepts the Grant Award Agreement, it is to be returned to DOC along with a fee for 2% of the grant award amount.

4. Design and Construct the Projects

- Terms and conditions outlined in Grant Award Agreement
- DOC progress monitoring
- Benchmark reporting of other activities tied to the grants (additional land development, etc.)
- Permit to Operate issued by SCDHEC
- Reconciliation of finances
- Official project close-out

While this outline provides a process flow, it does not preclude any potential additional steps which may be added as necessary to maintain the tax-exempt status of the tobacco bonds, a portion of the proceeds of which funded the South Carolina Water and Wastewater Infrastructure Fund.

STATE OF SOUTH CAROLINA
TOBACCO SETTLEMENT REVENUE MANAGEMENT AUTHORITY ACT
WATER & WASTEWATER INFRASTRUCTURE FUND
SC DEPARTMENT OF COMMERCE



GRANT AGREEMENT

The Grant Award serves as the signature page for this APPLICATION FOR FUNDING under the TOBACCO SETTLEMENT REVENUE MANAGEMENT AUTHORITY ACT, WATER & WASTEWATER INFRASTRUCTURE FUND, SC DEPARTMENT OF COMMERCE, Grant Agreement for «grantees» #«grantnumber». Three identical Grant Award pages have been included for signature by appropriate representatives of the Grantee. Two of the Grant Award pages, with the required original signatures, must be returned within 15 days. The third Grant Award page with original signatures should be maintained in the Grantee's files along with this Grant Agreement.

STATE OF SOUTH CAROLINA
TOBACCO SETTLEMENT REVENUE MANAGEMENT AUTHORITY ACT
WATER & WASTEWATER INFRASTRUCTURE FUND
S. C. DEPARTMENT OF COMMERCE
Division of Global Business Development Finance
Post Office Box 927
Columbia, South Carolina 29202

GRANT AWARD AGREEMENT

Grantee:

Date of Award:

Grant Title:

Award Amount:

Grant Period:

Grant Number:

In accordance with the provisions of State of South Carolina Tobacco Settlement Revenue Management Authority Act Water & Wastewater Infrastructure Fund and on the basis of the grant application submitted, the Division of Global Business Development Finance hereby awards funds to the above named Grantee, in the amount shown above, for the activities specified in the application and within the purposes and categories authorized. The acceptance of this award creates a contract between the State of South Carolina and the Grantee legally binding the Grantee to carry out the activities set forth in the approved grant application in accordance with the terms and conditions of the Grant Agreement. Contracts to be paid in whole or in part with funds from this grant must be submitted to the Division of Global Business Development Finance for approval prior to execution.

I.

This contract shall become effective, as of the date of award, upon return of two copies of this grant award which have been signed in the space provided below. Both copies must have original signatures and must be returned within 15 days from the date above.

Approval of Tax-exempt Eligibility

Staff Review

Signature of Counsel

Dennis E. Gabriel, CED

Approval on behalf of the Fund

Secretary of Commerce

ACCEPTANCE FOR THE GRANTEE:

Signature of Official with authority to execute this contract

Date

Typed Name and Title of Authorized Official

TEST:

Signature of Grantee

Signature of Grantee

TOBACCO SETTLEMENT REVENUE MANAGEMENT AUTHORITY ACT
WATER & WASTEWATER INFRASTRUCTURE FUND
SC DEPARTMENT OF COMMERCE

GRANT AWARD AGREEMENT

METHOD OF AMENDMENT, APPROVED IN WRITING:

Any changes to this Agreement, including changes in activities and budgets of the Grant Application, must be approved in writing by the Secretary of Commerce or his designee and shall be incorporated in written amendment(s) to this Agreement.

STATUS OF THE GRANTEE: The Grantee represents and warrants that it is a governmental unit of the State of South Carolina, specifically a _____, and is authorized to acquire and construct the Project, and to operate the Project and to provide water and/or wastewater services. Failure to establish and maintain eligible status under the terms set forth by the South Carolina Water and Wastewater Infrastructure Fund will result in termination of the Grant and require immediate, total repayment of any and all grant funds disbursed.

