

**AGENDA ITEM SUMMARY**  
**OCONEE COUNTY, SC**  
**COUNCIL MEETING DATE: 4/5/05**  
**COUNCIL MEETING TIME: 7:00 PM**

**ITEM TITLE OR DESCRIPTION:**

Request for County Council to call for special referendum to establish the Corinth-Shiloh special tax district for fire protection.

**BACKGROUND OR HISTORY:**

Oconee County has received a petition to have a referendum to establish a special tax district to provide for fire protection in the Corinth-Shiloh Rural Fire area. This petition has been reviewed and verified by the Registration & Elections Director.

**SPECIAL CONSIDERATIONS OR CONCERNS:**

**STAFF RECOMMENDATION FOR COUNCIL ACTION:**

1. Call for the election and allow the voters of the proposed special fire tax district to decide if they wish to tax themselves for this service.
2. Submit proposed question to the Justice Department for pre-clearance review.

**FINANCIAL IMPACT:**

The County will have to bear the cost of the election. The Registration & Elections Director requests that the letter to the Justice Department include a request to use paper ballots to reduce the cost of the election.

**ATTACHMENTS:**

**Submitted or Prepared By:**

Opal O. Green  
Department Head/Elected Official

**Approved for Submittal to Council:**

Ron H. Rabun, County Administrator

**Reviewed By/ Initials:**

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

\_\_\_\_\_ Finance

\_\_\_\_\_ Other

**C: Clerk to Council**

**AGENDA ITEM SUMMARY  
OCONEE COUNTY, SC**

**COUNCIL MEETING DATE:** 4/5/05  
**COUNCIL MEETING TIME:** 7:00 p.m.

**ITEM TITLE OR DESCRIPTION:**

Oconee County ATAX Grant for Discover Upcountry Carolina Association, 2005 Mountain Spirit of the River Festival. Funds will be used to design, print and distribute brochures and posters for the festival that will be held on May 14, 2005. A portion of the funds would also be used to update and enhance the website for the festival.

**BACKGROUND OR HISTORY:**

During the State's Fiscal Year allocation and spending of Accommodations Tax funds received by the County are allocated as follows: 1) the first \$25,000 to the General Fund; 2) 5% of balance to General Fund, 3) 30% of balance to special fund for advertising and promotion of tourism and 4) 65% of balance, plus interest, to special fund for tourism-related expenditures. Section 6-4-10 (1), (2), (3) and (4). This 65% plus interest is the source of funding for Accommodation Tax Grants. The Accommodations Tax Advisory Committee is comprised of seven members and makes recommendations on the expenditure of revenue generated from the accommodation tax.

**SPECIAL CONSIDERATIONS OR CONCERNS:**

Members of the committee have met and reviewed this grant application and have determined that it meets prescribed guidelines.

**STAFF RECOMMENDATION:**

Upon a motion, seconded and unanimously carried, the Oconee County Accommodations Tax Advisory Committee approved the motion to recommend to County Council a grant to Discover Upcountry Carolina Association, 2005 Mountain Spirit of the River Festival in the amount of \$1,600.00. A member of the Oconee County Accommodations Tax Advisory Committee, Kevin Evans, will act as liaison for this grant and will be present at the County Council meeting to answer any questions.

**FINANCIAL IMPACT:**

\$1,600.00 to be taken from Accommodations Tax 65 % fund, \$2,866.55 Balance

**ATTACHMENTS:**

Copy of grant application from Discover Upcountry Carolina Association, 2005 Mountain Spirit of the River Festival  
Budget Status Worksheet, Accommodations Tax, 65% Fund

**Submitted or Prepared By:**



Department Head/Elected Official

**Approved for Submittal to Council:**



Ron H. Rahun, County Administrator

**Reviewed By/ Initials:**

MJA County Attorney

RFJ Finance

## APPLICATION FORM FOR TOURISM RELATED PROJECTS

### I. APPLICANT

- A. Name of Organization - Discover Upcountry Carolina Association  
B. Address - P.O. Box 3116, Greenville, SC 29602

### II. FUNDS REQUESTED

- A. ATAX Funds Requested - \$1,600
- B. How will ATAX funds be used?  
The funds requested would be used to design, print, and distribute brochures and posters for the Mountain Spirit of the River (MSOTR) festival that will be held on May 14, 2005. A portion of the funds would also be used to update and enhance the website for the festival.
- C. Provide an itemized budget. **THIS IS REQUIRED.** Attach on a separate sheet.
- D. Funds furnished by your organization - \$500 \* In-kind contributions by other partners in this project amount to approximately \$3,000. This doesn't include contributions by other partners in human resources that are being utilized to promote and develop this event.

### III. NARRATIVE PROJECT DESCRIPTION

- A. Project Title - 2005 Mountain Spirit of the River festival
- B. Description of project: This will be the second annual Mountain Spirit of the River festival. The event will be held on May 14, 2005 in Long Creek. The inaugural Mountain Spirit of the River festival was held on May 15, 2004. The goal of the MSOTR festival is to recognize and promote the vast amount of natural and recreational resources available for both residents and visitors to Oconee County. The activities held in conjunction with the festival are designed to create or expand awareness of natural, cultural and recreational resources in the area and encourage both the utilization and conservation of these resources.

The MSOTR festival will be of benefit to Oconee County in many ways. Visitors will be drawn to the area not only on the weekend of the event itself, but throughout 2005 and beyond. The event is an opportunity for area residents to be introduced, or re-introduced, to a variety of resources and activities available to them for their recreational and educational benefit. MSOTR will also benefit the area by bringing a diverse group of organizations together that have a common purpose, which is to conserve and enhance the natural and cultural resources of Oconee County and the surrounding area. By creating an environment for these groups to work together, other projects and programs that can benefit the area will be developed.

The festival includes a full day of activities that will celebrate the many outdoor recreation opportunities available in Oconee County, particularly in the Chattooga River Corridor and the Andrew Pickens District of the Sumter National Forest. Most of the seminars and demonstrations will be held on the campus of Wildwater, Ltd. in Long Creek. Some of the planned activities include canoe and rafting trips, artisan demonstrations, a river cleanup, seminars by the US Forest Service, Chattooga Conservancy, Oconee Heritage Center, and the SC Department of Natural Resources.

The festival is a partnership between several organizations, all of whom are committed to both stewardship of the natural resources and responsible recreation and tourism use of these resources. Partners include the US Forest Service, SC Department of Natural Resources, SC Paddlesports Association, American Whitewater, Trout Unlimited, Footfalls Trail Conference, and Discover Upcountry Carolina Association.

- C. **Who will benefit from this project?** As stated in III B, the goal of the Mountain Spirit of the River is to recognize and promote the vast amount of natural and recreational resources available for both residents and visitors to Oconee County. Advertising and marketing efforts will target individuals and groups within all of South Carolina and in North Carolina and Georgia within a 100-mile radius of Oconee County. The promotional brochures that will be used to publicize this event will include information about Oconee County's attractions, points of interest, and lodging properties. It is the intent of the organizers and sponsors that this event will be not only a benefit to the area on the weekend of the festival, but will be a catalyst to promote the area's tourism and recreation opportunities throughout the year and beyond.

#### IV. DATES OF PROJECT

Beginning – May 14, 2005

Ending – May 14, 2005

#### V. APPLICANT CATEGORY

Ecclesiosynary Organization under IRS Code 501(c)6

Date of Determination Letter: October 25, 1978

#### VI. DEMOGRAPHIC DATA

**How will the project influence tourism in Oconee County?** The event will benefit Oconee County's tourism industry both during the weekend of the festival and throughout the year. Through the marketing and public relations efforts of all of the partners and sponsors of this event, attention to the area's attractions, recreation opportunities, cultural attractions and special events will be realized. On the event website, links will be provided to Oconee County chambers of commerce and lodging properties.

**How many visitors/participants attended the event last year and are anticipated this year?** In its inaugural year in 2004, the event had approximately 150 participants. For 2005 it is anticipated that the event will attract around 350 attendees. As mentioned earlier, though, one of the goals of this project is to leverage exposure to the area that will attract visitors throughout the remainder of the year.

How many of the visitors/participants were from beyond a 50-mile radius of Oconee County last year and are anticipated this year? Based on the ratio of county residents to non-residents from the 2004 event, an estimated 100 people, or approximately 30% of the attendees, are expected to be from greater than 50 miles from the county.

How many overnight stays were created by this event last year and are anticipated this year? Based on the 30% of non-resident attendees from 2004, approximately 35 room nights were generated as a result of the festival. The estimated room nights generated for this year in Oconee County is 80.

How do you plan to advertise this event beyond a 50-mile radius of Oconee County? The brochures and posters that will be produced for the event will be distributed to outfitter stores, outdoor tour operators, fishing shops, sports and fitness stores, as well as regional clubs and organizations in and around Atlanta GA, Charlotte, NC, Asheville, NC, Columbia SC, Greenville SC, Charleston SC, Jacksonville FL, Orlando FL, Tampa FL, etc. using current relationships with these outlets.

In addition to, information will also be placed on several websites - including those of Discover Upcountry Carolina Association, the SC Paddlesport Association, and the US Forest Service. Other partners such as the Foothills Trail Conference and Trout Unlimited will disseminate the information through newsletters and e-mail listserves.

Press releases will be developed and distributed to media outlets throughout South Carolina and in the 100-mile radius of Oconee County. These releases will be sent primarily by the US Forest Service, but also from other partner organizations.

What other documentation can you provide demonstrating this event promotes tourism in Oconee County? (i.e. photographs, letters from local chambers of commerce, restaurants, shop or accommodations owners) Press releases, news clippings and website postings will be provided to demonstrate the marketing efforts for the event. Lodging and campground properties will also be surveyed to determine the amount of benefit to their establishments.

What records will be kept during this event to obtain the above demographic data? (i.e. guest logs, phone logs, accommodations contracts, website hits, advertising demographics) The participants in the festival will provide information to us regarding their demographics as well as how they learned about the event. Website hits from the event website will be provided. Press clippings from newspapers, newsletters, etc. will be gathered to determine the amount of exposure received. From the survey of lodging and campground properties, we will also be able to determine the economic impact of the overnight visitors to the festival.

## VII. AUDIT

Does your organization perform an independent audit? No.

## VIII. Will your project be using any funds from another group that received ATAX funds? No.

**PROJECT BUDGET**  
**2005 MOUNTAIN SPIRIT OF THE RIVER FESTIVAL**

Design and production of 250 posters and 3,500 brochures	\$1,500.00
Festival Signage	\$ 300.00
Website design and development	\$ 300.00
<b>Total</b>	<b>\$2,100.00</b>



*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 required for final reporting MUST be detailed when project is complete.*

A. Contact Name: Tim Todd Title: Executive Director

Signature *[Handwritten Signature]* Date 3-15-05

Address: P.O. Box 3116, Greenville, SC 29602

E-mail: [Tim@TheUpcountry.com](mailto:Tim@TheUpcountry.com) Fax #: 803-753-9990

Phone Number: 864-233-2690

*1-800-847-4766*

3/15/2005

Page 1

## Discover Upcountry - Financial Statement For FY 2004

7/1/2003 Through 6/30/2004

Category	Total
<b>Income Categories</b>	
1000 Memberships	6,590.00
1050 Advertising Revenue	6,957.50
1100 TRPP	45,444.37
1150 PRT Funding	125,000.00
1200 Accommodations Tax	68,860.26
1300 Interest Income	549.65
1350 Inmate Funding	20,000.00
1450 Miscellaneous	991.41
Income - Unassigned	0.00
<b>Total Income Categories</b>	<b>274,353.29</b>
<b>Expense Categories</b>	
2000 Payroll	55,072.43
2050 Payroll Taxes	20,867.93
2070 Deferred Compensation-401K	4,406.04
2100 Employee Insurance	7,490.86
2200 Rent	11,279.00
2210 Office Insurance	377.67
2225 Vehicle Expenses	12,874.67
2350 Utilities	2,274.87
2300 Telephone	6,108.09
2400 Office Supplies/Expense	2,751.55
2425 Computer Services	4,061.47
2450 Furniture/Equipment	3,091.99
2475 Maintenance	625.85
2550 Printing - Misc.	1,118.73
2600 Travel & Entertainment	8,208.05
2650 Membership Dues	6,242.80
2675 Subscriptions	245.41
2700 OAC Meetings	248.26
2750 Registration Fees	2,110.50
2900 Service Charges	40.05
2950 Miscellaneous Expense	154.89
3000 Literature Production	50,571.69
3050 Media Advertising	31,935.66
3100 Travel/Trade Shows	4,674.49
3150 Shipping/Postage	9,227.04
3200 Research	25.00
3250 FAM Tours	282.28
3400 Special Projects	185.55
3500 Special Programs	7,189.28
<b>Total Expense Categories</b>	<b>268,717.50</b>
<b>Grand Total</b>	<b>10,635.79</b>



# CATAWBA <sup>print</sup> & <sup>mail</sup> INC.

1215 15<sup>th</sup> St. Dr. NE • PO Box 9001 • Hickory, NC 28603-9001 • 828-324-2021 • FAX 828-324-0063

## Quote Letter

March 30, 2005

Discover Upcountry Carolina Association  
Attn: Tim Todd

**PROJECT:** Posters

**SIZE:** 12x18

**PAPER:** a-70# gloss text b-80# gloss text

**INK:** 4/c process

**BINDERY:** Trim to 12x18, carton pack convenient

**MATERIALS FURNISHED:** Files furnished

**CATAWBA PRINT & MAIL TO FURNISH:** Color Proof

**DELIVERY:** FOB Hickory, NC

**TERMS:** Net 30

<b>QUANTITY AND PRICE:</b>	<u>250</u>
a-	\$130
b-	\$135

Accepted by (Customer) \_\_\_\_\_ Date \_\_\_\_\_

We look forward to working with you, Tim. Please let me know if I can assist you in any way.

Sincerely,



Tim Larson  
Director of Sales/Marketing  
tim@catawbamail.com

# CATAWBA print & mail INC.

1215 15<sup>th</sup> St. Dr. NE • PO Box 9001 • Hickory, NC 28603-9001 • 828-324-2021 • FAX 828-324-0063

## Quote Letter

March 30, 2005

Discover Upcountry Carolina Association  
Attn: Tim Todd

**PROJECT:** Brochures

**SIZE:** 8x9 folded to 4x9

**PAPER:** a-70# gloss text b-80# gloss text c-100# gloss text

**INK:** 4/c process

**BINDERY:** Trim and fold to 4x9, carton pack convenient

**MATERIALS FURNISHED:** Files furnished

**CATAWBA PRINT & MAIL TO FURNISH:** Color Proof

**DELIVERY:** FOB Hickory, NC

**TERMS:** Net 30

QUANTITY AND PRICE:	3500
a-	\$1,550
b-	\$1,550
c-	\$1,680

Accepted by (Customer) \_\_\_\_\_ Date \_\_\_\_\_

We look forward to working with you, Tim. Please let me know if I can assist you in any way.