AGREEMENT TO BUILD THE PROJECT: By acceptance of this Grant, the Grantee warrants that it will complete or cause to be completed the Project as described in the approved Grant Application, including any approved amendments appended hereto. Should Grantee fail to cause the completion of all or part of the Project, the Water and Wastewater Infrastructure Fund shall be entitled to reimbursement from the Grantee of any Grant funds that were received by the Grantee for any work that was not performed.

PURPOSE LIMITED TO PROJECT: The Grantee shall use the proceeds of the grant only to pay the actual costs of the Project described in the Project Budget. Except to the extent otherwise approved in writing by the Secretary of Commerce or his designee, only the costs shown in the Project Budget shall be allowed and only in the amounts provided for each category.

OWNERSHIP OF PROJECT AND SYSTEM: Prior to the commencement of any construction, the Grantee must own the water and/or wastewater system, of which the Project will become a part. The Grantee must have good record title to the real property on which the water and/or wastewater system is to be established or starting (or have possession pursuant to eminent domain), with only such exceptions of record as do not interfere with the full use and enjoyment of the premises by the Grantee. The Grantee must furnish a title opinion to the Water and Wastewater Infrastructure Fund as to the Grantee's fee-simple ownership of any land parcel, right-of-way or easement which is to be acquired under this grant, and/or upon which any construction to be paid from this Grant is proposed.

GOVERNMENTAL PURPOSE: The Grantee represents and warrants that all property provided by the Grant will be owned by the Grantee in accordance with the rules governing the ownership of property for federal income tax purposes.

PROJECT START AND END DATES, METHOD OF EXTENSION: Project engineering design must begin within three (3) months of the Date of Award of the Grant, unless an extension is approved in writing by the Secretary of Commerce or his designee. No longer than three (3) months after a permit to construct has been issued by SCDHEC, the Grantee must begin construction of the Project. If these deadlines are not met, and there is not a written extension approved by the Secretary of Commerce or his designee, the Water and Wastewater Infrastructure Fund may rescind the Grant, require the repayment of any Grant funds provided to Grantee, and terminate this agreement. For purposes of this section, the Grantee shall have begun engineering design of the project once it has entered into a contract for the design of the project with a licensed engineering

firm. The Grantee shall have begun construction of the Project once it has entered into a contract with a licensed contractor for the construction of the Project.

DEFINITION OF ELIGIBLE AND INELIGIBLE COSTS: Funds obligated or expended prior to the Grant award or for activities which have not received prior approval from the Secretary of Commerce or his designee may be considered ineligible costs and may not be eligible for payment with Grant Funds. The eligibility of costs associated with the Project shall be strictly limited to engineering design and inspection; land and/or right of way acquisition necessary for the construction of the Project; reasonable legal fees related to the Project; actual construction of the Project, and auditing and/or accounting expenses directly related to the Project. No other costs will be considered eligible unless required by and included in the Grant award budget for this Project.

CHANGES TO PROJECT BUDGET: Any changes in the Grant budget affecting more than ten percent (10%) of any line-item must be approved in writing by the Secretary of Commerce or his designee.

OVERRUN/UNDERRUN POLICY: Except as specifically approved in writing by the Secretary of Commerce or his designee, the Grantee agrees that it will promptly return surplus Grant funds that result from project cost under runs, and that it will commit and provide monies from its own resources for cost overruns that are required to complete the Project. This Agreement creates no obligation on the part of the Water and Wastewater Infrastructure Fund to provide funds for any cost overruns.

CONTRACTOR SELECTION REQUIREMENTS: The selection of any and all Contractors by the Grantee must follow applicable procurement laws, regulations and guidelines, using either the Grantee's own legally approved procurement policies or the State Procurement Code. The Grantee warrants that it will adhere to all such applicable procurement laws, regulations and guidelines in the selection of Contractors. In addition, the Grantee may not award contracts to any Contractors who are ineligible to receive contracts under any applicable laws or regulations of the State of South Carolina.