Sincerely,



Tim Larson  
Director of Sales/Marketing  
tim@catawbamail.com

**OCONEE COUNTY FINANCE**  
**BUDGET STATUS WORKSHEET ACCOMMODATIONS TAX, 65% FUND**

Report Period:  
3/30/03 - 12/31/03

Date	Organization	Obj	Project		Expense	Revenue	Balance
			Description	Funds Requested			
8/12/03	Lazy Daisy Garden Club	7	Landscape Beautification	\$ 8,742.00	\$ 8,742.00	\$ -	\$ 22,052.25
10/15/03	Devil's Fork State Park	8	Return of unused funds	\$ -	\$ (892.97)	\$ -	\$ 23,025.18
10/18/03	Oconee Station State Historic Site	8	Tour Bookroom	\$ 1,400.00	\$ 1,400.00	\$ -	\$ 21,625.18
10/27/03	State Treasurer	-	Obj 125-18042, used 10/27/03, 1st gr	\$ -	\$ -	\$ 2,891.00	\$ 24,516.18
11/25/03	Walhalla Partners for Progress	5	Recreation Facilities	\$ 20,000.00	\$ 20,000.00	\$ -	\$ 4,516.18
1/2/04	Walhalla High School	2	Apple Classic Scholarship Tournament	\$ 7,500.00	\$ 490.00	\$ -	\$ 4,026.18
1/27/04	State Treasurer	-	Obj 125-18042, used 10/27/03, 2nd gr	\$ -	\$ -	\$ 16,172.11	\$ 20,238.29
1/30/04	Tokers Beagle Club	1	Return of unused funds	\$ 1,184.00	\$ (525.00)	\$ -	\$ 19,713.29
3/9/04	OC PRT	10	Admin and Office	\$ 640.00	\$ 649.00	\$ -	\$ 19,064.29
3/9/04	Oconee Cultural Festival	3	Festival Funds	\$ 7,500.00	\$ 7,000.88	\$ -	\$ 12,063.41
3/10/04	Walhalla Civic Auditorium	4	Printing of Applications to Civic Auditorium	\$ 7,300.00	\$ 7,300.00	\$ -	\$ 4,763.41
4/22/04	State Treasurer	-	Obj 125-18043, used 4/22/04, 3rd gr	\$ -	\$ -	\$ 8,098.08	\$ 13,828.49
5/4/04	Discover Upcountry	2	Mountain South of the River Festival	\$ 1,800.00	\$ 1,800.00	\$ -	\$ 12,028.49
5/30/04	OC PRT	10	Return of unused funds - all in one journal	\$ 640.00	\$ (37.04)	\$ -	\$ 11,991.45
6/14/04	Westminster Recreation Department	4	Air conditioning system	\$ 24,860.00	\$ 8,000.00	\$ -	\$ 3,991.45
6/14/04	Walhalla American Legion	1	Advertising, printing & promotion	\$ 3,000.00	\$ 3,000.00	\$ -	\$ 991.45
6/30/04	Boy Scout Troop #124	7	Return of unused funds - construction, theater	\$ 700.00	\$ (700.00)	\$ -	\$ 291.45
9/22/04	Wanted for Year	-	Info to Alex 0404	\$ -	\$ -	\$ 67.15	\$ 358.60
7/28/04	State Treasurer	-	Obj 125-18043, used 7/28/04, 4th gr FY 03-04	\$ -	\$ -	\$ 23,100.00	\$ 34,022.00
FY 03-04 Expenditure & Revenue Sub-Total				\$ 83,385.00	\$ 55,168.02	\$ 90,417.36	
7/15/04	Oconee Cultural Festival	3	Return of unused funds - Festival Funds	\$ 7,500.00	\$ (325.00)	\$ -	\$ 33,702.00
10/6/04	Walhalla Partners for Progress	4	Public Facilities for Downtown Walhalla	\$ 4,000.00	\$ 4,900.00	\$ -	\$ 38,602.00
10/27/04	State Treasurer	-	Obj 125-18042, used 10/27/04, 1st gr, FY 04-05 funds. Total \$25,000 in general fund	\$ -	\$ -	\$ 2,638.74	\$ 36,240.74
12/7/04	Walhalla Civic Auditorium	4	Revising Old Walhalla Golden School bldg	\$ 19,650.00	\$ 19,000.00	\$ -	\$ 17,240.74
12/7/04	Oconee Community Theater	1	Weekend Children's Package	\$ 5,430.00	\$ 5,430.00	\$ -	\$ 11,810.74
12/7/04	Westminster American Legion	7	Memorial Park Project	\$ 13,610.00	\$ 4,498.00	\$ -	\$ 7,312.74
1/26/05	State Treasurer	-	Obj 125-18043, used 1/26/05, 2nd gr, FY 04-05	\$ -	\$ -	\$ 17,415.98	\$ 24,728.72
2/24/05	Walhalla American Legion	1	Return of Unused funds - Advertising, printing & promotion	\$ 3,000.00	\$ (71.22)	\$ -	\$ 21,057.50
3/1/05	Oconee Heritage Center		erect 19th structure	\$ 9,683.75	\$ 9,683.75	\$ -	\$ 11,373.75
3/1/05	Oconee Cultural Festival		supplement advertising, insurance, report, internet or mail, costs as needed	\$ 3,000.00	\$ 6,000.00	\$ -	\$ 17,373.75
FY 04-05 Expenditure & Revenue Sub-Total				\$ 71,773.75	\$ 64,115.55	\$ 20,019.30	

**OCONEE COUNTY FINANCE  
BUDGET STATUS WORKSHEET ACCOMMODATIONS TAX, 85% FUND**

Report Printed:  
02/06/03 10:30 AM

Date	Organization	Cat	Project		Expense	Revenue	Balance
			Description	Funds Requested			
5/15/01	American Red Cross	3	5th Annual Classic Car Collection & Summer Fling		\$ 1,400.00	\$ -	\$ 4,139.17
5/15/01	March of Dimes	2	Jerry Rhyne Fishing Tournament		\$ 3,950.00	\$ -	\$ 638.17
8/5/01	Fair-Oak Youth Center	4	PA System at Bob Field		\$ 800.00	\$ -	\$ 38.17
6/30/01	Interest for Year	-	Govt to Mark 09/01 - He will pool		\$ -	\$ 1,645.26	\$ 1,683.65
7/31/01	State Treasurer	-	Ck Number 122884110, Ck Date 07/18/01		\$ -	\$ 32,276.85	\$ 33,963.30
FY 00-01 Expenditure & Revenue Sub-Total					\$ 75,131.68	\$ 51,687.85	
10/2/01	Misc Golden-Corner Scholarship Committee	2	Scholarship Payroll		\$ 3,709.30	\$ -	\$ 30,254.00
10/2/01	Tokeena Beagle Club	1	Beagle Field Trail Advertising		\$ 342.00	\$ -	\$ 29,912.00
10/15/01	ATAK Grant to Oconee County PRT, \$5,119.00 Approved by OCC 08/18/01 (Leslie Advertising)	1	Advertising in South Carolina States		\$ 4,951.18	\$ -	\$ 25,060.82
11/7/01	Westminster Chamber of Commerce	9	Returned partial Salary Supplement funds from 1000 (Spec. 11/6/01)		\$ -	\$ 1,995.98	\$ 27,566.75
11/9/01	March of Dimes	2	Fisherman's Bass Grant		\$ 5,906.00	\$ -	\$ 22,066.75
11/8/01	Westminster Chamber of Commerce	9	Tourism & Info Salary Supplement		\$ 10,725.00	\$ -	\$ 11,531.75
11/8/01	Tokeena Beagle Club	1	Beagle Field Trail Advertising		\$ 1,776.00	\$ -	\$ 9,895.75
11/8/01	Oconee Extension Fund	4	Tn Ct. Homeowner's Assoc. / OAK Grove 4th Fuel Stop		\$ 5,425.00	\$ -	\$ 1,150.75
1/28/02	State Treasurer	-	Ck Number 123903085, Ck Date 01/24/02		\$ -	\$ 10,140.96	\$ 11,271.71
2/4/02	Seneca Chamber of Commerce	9	Salary Supplement Grant from 1005/01, Refund		\$ -	\$ 3,157.04	\$ 14,428.75
2/5/02	Lunney Museum	4	Garage House Restoration		\$ 2,500.00	\$ -	\$ 11,928.75
2/5/02	Oconee Southern Cultural Festival	2	Misc. Festival Costs		\$ 3,800.00	\$ -	\$ 8,028.75
2/5/02	March of Dimes	2	Big Bucks Fishing Tournament		\$ 3,800.00	\$ -	\$ 4,128.75
2/5/02	Oconee County PRT Commission	9	Salary Supplement		\$ 4,100.00	\$ -	\$ 28.75
5/6/02	State Treasurer	-	Ck Number 123877070, Ck Date 04/23/02		\$ -	\$ 7,730.99	\$ 7,759.34
5/28/02	Davids Fork State Park	4	Park Improvements (Trail Construction)		\$ 6,000.00	\$ -	\$ 1,759.34
6/30/02	Interest for Year	-	Info to Mark 10/02 - He will pool		\$ -	\$ 300.89	\$ 2,110.32
7/31/02	State Treasurer	-	Ck Number 123975607, Ck Date 07/22/02		\$ -	\$ 29,076.74	\$ 31,193.06
FY 01-02 Expenditure & Revenue Sub-Total					\$ -	\$ 75,226.45	\$ 62,455.21
4/14/03	Blue Ridge Art Association (BRAC)	3	Auxiliary MRF funds not used (JE # 3073) per Mark Payne		\$ (1,364.76)	\$ (1,364.76)	\$ 32,557.82
5/5/02	Walhalla Auditorium Restoration Committee, CPP to AP 05/05	4	seals for auditorium		\$ 25,500.00	\$ 16,400.00	\$ 16,157.82
8/5/02	Devils Fork State Park, CPP to AP 08/05	8	seeking bill		\$ 2,467.00	\$ 6,467.00	\$ 9,600.82
9/5/02	March of Dimes, CPP to AP 05/06	2	Jerry Rhyne Fishing Tournament		\$ 5,900.00	\$ 5,000.00	\$ 4,590.82
9/5/02	OC PRT	9	Special Tourism		\$ 3,920.00	\$ 2,782.00	\$ 1,908.82
10/29/02	State Treasurer	-	Ck Number 124102601, Ck Date 10/22/02		\$ -	\$ -	\$ 788.88
					\$ -	\$ -	\$ 2,717.81
1/27/03	State Treasurer	-	Ck Number 124300097, Ck Date 01/17/03		\$ -	\$ -	\$ 12,123.82
					\$ -	\$ -	\$ 14,841.33
2/10/03	Westminster Chamber of Commerce	9	Tourism & Info Salary Supp, ref moneys recd. 11/6/01 unrecd, 04/25/02		\$ (1,009.00)	\$ (1,609.00)	\$ 16,460.33
2/10/03	Westminster Chamber of Commerce	9	Chamber of Comm. Shortcuts recd. 10/8/02, ref 04/26/02		\$ (4,000.00)	\$ (4,000.00)	\$ 20,460.33
3/12/03	Tokeena Beagle Club	1	Beagle Field Trail Advertising		\$ 1,184.00	\$ 1,184.00	\$ 19,286.33
4/1/03	Oconee Southern Cultural Festival	2	Misc. Festival Costs		\$ 8,885.40	\$ 8,885.40	\$ 13,160.85
4/26/03	State Treasurer	-	Ck # 124622541, recd 4/26/03		\$ -	\$ -	\$ 7,918.67
					\$ -	\$ -	\$ 21,258.83
5/19/03	Boy Scout Troop #124	7	Landscaping/Restoration		\$ 700.00	\$ 700.00	\$ 22,358.83
6/6/03	Lazy Daisy Garden Club	7	Landscaping/Restoration		\$ 9,785.00	\$ 3,000.00	\$ 17,358.83
6/8/03	South Cove County Park	4	Park Improvements (Fences)		\$ 16,789.00	\$ 16,796.00	\$ 601.83
7/28/03	State Treasurer	-	Ck # 125672007, recd 7/28/03 - 41 07/22/03 - corrected 9/24/03 em		\$ -	\$ -	\$ 28,690.71
9/24/03	Interest for Year	-	Info to Mark 9/03 - He will pool		\$ -	\$ 113.86	\$ 28,774.26
FY 02-03 Expenditure & Revenue Sub-Total					\$ 84,096.64	\$ 51,422.64	\$ 48,003.91

**OCONEE COUNTY FINANCE  
BUDGET STATUS WORKSHEET ACCOMMODATIONS TAX, 85% FUND**

Report Period:  
06/25/16 12:34 PM

Date	Organization	Cat.	Project		Expense	Revenue	Balance
			Description	Funds Requested			
07/01/98	Beginning Balance	—	—	—	—	—	\$ 102,340.95
09/03/98	Blue Ridge Art Association	1	Refurb. & Painting of Art Gallery		\$ 11,000.00	\$ -	\$ 91,340.95
11/02/98	State Treasurer No. 45369	—	—		\$ -	\$ 4,540.27	\$ 95,800.22
11/03/98	Oconee County PRT	4	Funds Returned		\$ (1,500.00)	\$ -	\$ 94,300.22
11/10/98	Seneca Chamber of Commerce	5	Gateway		\$ 13,189.00	\$ -	\$ 81,111.22
11/19/98	Seneca Chamber of Commerce	7	County Christmas Festival		\$ 3,510.00	\$ -	\$ 77,601.22
08/23/99	State Treasurer No. 46831	—	—		\$ -	\$ 74,627.23	\$ 3,973.99
02/11/99	Wahala Auditorium	2	Marble Gravel		\$ 1,509.00	\$ -	\$ 2,482.99
02/11/99	Fair Oak Youth Center	4	Park Lighting		\$ 24,989.00	\$ -	\$ 27,471.99
03/04/99	Jerry Rhyme's Bass Circuit	3	Fishing Tournament		\$ 4,000.00	\$ -	\$ 31,471.99
03/15/99	JE 02-01-1 Record ATAX Grant THR	—	—		\$ 5,000.00	\$ -	\$ 26,471.99
05/25/99	State Treasurer No. 46886	—	—		\$ -	\$ 7,492.61	\$ 18,979.38
06/03/99	Discover Oconee	4	Upcountry Advertising & Promos		\$ 15,000.00	\$ -	\$ 3,979.38
06/03/99	West-Oak Young Farmers	3	Young Farmers Fair		\$ 3,000.00	\$ -	\$ 979.38
06/04/99	Seneca Chamber of Commerce	5	Copier		\$ 4,125.00	\$ -	\$ 5,854.38
06/20/99	Alexander Cannon Hill House	6	Funds Returned		\$ (202.01)	\$ -	\$ 5,652.37
06/25/99	Interest for Year	—	—		\$ -	\$ 3,387.77	\$ 2,264.60
06/25/99	Lunney Museum	—	Return Balance to 85% Fund		\$ (249.89)	\$ -	\$ 1,994.71
06/25/99	Oconee City Sign Comm.	—	Return Balance to 85% Fund		\$ (7,000.00)	\$ -	\$ 1,284.71
07/26/99	State Treasurer No. 50035	—	—		\$ -	\$ 25,755.47	\$ 17,040.18
FY 98-99 Expenditure & Revenue Total and Ending Balance					\$ 75,245.11	\$ 55,609.35	\$ 61,731.10
09/23/99	West-Oak Young Farmers	3	Funds Returned, No. 51089		\$ (160.54)	\$ -	\$ 61,570.56
01/27/00	State Treasurer No. 53131	—	—		\$ -	\$ 14,230.78	\$ 47,339.78
—	JE to Correct ATAX Revenue (Seneca) 06/21/99	—	010000, 010000		\$ -	\$ (256.76)	\$ 47,083.02
02/02/00	Seneca Chamber of Commerce, #73624	2	South Oconee Whimsical 2000		\$ 24,000.00	\$ -	\$ 23,083.02
02/02/00	Wahala Sesquicentennial Celebration, #73635	7	Wahala's 150th Birthday Party (3-Day Celebration)		\$ 13,250.00	\$ -	\$ 9,833.02
02/18/00	Wahala Auditorium Restoration Committee, #74057	4	Electrical Wiring for Auditorium		\$ 24,800.00	\$ -	\$ 15,633.02
04/04/00	Seneca Chamber of Commerce, #75443	2	Jerry Rhyme Fishing Tournament		\$ 5,800.00	\$ -	\$ 21,433.02
04/24/00	State Treasurer No. 55013	—	—		\$ -	\$ 6,808.97	\$ 14,624.05
05/04/00	Brittany Wright, #75922	3	Multi-Cultural Festival		\$ 7,900.00	\$ -	\$ 6,724.05
05/04/00	Downtown Seneca Merchants, #75921	2	16th Annual Spring Heritage Festival		\$ 4,820.00	\$ -	\$ 1,904.05
06/30/00	Interest for Year	—	—		\$ -	\$ 2,762.76	\$ 1,141.29
07/21/00	State Treasurer No. 59940	—	Ret. 07/01/00, FY 99-00 funds - Note: JE submitted 06/22/00 so \$ will be placed in wrong account		\$ -	\$ 25,079.83	\$ 1,141.29
FY 99-00 Expenditure & Revenue Total and Ending Balance					\$ 73,715.46	\$ 52,423.61	\$ 1,141.29
2/19/00	Brittany Wright	3	Funds Returned, Cl. No. 215, CR 59702		\$ (40.11)	\$ -	\$ 1,099.18
8/6/00	Oconee Community Theater	—	Return Balance to 85% Fund		\$ (25,000.00)	\$ -	\$ 1,059.18
09/01/00	Miss Golden Camper Scholarship Committee	2	Miss Golden Camper Scholarship Program, 11/11/00		\$ 1,845.00	\$ -	\$ 2,904.18
10/6/00	Mech of Oconee	2	Jerry Rhyme Fishing Tournament		\$ 5,900.00	\$ -	\$ 8,804.18
10/6/00	Westminster Chamber of Commerce	9	Chamber of Comm. Brochure		\$ 4,000.00	\$ -	\$ 12,804.18
10/6/00	Westminster Chamber of Commerce	9	Salary Supplement		\$ 7,890.00	\$ -	\$ 20,694.18
10/6/00	Seneca Chamber of Commerce	2	Salary Supplement		\$ 20,000.00	\$ -	\$ 40,694.18
11/22/00	Wahala Chamber of Commerce	9	Salary Supplement		\$ 15,952.00	\$ -	\$ 56,646.18
1/26/01	State Treasurer	—	Cl Number 122905708, Cl Date 01/18/01		\$ -	\$ 11,215.38	\$ 67,861.56
2/8/01	W.P. Anderson Park Renovation	8	4R Gravel Project		\$ 24,995.00	\$ -	\$ 92,856.56
3/12/01	Oconee Southern Cultural Festival	7	Misc. Festival Costs		\$ 9,780.00	\$ -	\$ 102,636.56
4/27/01	State Treasurer	—	Cl Number 122978036, Cl Date 04/13/01		\$ -	\$ 6,457.33	\$ 109,093.89
5/1/01	Seneca Merchants Association	2	16th Annual Spring Heritage Festival & Museum on the Green		\$ 2,000.00	\$ -	\$ 110,933.89
5/15/01	Seneca Merchants Association	2	16th Annual Spring Heritage Festival & Museum on the Green		\$ 1,000.00	\$ -	\$ 111,933.89



AGENDA ITEM SUMMARY  
OCONEE COUNTY, SC

COUNCIL MEETING DATE:

4-5-05

COUNCIL MEETING TIME:

7:00 pm

**ITEM TITLE OR DESCRIPTION:**

Oconee County Parks and Tourism Commission request for funds to purchase a display board, folding table and canopy for the purpose of displaying and disseminating tourism related materials.

**BACKGROUND OR HISTORY:**

During the Fiscal Year allocation and spending of Local Accommodations Tax funds received by the County are allocated to enhance the facilities that serve the tourists who visit the County and support the public services that are available to tourists in order to promote and further encourage tourism in the County. 2004-26, "An Ordinance Amending Ordinance 2002-14, An Ordinance Amending Ordinance 2001-05, An Ordinance For The Purpose Of Establishing A Local Accommodations Tax To Apply To All Accommodations Located In Oconee County". Per Ms. Lombard, there is \$40,557.18 in local accommodation funds available.