Upon request, the Grantee must make available to the Grantee's auditor, the Water and Wastewater Infrastructure Fund, and its representatives, and to the public, the Grantee's records and other documentation of the procurement process used by the Grantee, and any sole source justification. If the Grantee fails to adhere to procurement procedures required by law, the Secretary of Commerce or his designee may call for repayment by the Grantee for Grant funds that were expended in a disallowable manner.

A Contractor must represent that it has, or will secure at its own expense, all personnel required in the performance of the services covered by this Agreement. Such personnel shall not be employees of, or have any contractual relationship with the Grantee.

All of the services required to complete the Project will be performed by the Grantee through a Contractor, and all personnel engaged in the work shall be fully qualified and shall be authorized under state and local law to perform such services.

The Grantee and/or a Contractor shall be liable for and pay all taxes required by local, state, or federal governments, which may include, but not be limited to, social security, worker's compensation, and employment security as required by law. No employee benefits of any kind shall be paid by the Water and Wastewater Infrastructure Fund to or for the benefit of the Grantee and/or a Contractor or his employee or agents by reason of this Agreement.

The Grantee warrants that it will enforce all terms and conditions of this Agreement upon its Contractors.

CONTRACT AWARD, CONSTRUCTION INSPECTION AND COMPLETION: The Grantee shall not execute construction contracts or issue the notice to proceed with respect to the Project prior to receiving written approval from the Secretary of Commerce or his designee to award construction contracts.

The Grantee shall provide and maintain competent and adequate engineering supervision and continuous inspection of the Project to insure that the construction conforms with the plans and specifications submitted to the Water and Wastewater Infrastructure Fund. A monthly inspection report shall accompany each disbursement request.

The Grantee shall cause the scope of work defined in the approved Grant application to be completed according to the Project schedule also defined in the approved Grant application. The Grantee shall require all contractors to satisfactorily complete all work within the time stated in the executed construction contract. Extension of any contract completion date requires the approval of the Secretary of Commerce or his designee. Any costs incurred as a result of a time extension that has not received approval by the Secretary of Commerce or his designee shall not be eligible for payment under this Grant Agreement.

METHOD OF PAYMENT:

The Water and Wastewater Infrastructure Fund shall make, and the Grantee shall accept, full or partial disbursements only against incurred, eligible costs up to the grant amount as provided in this Agreement.

For purposes of making requests for disbursement and representing the Grantee in all administrative matters pertaining to the administration of this Agreement, the Grantee shall designate a single officer or employee as the "Grantee Representative," to be approved by the Secretary of Commerce or his designee prior to the first disbursement request.

In those cases where the Grantee has paid the incurred project costs and is seeking reimbursement for such costs theretofore paid by the Grantee, any check for disbursement from the Water and Wastewater Infrastructure Fund shall be drawn and mailed to the Grantee. In those cases where the Grantee is seeking funds with which to pay incurred Project costs, any check for disbursement from the Water and Wastewater Infrastructure Fund to pay such costs may, at the option of the Fund, be drawn to the Grantee alone or jointly to the Grantee and a contractor engaged by the Grantee for the Project. Such check shall be mailed to the Grantee.

Before any disbursement the Grantee shall execute any documents requested by the Secretary of Commerce reasonably necessary or convenient to the foregoing, and shall forward them to the Secretary of Commerce for his review and approval prior to the disbursement. In addition, the Grantee will keep on file, and available for inspection at any time, all invoices and canceled checks supporting the Grantee's request for disbursement from Grant funds.

Requests for disbursement may be made only after the costs for which the draw is requested have been incurred.

The Grantee shall not request disbursement against retainage until retainage is paid, and shall not request disbursement for change orders unless such change orders have been approved by the Secretary of Commerce or his designee. Unless the Secretary of Commerce or his designee approves otherwise, when the Project budget indicates that the Grant from the Water and Wastewater Infrastructure Fund shall bear only a portion of the eligible costs of the Project, or a portion of certain itemized costs, any draw shall not exceed the same proportion of such costs reported for disbursement.