**SPECIAL CONSIDERATIONS OR CONCERNS:**

Members of the Parks and Tourism Commission have met and developed this project to further promote tourism in Oconee County by manning a tourism/area information booth at events throughout the County. Upcoming events include the Earth Day Event scheduled for April 23, 2005, to be held at High Falls Park and the Mountain Spirit of the River Festival on May 14, 2005, to be held at the Historical Long Creek Academy. Between events the display would be placed on display at a location for be determined. Possible sites include the South Carolina Visitor's Center or Lake Hartwell Recreational Area.

**STAFF RECOMMENDATION:**

The Oconee County Parks and Tourism Commission unanimously agreed to recommend to County Council the proposed project and funding for the purchase of a Six Panel Display System with Header Panel and Velcro, six foot folding table and canopy.

**FINANCIAL IMPACT:**

\$674.00 taken from Local Accommodations Tax.

**ATTACHMENTS:**

Itemized budget for materials with copies.

Submitted or Prepared By:

  
Department Head/Elected Official

Approved for Submittal to Council:

  
Ron H. Rabun, County Administrator

Reviewed By/ Initials:

N/A County Attorney

RFJ Finance

N/A Other

Apollo 6-panel Display System	\$416.45 (Staples)	\$349.99 (Quill)
Apollo Header Panel	\$ 65.89 (Staples)	\$ 59.99 (Quill)
Velcro Coins	\$ 16.99 (Staples)	
Six Foot Folding Table	\$ 55.94 (Staples)	
10 x 10 Variflex Canopy	\$159.00 (Lowes)	

**PURCHASE #1**

	<b>Option A</b>	<b>Option B</b>
Apollo 6-panel Display System	\$416.45 (Staples)	\$349.99 (Quill)
Apollo Header Panel	\$ 65.89 (Staples)	\$ 59.99 (Quill)
Velcro Coins	\$ 16.99 (Staples)	\$ 16.99 (Staples)
Six Foot Folding Table	\$ 55.94 (Staples)	\$ 55.94 (Staples)
10 x 10 Variflex Canopy	\$159.00 (Lowes)	\$159.00 (Lowes)
Subtotal	\$714.27	\$641.91
5% Sales Tax	\$ 35.71	\$ 32.09
<b>TOTAL</b>	<b>\$749.98</b>	<b>\$674.00 *</b>

\* I believe Staples will match Quill's prices, which will allow us to keep spending locally.




[Browse All Products](#)
[Expanding Quick Order](#)
[Advanced Search](#)




Shopping Cart

Item(s): 0 Subtotal: \$0.00

[View & Edit Cart](#)


FREE delivery on most orders over \$45

[Home](#)
[Products](#)
[On Sale](#)
[Use Account](#)
[Customer Service](#)
[Office Supplies / Meeting & Presentation / Display & Conference Boards/Panels / Display Boards & Panels / Apollo 3-or 6-panel Displays /](#)

## Apollo 6-panel display system; 72Hx72"W

Click image(s) to enlarge


 Item # 901-3093516  
[Product Details](#)

**Only**  
**\$349.99**  
 Each

### Accessories

#### Recommended

Select items to add to your cart

<input type="checkbox"/>	Apollo 3-panel display system; 36Hx22"W	\$199.99
<input type="checkbox"/>	Apollo 1-leader Panel for 3-6 Panel Display	\$59.99

 Pricing  
 \$349.99

 Unit  
 Each

 Qty  


[Add to Favorites List](#)

Shipping Info

 Delivery Time: 7 to 8 business days  
 Weight: 22 lbs. per Each

 Freight: Free\*  
 Method: Parcel

### Product Details

- Featherweight and portable, these panel table or floor displays let you advertise your company name and logo in style
- Perfect for trade shows, lobbies, real estate offices, schools, libraries and more
- Includes vinyl-carrying bag
- Graphics or display materials attach to fabric panels easily with Velcro® or push-pins
- Double-sided with blue background on one side and grey background on the other side
- Two 3-panel systems stack and lock into 6-panel floor display
- Each panel measures 36Hx24"W

[Back to top](#)


Can't find what you need? E-mail us or call 1-800-962-3400

[FEO Statement](#)
[Privacy & Security](#)
[Pricing Policy](#)
[Order Restrictions](#)
[About Quill](#)

[Careers@Quill](#)

 © Quill Corporation, Inc. 2005. All Rights Reserved.  
 This Web site is intended only for use by U.S. residents.



Reveals All Headlines

Go to top of page

APR 2005

apollo showboard

Go

Login

Shopping Cart

Items: 0 Subtotal: \$0.00

View & Edit Cart

Checkout

FREE delivery on most orders over \$45

Home

Products

On Sale

My Account

Customer Service

Office Supplies / Meeting & Presentation / Display & Conference (Signs/Posters) / Display Boards & Panels

## Apollo® Header Panel for 3-6 Panel Display

Click image(s) to enlarge:



Only  
\$59.99  
Each

### Accessories

#### Recommended

Select items to add to your cart

Apollo 6 panel display system, 22 1/2" x 72" W	\$349.99
Quill cables, 1M length	\$0.94

Item # 901-5893501  
Product Details

Pricing  
\$59.99

Unit  
Each

Qty.

1

Add to Cart

Add to Favorites List



#### Shipping Info

Delivery Time: 7 to 8 business days  
Weight: 1.6 lbs. per Each

Freight Method: Freight Parcel

#### Product Details

- Double-sided
- Graphics or display materials attach to fabric panel easily with Velcro® or push-pins
- Size: 9-3/4 x 23-1/2"

Create more display space with this unique display panel header.

Back to top

E-mail this to a friend

Can't find what you need? E-mail us or call 1-800-882-3400

FFD Statement

Privacy & Security

Product Policy

Order Descriptions

About Quill



Careers@Quill

© Quill Corporation, Inc. 2005. All Rights Reserved.  
This Web site is intended only for use by U.S. residents.

STAPLES

that was easy.™

Home

Office Supplies

Furniture

Technology

Custom Printing

Business Services

My Account

New At Staples  
Weekly Specials  
Technology Deals  
Clearance Center  
Rebate Center

Search

Featured Brands

Go

Shop by Catalog

Order by Catalog No.  
Request a Catalog

Shop by Store

View Local Chapters  
Find a Store

User Name

Password

Forget Password? [Log In](#)

New to Staples.com?  
Register for an Account

Online Orders

Check Order Status  
View Order History

Buy from past online order

Easy Reorder

Shopping Cart

0 Line Items in your cart

Hide Item Summary

Qty Item Summary

Subtotal:

Free Delivery on most ord  
over \$50!

Checkout [View Cart](#)

Favorite Items

Shopping made easier

Save a list of the product  
you buy most with Favor  
Items.

More Info...

Now there's  
an easy button  
for your business.

Learn more

Expo® Dry-Erase Kit

\$22.35 Qty.  
Each



Add to Cart

Add to Favorites

BUY MORE SAVE MORE

buy 3 or more @ \$21.29

Office Supplies / Boards &amp; Easels / Presentation Boards /

## Apollo ShowIt!™ Display System



Shown with optional Header Panel

Set up your display in seconds

- Double-sided reversible blue/gray fabric panels. Use Velcro® fasteners or pushpins for easy display of materials.
- Duralite construction with PVC frame.
- Three-panel system (413247)  
3'H x 6'W  
Each panel: 3'H x 2'W
- Six-panel system (413264)  
Consists of two three-panel systems that slack and lock into place (6'H x 6'W)  
Each panel: 3'H x 2'W
- Header Panel (447054)  
Optional header panel for company name, logo or file copy (2'H x 24'W)

Item / Item No.	Expected Delivery	Price	Unit	Qty.	Add to...
ShowIt!™ Display System, 3 Panels Item No. 413247	1 - 7 Business Days	\$296.25	Each	1	<a href="#">Add to Cart</a> <a href="#">Add to Favorites</a>
ShowIt!™ Display System, 6 Panels Item No. 413264	1 - 7 Business Days	\$416.45	Each	1	<a href="#">Add to Cart</a> <a href="#">Add to Favorites</a>
ShowIt!™ Header Panel 1 Business (System sold separately) Item No. 447054	1 Business Day	\$65.89	Header Panel	1	<a href="#">Add to Cart</a> <a href="#">Add to Favorites</a>
Item / Item No.	Expected Delivery	Price	Unit	Qty.	Add to...

Help | Order Status | Find a Store | Questions? Call 1-800-35STAPLES or email us

STAPLES

that was easy.™

Home

Office Supplies

Furniture

Technology

Custom Printing

Business Services

Order Status | Staples Rewards | Apply for Business Credit | Jobs | Find a Store | Help

New At Staples  
Weekly Specials  
Paper Deals  
Clearance Center  
Website Center

Search

  
 Featured Brands

Go

Shop by Catalog

Order by Catalog No.  
Request a Catalog

Shop by Store

View Local Catalog  
Find a Store

Click Here to obtain  
Manufacturer's Product  
Warranty Information

Office Supplies / Taps, Glue & Adhesives / VELCRO® Brand & Re closable Fasteners /

## VELCRO® Brand Coins, 3/4", Beige

Larger pack size



- Great for small or large fastening jobs on smooth surfaces
- Perfect for hanging objects where nail holes aren't desirable
- Dispenser box

Item No.	Expected Delivery	Unit
488537	1 Business Day	200/Box

\$16.99

Qty  
1

Add to Cart

Add to Favorites

My Account

User Name

Password

Forgot Password?