Requests for disbursement shall be made on forms of the Water and Wastewater Infrastructure Fund unless the Secretary of Commerce or his designee otherwise directs, and shall be accompanied by such invoices and other proofs as the Water and Wastewater Infrastructure Fund may reasonably require. In the case of payment for construction services, and services of engineers related to construction, administration and management, the final payment will not be made until a Permit to Operate has been

issued by SCDHEC, and a copy of this permit has been submitted to the Secretary of Commerce. No disbursement requests will be accepted more than one hundred twenty (120) days after the date of such Permit to Operate.

The Secretary of Commerce may require that each draw request shall be submitted to the Fund at least twenty-one (21) days before the day disbursement is needed, and may limit draw requests to one per month. The Secretary of Commerce will exert its best efforts to obtain a check from the State of South Carolina Treasurer's Office in response to a disbursement request within twenty-one (21) days of receiving such request, but no assurance is given by the Water and Wastewater Infrastructure Fund that such schedule will be met, and the Secretary of Commerce shall incur no liability to any Grantee. Processing on shorter notice or faster schedule shall not amend this provision.

REPORTING REQUIREMENTS: The Grantee agrees to complete and submit any and all reports, in such form and according to such schedule, as may be required by the Secretary of Commerce.

MAINTENANCE OF RECORDS: The Grantee shall retain records for property purchased totally or partially with Grant funds for a period of three years after its final disposition. The Grantee shall maintain records relating to procurement matters for the period of time prescribed by applicable procurement laws, regulations and guidelines, but no less than three years. All other pertinent Grant and Project records including financial records, supporting documents, and statistical records shall be retained for a minimum of three years after notification in writing by the Secretary of Commerce or his designee of the closure of the Grant. However, if any litigation, claim, or audit is initiated before the expiration of any such period, then records must be retained for three years after the litigation, claim, or audit is resolved.

ACCESS TO RECORDS: All records with respect to all matters covered by this Agreement shall be made available for random audit and inspection by the Secretary of Commerce, or his agents or representatives, upon request. On reasonable notice, the Secretary of Commerce shall have for its own convenience and benefit, and without obligation to the Grantee or any third party, the right to audit the books and records of the Grantee as they may pertain to or affect the Grantee's water or wastewater system, or this agreement, and to enter upon the premises to inspect the project. The Grantee shall cause its architects, engineers, contractors, and auditors to cooperate during such inspections including making available any documents, records, reports or other materials pertinent to the Project and the inspection. The Grantee shall comply with all reasonable requests by the Secretary of Commerce for information pertaining to the Grantee's compliance with this Agreement.

ACCOUNTING AND AUDIT: The Grantee shall account for the Project according to Generally Accepted Governmental Accounting Principles. Within six (6) months of the end of the Grantee's fiscal year, the Grantee shall tender to the Secretary of Commerce an annual financial audit by a certified public accountant. The conduct of the audit and the audit shall conform to Generally Accepted Auditing Standards, Governmental Auditing Standards, issued by the Comptroller General of the United States and the Auditing and Reporting Provisions of OMB Circular A-133, as the same may be revised or modified from time to time.

The Grantee agrees that it will reimburse the State for unauthorized and unwarranted expenditures disclosed in the audit, if so directed by the Secretary of Commerce. Upon request of the Secretary of Commerce, the Grantee shall make available, and cause Contractors to make available, for audit and inspection by the State and its representatives all the books, records, files and other documents relating to any matters pertaining to the Project, the Application or this Agreement.

MAINTENANCE OF FACILITIES CONSTRUCTED: The Grantee agrees to maintain all facilities constructed under the Grant, and to provide for the payment of the expenses of administration and operation and such expenses for the maintenance of the Grantee's water and/or wastewater system as may be necessary to preserve the system in good repair and working order. The Water and Wastewater Infrastructure Fund shall have no responsibility whatsoever to maintain any improvements related to the Project.