New to Staples.co  
Register for an Account

Online Orders

Check Order Status  
View Order History

Buy from past online

Easy reorder

Shopping Cart

0 Line Items in your cart

Hide Item Sum

Qty Item Summary Subt

Free Delivery on most over \$50!

Checkout

View C

Favorite Items

Shopping made e

Save a list of the pr  
you buy most with F  
Items.

More Info...

Now there's  
an easy button  
for your business.

Learn

Help | Order Status | Find a Store | Questions? Call 1-800-35STAPLE or email us

Staples 365 Savings | Apply for Business Credit | Staples Rewards  
Affiliate Program

About Staples | Jobs | Privacy Policy & Security | Terms and Conditions

Copyright 2005 Staples, Inc. All Rights Reserved  
This website is intended only for use by U.S. residents.



Welcome! You are shopping at **SENECA, S. C.** ([change](#)).

[Home](#) | [Shade Structures](#)

## Variflex 10' x 10' Commercial Quickshade Canopy

Item #: 34783

Model: 8-9228XW

**\$159.00**

### Product Availability:

**Online**  
Shipping Options include  
Lowe's Delivery

**In Store**  
Buy online and pickup at your local Lowe's store  
**LOWE'S OF SENECA, S. C.**



[Add to Cart](#)

[Click to Enlarge](#)

### Description

### Customer Ratings

100 square feet of shade covers 6 to 8 people comfortably.

One piece fully assembled instant canopy.

All-steel construction with powder coated finish for durability.

Folds down to 46.5", fits in most car trunks.

Patented Smooth Glide™ ball bearings between joints for quicker operation.

100% UV protection with aluminum backed polyester top to prevent heat and light penetration.

Comes with wheeled bag and 4 anchoring stakes.

Table not included.

[See Our Rebates](#)

### Lowe's Credit Services

Finance your ideas.  
No annual fees. Low  
monthly payments.  
[Learn more](#)  
[Apply now](#)

### Need Help?

- [Help](#)
- [Contact Us](#)
- [Find Your Local Store](#)

### Inspiration and Help from L

- [Product Guides](#)  
Be informed before you buy.
- [How-To Library's](#)  
Projects and ideas for do-it-yourselfers.
- [Interactive Design Tools](#)  
Project calculators, planners, demos and more.



**AGENDA ITEM SUMMARY**  
**OCONEE COUNTY, SC**  
**COUNCIL MEETING DATE: 4/5/05**  
**COUNCIL MEETING TIME: 7:00 PM**

**ITEM TITLE OR DESCRIPTION:**

Adoption of Memorandum of Understanding between Oconee County & Upstate Animal Rescue of Anderson, SC.

**BACKGROUND OR HISTORY:**

Oconee County took over the Animal Shelter, effective July 1, 2005, since that time we have averaged putting down 83% on the animals. Upstate Animal Rescue has already placed several of our animals for adoption reducing the number of animals we have had to put down recently.

**SPECIAL CONSIDERATIONS OR CONCERNS:**

This agreement will help the County increase animal adoptions.

**STAFF RECOMMENDATION FOR COUNCIL ACTION:**

1. Adoption of the attached Memorandum of Agreement by and between Oconee County and Upstate Animal Rescue.
2. Approval of fees (to cover costs of testing and medications) these animals are released to Upstate Animal Rescue before being spayed/neutered) for animals that are adopted through the Upstate Animal Rescue program (See Section 5 of Proposed Agreement)

**FINANCIAL IMPACT:**

Potential reduction of the cost of County operational expenses by releasing these animals to be placed for foster care or adoption through the Upstate Rescue Program.

**ATTACHMENTS:**

Proposed Memorandum of Agreement  
Submitted or Prepared By:

Opal O. Green  
Department Head/Elected Official

Approved for Submittal to Council:

  
Ron H. Rabun, County Administrator

Reviewed By/Initials:

WAG County Attorney

RA Finance

\_\_\_\_\_ Other



STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF OCONEE )

MEMORANDUM OF UNDERSTANDING

WHEREAS, Oconee County, a body politic of the State of South Carolina, operates the Oconee County Animal Shelter (hereinafter "Shelter") in Oconee County, South Carolina; and

WHEREAS, the Shelter often has animals that are picked up pursuant to the Oconee County Animal Control Ordinance and/or the state law; and

WHEREAS, the Shelter also has animals that are placed at the animal shelter by citizens of Oconee County; and

WHEREAS, because of limited space, if animals that are located at the Shelter are not adopted within a reasonably short period of time, the animals must be euthanized, at a considerable cost to Oconee County; and

WHEREAS, the Upstate Animal Rescue (hereinafter "Upstate Rescue") in Anderson, South Carolina (hereinafter "Rescue") has developed a program to assist animal shelters in the adoption of animals;

WHEREAS, both parties agree that it would be beneficial both to Oconee County and to animals located at the Oconee County Animal Shelter to implement a program to increase the number of adoptions of animals;

NOW THEREFORE, the Oconee County and Upstate Animal Rescue agree as follows:

1. When a dog or cat is received by the Shelter, the Shelter will expeditiously photograph the animal and transfer the picture and information relevant on the animal to Upstate Rescue through the Internet.

2. Upstate will attempt to locate a foster family to house and care for the animal. If a foster family is found, the animal will be taken from the Shelter and placed into the foster program. If a cat is placed into the foster program, will immediately test the cat for feline leukemia and give all necessary vaccines to the cat. If a dog is placed into the foster program, the shelter will immediately check the dog for heartworms and give all necessary vaccines to the dog. The parties may use additional medications and supplies that are provided by donations.

3. All animals placed in the foster program must be kept by the Shelter and/or Upstate Rescue for a statutory period of five (5) days prior to the animal being available for adoption unless the owner of the animal has signed ownership of the animal.



over to the Shelter or Upstate. Any animal taken involuntarily from its owner pursuant to violation(s) of the Oconee County Animal Control Ordinance and/or state law must be kept by the Shelter and/or Upstate Rescue until final disposition of the criminal charge(s) unless the owner has relinquished ownership of said animal.

4. All animals that are placed in the foster program will be part of the standard Spay/ Neuter Program. If it is determined that an animal has already been spayed or neutered or if the animal has already received all necessary vaccines, the animal will not have to receive additional medical treatment.

5. Once an animal is properly placed with a foster home pursuant to this program, Upstate shall have complete discretion in the adoption of the animal. In the event that an animal is adopted through a pet store that pays a fee for the adoption, Upstate Rescue will remit the full fee to Oconee County. This County will also be paid \$16.50 per dog and \$22.50 per cat for each adoption when the County does not pay for the Spay/Neuter Program. The County will be paid \$67.46 per dog and \$67.92 per cat for each adoption if the County pays to have the animal spayed or neutered. These payments will be used to offset the County's expense for medicine, vaccines and the Spay/Neuter Program. These costs may increase as the cost for medicines and vaccines increase to the County.

6. Upstate Rescue will be allowed to place several suitable portable kennels inside the Oconee Shelter fence for dogs and several suitable portable cat cages inside the cat room to be picked up by Upstate Rescue pursuant to the herein foster program.

7. The County and the Upstate Rescue will work together to designate a member of the Shelter staff to coordinate this program on behalf of Oconee County.

Executed this \_\_\_\_ day of April, 2005, by and between Oconee County and Upstate Rescue.

---

Kelly Blair  
Upstate Animal Rescue

---

H. Frank Ables, Jr.  
Chairman  
Oconee County Council

**AGENDA ITEM SUMMARY  
OCONEE COUNTY, SC**

**COUNCIL MEETING DATE:** April 5<sup>th</sup>, 2005  
**COUNCIL MEETING TIME:** 7:00 pm

**ITEM TITLE OR DESCRIPTION:**

Work Authorization for TBI project #3401-0502 for Talbert & Bright (consultant) to complete a revision of the Airport Environmental Assessment as required by the FAA.

**BACKGROUND OR HISTORY:**

The Consultant shall revise and modify the "draft" CEU Environmental Assessment dated January 2004 to reflect proposed actions consistent with the preferred option identified in the 2004 CEU *Runway 7-25 Extension Preliminary Engineering Study*. The "draft" CEU Environmental Assessment was submitted to the Airport Sponsor, FAA and SCDOA in January 2004. The Consultant shall proceed with the CEU Environmental Assessment in order to obtain a Finding of No Significant Impact (FONSI).