REMEDIES FOR VIOLATIONS AND NONPERFORMANCE

GRANT REPAID: If the Grantee violates the terms of this Agreement, or any applicable law or regulations, the Secretary of Commerce or his designee may, by notice in writing to the Grantee, demand the principal portion of the Grant funds which have been disbursed to the Grantee immediately due and payable to the Water and Wastewater Infrastructure Fund, together with interest calculated on it at the rate of _____ % per annum. Interest shall continue to accrue and compound until the date of payment.

COLLECTION COSTS AND FEES: In the event of a violation of this Agreement, the Water and Wastewater Infrastructure Fund may collect Grant funds paid plus interest described above. Costs and fees associated with the collection, including attorney's fees, are also to be collected from the Grantee. The Grantee agrees to pay the Water and Wastewater Infrastructure Fund all such costs and fees, including attorney's fees, incurred in collecting the Grant funds and interest.

RECAPTURE OF FUNDS (TERMINATION, UNDERRUN, ETC.): The Secretary of Commerce or his designee may, upon written notification to the Grantee, terminate all or part of the funding to be provided pursuant to this Agreement for failure to comply with the terms and conditions of this Agreement. This Agreement may also be terminated, in whole or in part, with the mutual consent of the Secretary of Commerce or his designee and the Grantee, upon written notification. In the event of a Project under run in costs, any funds, which remain after the approved scope of work has been completed, shall be the exclusive property of the Water and Wastewater Infrastructure Fund.

AUTHORIZED SIGNATURES TO APPEAR ON INVOICES, CONTRACTS, CHANGES, ETC.
The Grantee shall identify the official authorized signatures to appear on all invoices, contracts, charges, etc. to the Project. At a minimum, authorized signatures shall include the Grantee's CEO or chief elected official, with authority to enter contracts on behalf of the Grantee, the project engineer or architect, and the designated project manager for the Grantee. Any changes in the Grantee's signature authority must be submitted in writing to the Secretary of Commerce or his designee. These signatures shall appear on all invoices, letters, reports, etc. submitted by the grantee for action by the Secretary of Commerce.

GLOBAL BUSINESS FINANCE DIVISION STAFF

Program Management

The Department of Commerce Division of Global Business Finance will administer and manage the Fund using existing staff. Below is a list of key contacts.

Dennis E. Gabriel, CED, Chief Finance Officer
Global Business Finance Division
803-737-0524

Karyn Gattman, Program Director
Set-Aside and State Grant Programs
803-737-1694
kgattman@commerce.state.sc.us

Murk Alexander, Program Director
South Carolina Water and Wastewater Infrastructure Fund
803-737-0471
malexand@commerce.state.sc.us

SOUTH CAROLINA CODE OF LAWS

CHAPTER 1

GENERAL PROVISIONS

ARTICLE 1

DEPARTMENT OF COMMERCE

SECTION 13-1-45. South Carolina Water and Wastewater Infrastructure Fund created; definitions, powers and duties of Department of Commerce; criteria for selecting qualified projects.

There is established under the direction and control of the Secretary of Commerce the South Carolina Water and Wastewater Infrastructure Fund for the purposes of selecting, assisting, and financing major qualified projects by providing financing assistance to governmental units and private entities for constructing and improving water and wastewater facilities that are necessary for public purposes, including economic development and for technology-related infrastructure grants for local units of government.

(A) As used in this section:

- (1) "Fund" means the South Carolina Water and Wastewater Infrastructure Fund.
 - (2) "Department" means the Department of Commerce.
 - (3) "Financing agreement" means any agreement entered into between the department and a qualified borrower pertaining to financing assistance. This agreement may contain, in addition to financing terms, provisions relating to the regulation and supervision of a qualified project, or other provisions as the department determines. The term "financing agreement" includes, without limitation, a loan or grant agreement, trust indenture, security agreement, reimbursement agreement, guarantee agreement, ordinance or resolution, or similar instrument.
 - (4) "Government unit" means a municipal corporation, county, special purpose district, special service district, commissioners of public works, or another public body, instrumentality or agency of this State including combinations of two or more of these entities acting jointly to construct, own, or operate a qualified project, and any other state or local authority, board, commission, agency, department, or other political subdivision created by the General Assembly or pursuant to the Constitution and laws of this State which may construct, own, or operate a qualified project.
 - (5) "Loan obligation" means a note or other evidence of an obligation issued by a qualified borrower.
 - (6) "Financing assistance" means, but is not limited to, grants, contributions, credit enhancement, capital or debt reserves for debt instrument financing, interest rate subsidies, provision of letters of credit and credit instruments, provision of debt financing instrument security, and other lawful forms of financing and methods of leveraging funds that are approved by the department, and in the case of federal funds, as allowed by federal law.
 - (7) "Project revenues" means all rates, rents, fees, assessments, charges, and other receipts derived or to be derived by a qualified borrower from a qualified project or made available from a special source, and as provided in the applicable financing agreement, derived from any system of which the qualified project is a part of, from any other revenue producing facility under the ownership or control of the qualified borrower including, without limitation, proceeds of grants, gifts, appropriations, including the proceeds of financing made by the department, investment earnings, reserves for capital and current expenses, proceeds of insurance or condemnation, and proceeds from the sale or other disposition of property and from any other special source as may be provided by the qualified borrower.
 - (8) "Qualified borrower" means any government unit, public or private nonprofit entity approved by the department that is authorized to construct, operate, or own a qualified project and receives financing assistance pursuant to this section.
 - (9) "Qualified project" means an eligible project that has been selected by the department to receive financing assistance pursuant to this section.
 - (10) "Revenues" means any receipts, fees, income, or other payments received or to be received by the department, expressly for the fund including, without limitation, receipts and other payments deposited for the fund and investment earnings on any monies and accounts established for the fund.
- (B) The department shall provide the required staff and may add additional staff or contract for services, if necessary, to administer the fund in accordance with this section. The compensation, costs, and expenses incurred incident to administering the fund may be paid from revenues. If the department requests, the State Budget and Control Board may provide legal, technical, planning, and other assistance through intergovernmental agreement. Costs incurred by the board pursuant to such a request must be reimbursed to it by the department from revenues.

(C) In addition to the powers and authority granted in this chapter, the department has the powers and authority necessary to carry out the purposes of this section including, but not limited to:

(1) establish procedures and guidelines necessary for the administration of this section;

(2) offer any form of financing assistance that the department considers necessary to any qualified borrower for a qualified project;

(3) provide loans or other financing assistance to qualified borrowers to finance the eligible costs of qualified projects and to acquire, hold, and sell loans or other obligations at prices and in the manner the department determines advisable;

(4) provide qualified borrowers with other financing assistance necessary to defray eligible costs of a qualified project;

(5) enter into contracts, arrangements, and agreements with qualified borrowers, governmental units, or other otherwise eligible entities, and execute and deliver all financing agreements and other instruments necessary or convenient to the exercise of the powers granted in this chapter;

(6) enter into agreements with a department, agency or instrumentality of the United States or of this State or another state for the purpose of planning and providing for the financing of qualified projects;

(7) establish fiscal controls and accounting procedures to ensure proper accounting and reporting by qualified borrowers;

(8) acquire by purchase, lease, donation, or other lawful means and sell, convey, pledge, lease, exchange, transfer, and dispose of all or part of its properties and assets of every kind and character or any interest in it to further the public purpose of the fund, without further approval or authorization;

(9) procure insurance, guarantees, letters of credit, and other forms of collateral or security or credit support from any public or private entity, including any department, agency, or instrumentality of the United States or this State, for the payment of any debt issued by a qualified borrower or other entity receiving assistance pursuant to this section, including the power to pay premiums or fees on insurance, guarantees, letters of credit, and other forms of collateral or security or credit support, without further approval or authorization;

(10) collect fees and charges in connection with financing assistance and expend such funds to effectuate the purposes of this section;

(11) apply for, receive and accept from any source, aid, grants, and contributions of money, property, labor, or other things of value to be used to carry out the purposes of this section;

(12) do all other things necessary or convenient to exercise powers granted or reasonably implied by this chapter.