Specifically, the amended CEU Environmental Assessment will document the extent of environmental impacts associated with the phased extension of Runway 7-25 from 4,400' to 5,000', and ultimately 5,500'. This entails an assessment of potential impacts associated with Airport property acquisition/relocations, the extension of Runway 7-25 and safety areas, the re-alignment corridor of SC 34 (Shiloh Road) beyond Runway 7 end, the re-alignment around the terminal area, the installation of NAVAJO equipment, the expansion of terminal area facilities and related projects.

Major components of the EA revisions include:

- *Revise EA Proposed Actions*
- *Revise EA Alternative Discussion*
- *Solicit Agency comments regarding revised EA Proposed Actions*
- *Verify EA Effected Environment & Impacts*
- *Amend and revise EA Exhibits*
- *Print and distribute for Agency review*
- *Provide opportunity for public outreach*

The estimate time to prepare an amended "draft" CEU Environmental Assessment submitted for Agency response is 120 days, exclusive of Airport Sponsor and Agency review periods.

**SPECIAL CONSIDERATIONS OR CONCERNS:**

County's 2.5% match will not be required until next fiscal year, according to Mr. Al Smith with Talbert & Bright.

**STAFF RECOMMENDATION:**

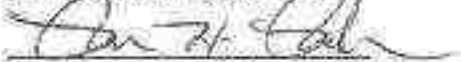
Approve work authorization and authorize County Administrator to sign all related documents.

**FINANCIAL IMPACT:**

The entire project will cost \$27,700, 95% of the cost will be paid by the FAA and 2.5% will be funded by the SC Division of Aeronautics. Once County will be responsible for funding the remaining 2.5% a total of \$692.50.

**ATTACHMENTS:**

Submitted or Prepared By:



Department Head/ Elected Official

Reviewed By/ Initials:

 County Attorney

 Finance

 Grants

Other

C: Clerk to Council

Approved for Submittal to Council:



Ron H. Rabun, County Administrator

**AGENDA ITEM SUMMARY  
OCONEE COUNTY, SC**

**COUNCIL MEETING DATE:** April 5<sup>th</sup>, 2005  
**COUNCIL MEETING TIME:** 7:00 pm

**ITEM TITLE OR DESCRIPTION:**

Work Authorization for TBI project # 3401-0501 for Talbert & Bright (consultant) to complete an update of existing CEU planning documentation currently in 'final draft' form, and for the preparation of new planning documentation in support of the Runway 7-25 extension project as required by the FAA.

**BACKGROUND OR HISTORY:**

The Consultant shall conduct airport planning efforts for the extension of Runway 7-25 at the Oconee County Regional Airport (CEU), South Carolina. As requested by the FAA Southern Region, the planning effort includes an update of existing CEU planning documentation currently in 'final draft' form, and for the preparation of new planning documentation in support of the Runway 7-25 extension project.

The planning stages are as follows:

- TASK 1 (Amend) – Update 'draft' 2002 CEU Runway Extension Justification Study & Surveys*
- TASK 2 (Amend) – Update 'draft' 2003 CEU ALP Narrative Report*
- TASK 3 (Amend) – Update 'draft' 2003 CEU ALP Airport Layout Drawing (ALD)*
- TASK 4 (Amend/New) – Prepare CEU Supporting ALP Drawing (Full-Set)*
- TASK 5 (New) – Conduct Airport Property Survey/Plot for ALP, Airport Exhibit 'A' Drawing*

The estimated time schedule for preparing a 'final draft' document for Task 1 thru 5, and submittal to Agency review is one hundred and fifty days (150), exclusive of Airport Sponsor and Agency Review.

**SPECIAL CONSIDERATIONS OR CONCERNS:**

County's 2.5% match will not be required until next fiscal year, according to Mr. Al Smith with Talbert & Bright.

**STAFF RECOMMENDATION:**

Approve work authorization and authorize County Administrator to sign all related documents.

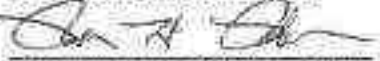
**FINANCIAL IMPACT:**

The entire project will cost \$94,300.00. 95% of the cost will be paid by the FAA and 2.5% will be funded by the SC Division of Aeronautics. Oconee County will be responsible for funding the remaining 2.5% a total of \$2,357.50.

**ATTACHMENTS:**

4 copies of the Work Authorization for executions upon approval by Oconee County Council.

Submitted or Prepared By:



Department Head / Elected Official

Reviewed By/ Initials:

N/A County Attorney

[Signature] Finance

[Signature] Grants

N/A Other

C: Clerk to Council

Approved for Submittal to Council:



Ron H. Rabun, County Administrator

**ATTACHMENTS:**

4 copies of the Work Authorization for executions upon approval by Oconee County Council.

Submitted or Prepared By:

*Ron H. Rabun*

Department Head / Elected Official

Reviewed By: Initials:

NA County Attorney

RR Finance

JJS Grants

NA Other

C: Clerk to Council

Approved for Submittal to Council:

*Ron H. Rabun*

Ron H. Rabun, County Administrator

**AGENDA ITEM SUMMARY**  
**OCONEE COUNTY, SC**

**COUNCIL MEETING DATE:** April 5<sup>th</sup>, 2005  
**COUNCIL MEETING TIME:** 7:00 pm

**ITEM TITLE OR DESCRIPTION:**

Work Authorization for FBI project # 3401-0501 for Talbert & Bright (consultant) to complete an update of existing CEU planning documentation currently in 'final draft' form, and for the preparation of new planning documentation in support of the Runway 7-25 extension project as required by the FAA.

**BACKGROUND OR HISTORY:**

The Consultant shall conduct airport planning efforts for the extension of Runway 7-25 at the Oconee County Regional Airport (CEU), South Carolina. As requested by the FAA Southern Region, the planning effort includes an update of existing CEU planning documentation currently in 'final draft' form, and for the preparation of new planning documentation in support of the Runway 7-25 extension project.

The planning stages are as follows:

*TASK 1 (Amend) - Update 'draft' 2002 CEU Runway Extension Justification Study & Surveys*

*TASK 2 (Amend) - Update 'draft' 2003 CEU ALP Narrative Report*

*TASK 3 (Amend) - Update 'draft' 2003 CEU ALP Airport Layout Drawing (ALD)*

*TASK 4 (Amend/New) - Prepare CEU Supporting ALP Drawing (Full-Set)*

*TASK 5 (New) - Conduct Airport Property Survey/Plat for ALP, Airport Exhibit 'A' Drawing*

The estimated time schedule for preparing a 'final draft' document for Task 1 thru 5, and submittal to Agency review is one hundred and fifty days (150), exclusive of Airport Sponsor and Agency Review.

**SPECIAL CONSIDERATIONS OR CONCERNS:**

County's 2.5% match will not be required until next fiscal year, according to Mr. Al Smith with Talbert & Bright.

**STAFF RECOMMENDATION:**

Approve work authorization and authorize County Administrator to sign all related documents.

**FINANCIAL IMPACT:**

The entire project will cost \$94,300.00. 95% of the cost will be paid by the FAA and 2.5% will be funded by the SC Division of Aeronautics. Oconee County will be responsible for funding the remaining 2.5% a total of \$2,357.50.

**ATTACHMENTS:**



4 copies of the Work Authorization for executions upon approval by Oconee County Council.

Submitted or Prepared By:



Department Head / Elected Official

Reviewed By: Initials:

N/A County Attorney

DP Finance

JRS Grants

N/A Other

C: Clerk to Council

Approved for Submittal to Council:



Ron H. Rabun, County Administrator

**ATTACHMENTS:**

4 copies of the Work Authorization for executions upon approval by Oconee County Council.

Submitted or Prepared By:



Department Head / Elected Official

Reviewed By/ Initials:

NA County Attorney

RLJ Finance

HJS Grants

N/A Other

Approved for Submittal to Council:



Ron H. Rabun, County Administrator

C: Clerk to Council

ATTACHED

TBI WORK AUTHORIZATION  
OCONEE COUNTY REGIONAL AIRPORT

3401-0501 (PLANNING UPDATE)

**OCONEE COUNTY REGIONAL AIRPORT  
WORK AUTHORIZATION FOR PROFESSIONAL SERVICES  
Work Authorization No. 05-01 (Addendum to 02-02)  
February 4, 2005  
TBI Project No. 3401-0501 (Addendum to 3401-0202)**

It is agreed to undertake the following work in accordance with the provisions of our Contract for Professional Services. The Contract shall be amended to allow for the following work:

**Description of Work Authorization:** The Consultant shall conduct airport planning efforts for the extension of Runway 7-25 at the Oconee County Regional Airport (CEU), South Carolina. As requested by the FAA Southern Region, the planning effort includes an update of existing CEU planning documentation currently in 'final draft' form, and for the preparation of new planning documentation in support of the Runway 7-25 extension project.