(D) The department shall establish accounts and subaccounts within the state accounts and any federal accounts to receive and disburse funds to effectuate the purposes of this section. Earnings on the balances in these state accounts must be expended to effectuate the purposes of this section. Earnings on balances in the federal accounts must be credited and invested according to federal law. All accounts must be held in trust by the State Treasurer and the unexpended funds in these accounts carry forward from year to year. All earnings on state accounts must be retained in those accounts and used for the same purposes.

(E) The department shall determine which projects are eligible projects and then select from among the eligible projects those qualified to receive financing assistance under this section. Priority in funding must be given to projects located in underdeveloped areas of the State.

(F) In selecting qualified projects, the department shall consider the projected feasibility of the project and the amount of financial risk. The department also may consider, but is not limited to, the following criteria in making its determination that an eligible project is a qualified project:

(1) local support of the project, expressed by resolutions by the governing bodies in the areas in which the project will be located;

(2) economic benefit of the project;

(3) readiness of the project to proceed;

(4) ability of the applicant to repay financial assistance obtained;

(5) financial or in-kind contributions to the project;

(6) development status of the county in which the project is located, and

(7) whether the governing bodies of the county or the incorporated municipality in which the project is located provide to the department a resolution that makes a finding that the project is essential to economic development in the political subdivisions, or the department receives a resolution or certificate from the Coordinating Council for Economic Development that the project is essential to economic development in this State, or both, at the option of the department.

(G) Qualified borrowers may obtain financing assistance pursuant to this section through financing or grant agreements. Qualified borrowers entering into financing or grant agreements or issuing debt obligations may perform any acts, take

any action, adopt any proceedings, or make and carry out any contracts or agreements with the department as may be required by the department and any qualified borrower and necessary for effectuating the purposes of this section.

(H) In addition to the authorizations contained in this section, all other statutes or provisions permitting government units to borrow money and issue obligations including, but not limited to, the Revenue Bond Act for Utilities and the Revenue Bond Refinancing Act of 1937, may be utilized by any government unit in obtaining financing assistance from the department pursuant to this section. Notwithstanding the foregoing, obligations secured by ad valorem taxes may be issued by a government unit and purchased by the department or its agent without regard to any public bidding requirement.

(I) A qualified borrower may receive, apply, pledge, assign, and grant security interest in project revenues; and, in the case of a governmental unit, its project revenues, revenues derived from a special source or ad valorem taxes, to secure its obligations as provided in this section, and may fix, revise, charge, and collect fees, rates, rents, assessments, and other charges of general or special application for the operation or services of a qualified project, the system of which it is a part, and any other revenue producing facilities from which the qualified borrower derives project revenues, to meet its obligations under a financing agreement or to provide for the construction and improving of a qualified project.

(J) If a qualified borrower fails to collect and remit in full all amounts due under any related financing agreement, note, or other obligation, the department may, on or after the date these amounts are due, notify the State Treasurer who shall withhold all or a portion of the state funds and all funds administered by this State, its agencies, boards, and instrumentalities allotted or appropriated to the government unit and apply an amount necessary to the payment of the amount due; or in the case of a private entity, the department may pursue recovery pursuant to Chapter 56 of Title 12; or the department may pursue any other remedy provided by law.

(K) Nothing contained in this section mandates the withholding of funds allocated to a government unit or private entity which would violate contracts to which this State is a party, the requirements of federal law imposed on this State, or judgments of a court binding on this State.

(L) Notice, proceeding, or publication, except those required in this section, are not necessary to the performance of any act authorized in this section nor is any act of the department subject to any referendum.

(M) Following the close of each state fiscal year, the department shall submit an annual report of its activities pursuant to this section for the preceding year to the Governor and to the General Assembly.

(N) No funds under this section may be provided, promised, or allocated to any projects authorized hereunder before November 15, 2000.

(O) The department shall submit a quarterly report to the State Budget and Control Board of all projects obligated for funding pursuant to this section.