The planning stages are as follows:

- TASK 1 (Amend) – Update 'draft' 2002 CEU Runway Extension Justification Study & Surveys
- TASK 2 (Amend) – Update 'draft' 2003 CEU ALP Narrative Report
- TASK 3 (Amend) – Update 'draft' 2003 CEU ALP, Airport Layout Drawing (ALD)
- TASK 4 (Amend/New) – Prepare CEU Supporting ALP Drawings (Full-Set)
- TASK 5 (New) – Conduct Airport Property Survey/Plat for ALP, Airport Exhibit 'A' Drawing

**Time Schedule:** The estimated time schedule for preparing a 'final draft' document for Tasks 1 to 5, and submittal to Agency review is one hundred and fifty days (150) days, exclusive of Airport Sponsor and Agency review.

**Cost of Services:** The method of payment for the Study shall be lump sum in accordance with Section V of the current Contract for Professional Services. The total lump sum fee for Project Formulation is \$6,452, Task 1 (Revised Justification Study) is \$8,520, Task 2 (Revised ALD Narrative) is \$5,000, Task 3 (Revise ALD) is \$3,892, Task 4 (Revised Supplemental ALP Drawings) is \$33,798, and Task 5 (Airport Exhibit 'A' Property Map) is \$5,820. TBI direct expenses total \$3,218 and subconsultant services total \$27,500, including TBI administrative costs. Any authorized additional services will be performed on an hourly basis, with expenses included at cost, plus 10%. Attendance at additional meetings, supplementary consultation, or other requests of the Owner beyond those specifically outlined in this Work Authorization shall be considered as additional services, and charged on an hourly basis.

Agreed as to scope of services, time schedule and budget.

Approved:

\_\_\_\_\_  
For Oconee County Regional Airport

  
\_\_\_\_\_  
For Talbert & Bright, Inc.

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

Date: 3/14/2005

\_\_\_\_\_  
Witness

  
\_\_\_\_\_  
Witness

**SCOPE OF SERVICES (ADDENDUM TO 3401-0202)**

The following project Scope of Services defines the approach and schedule for updating supporting airport planning documentation for the Oconee County Regional Airport (CER) South Carolina. The initial Scope of Services and Work Authorization dated May 2, 2002 is being amended to respond to planning efforts requested by the FAA Southern Region resulting from a preferred development option (Option V) as determined from the 2004 CER Runway 2-25 Extension Preliminary Engineering Study.

OCONEE COUNTY REGIONAL AIRPORT Planning Addendum Schedule			
Stage/ Tasks	Status	Project Description	Completion From Notice to Proceed Date
Task 1	Amended	Update 'Draft' 2002 CER Runway Extension Justification Study & User Surveys	120 Days *
Task 2	Amended	Update 'draft' 2003 CER ALP Narrative Report	120 Days *
Task 3	Amended	Update 'draft' 2003 CER ALP Airport Layout Drawing (ALD Sheet)	150 Days *
Task 4	Amended/New	Prepare CER Supporting ALP Drawings (Full Set)	150 Days *
Task 5	New	Conduct Airport Property Boundary Survey for ALP Airport Exhibit 'A' Property Map	150 Days *

\* exclusive of sponsor and agency review

**TASK 1: REVISE CER RUNWAY EXTENSION JUSTIFICATION STUDY/ SURVEYS  
 (STAGE 1 of 3401-0202)**

The narrative report will be revised to reflect supplemental survey and interview responses solicited from turbine operators requiring more than 4,400'. The survey effort includes distributing (mail and hand-out) a questionnaire to document 'actual' and 'proposed' user activity and performance needs. Both the Consultant and Airport Sponsor will be involved in collecting additional survey responses, testimonials and letters of intent.

**TASK 2: UPDATE ALP NARRATIVE REPORT  
 (STAGE 2 of 3401-0202)**

The narrative report will be revised to reflect supplemental activity from the Runway Extension Justification Study, changes to the phased runway extension project, and estimated project costs.

**TASK 3: UPDATE ALP, AIRPORT LAYOUT DRAWING (ALD) - SINGLE SHEET**  
(STAGE 2 of 3401-0202)

The ALP, Airport Layout Drawing (ALD) submitted to the FAA in June 2003 will be revised to reflect the following:

- Update per 150-5300-13, *Airport Design* (Change #8) - FAA ALP Checklist (May 2004)
- Depict phased ARC B-II and ARC C-II design standards
- Depict future 5,000' Runway 7-25 length
- Depict ultimate 5,500' Runway 7-25 length
- Depict preferred SC 37 (Shiloh Road) re-alignment option
- Depict phased installation of ILS localizer and glideslope

**TASK 4: UPDATE SUPPORTING AIRPORT LAYOUT PLAN (ALP) DRAWINGS**  
(STAGE 2-A of 3401-0202)

The entire supporting ALP drawing set will be prepared consistent with the ALP, Airport Layout Drawing (ALD) resulting from findings of the 2004 *CEL Runway 1-25 Extension Preliminary Engineering Study*. The supporting ALP drawings will be prepared in AutoCAD, Release 2000 with colored enhance capabilities:

- ALP, Cover Sheet
- ALP, Airspace Drawing
- ALP, Terminal Area & Access Drawing
- ALP, Inner-Portion of the Approach Surface Drawing (per runway end)
- ALP, Runway Centerline Drawing
- ALP, Airport Land Use Drawing
- ALP, Airport Property Map "Exhibit A" (per property boundary survey / plat)

**ALP Review & Deliverables:** The Airport Sponsor, FAA and SCDOA will be provided with the following list of deliverables.

**Airport Sponsor:**

Draft ALP Set	
Final Draft ALP Set	2 Copies
Final ALP Set (Sponsor Signature / FAA & SCDOA Acceptance)	2 Copies
Electronic Copy	3 Copies
	1 Diskette

**Federal Aviation Administration (FAA):**

Draft ALP Set	
Final Draft ALP Set	2 Copies
Final ALP Set (Sponsor Signature / FAA & SCDOA Acceptance)	3 Copies
Electronic Copy	3 Copies
	1 Diskette

SC, Division of Aeronautics (SCDOA):

Draft ALP Set

Final Draft ALP Set

Final ALP Set (Sponsor Signature / FAA & SCDOA Acceptance)

Electronic Copy

2 Copies

2 Copies

2 Copies

1 Diskette

**TASK 5: AIRPORT PROPERTY BOUNDARY SURVEY  
(NEW)**

The Airport Exhibit 'A' Property Map (Map) is a required Airport Layout Plan (ALP) drawing which defines individual parcels and tracts showing the current Airport property boundary compiled from deed research, available mapping/surveys and field verification. The existing CEU Airport Exhibit 'A' Property Map, prepared April 1992 and amended in August 1996 and September 1999 lacks property acquired by the Airport in recent years. In addition, the property boundary does not close. The tasks associated with this effort are as follows:

- Airport Property Research / Review Existing CEU Airport Property Map
- Property Surveying - Preliminary Property Plat
- Develop Airport Exhibit 'A' Property Map
- Deliver and Transmit Final Draft Airport Exhibit 'A' Property Map
- Respond to Agency Comments / Final Airport Exhibit 'A' Property Map

Documentation

Reports will be prepared and submitted to the County, SCDOA and FAA throughout the planning process, including working papers and progress reports. The opportunity is thus furnished for all interested parties to be well informed of study progress in advance of reviews and meetings. Each working paper will be forwarded in advance of all meetings, and will be fully documented to support the findings, assumptions and recommendations.

Meetings

The coordination is directed toward the following:

- *Technical Meeting:* Participants involved in administering the Study.
- *Presentation Meeting:* Governing body presentational meeting.

Project Meetings (Addended Meetings/Site Visits):

Airport Meeting #1 - Property Survey On-Site Coordination (Subconsultant)

Airport Meeting #2 - ALP Planning Meeting (Sponsor, FAA & SCDOA)



**TBI Contact:**

If there are any questions with regard to this project, please feel free to contact:

Jay Talbert - Talbert & Bright, Inc. (910-763-5350) - jtalbert@tbiinc.com

Jeff Smith - Talbert & Bright, Inc. (910-763-5350) - jsmith@tbiinc.com



Manhour Estimate / Project Budget  
 Osceola County Regional Airport (ORF)  
 February 4, 2015  
 TBI No. 3401-0501 (Addendum)

STAGE TASK	PRON \$128	PM \$104	PLMR 3 \$62	TECH 4 \$72	SEC 3 \$42	TOTAL
4.2 Airport Airspace Drawing (40% Complete)						
Digital Base Airspace Mapping						0
Ground Features			1	2		3
Runway Approach Surfaces			1	2		3
Obstruction Data / Obstruction Table			1	2		3
Subtotal - Manhours	0	0	3	6	0	9
Subtotal - Labor Expense	\$0	\$0	\$186	\$432	\$0	\$618
Note: Involves approach surfaces and obstruction analysis for 5,000' length.						
4.3 Airport Inner-Approach Drawing - Rwy 7 (PI) (20% Complete)						
FAR Part 77 Imaginary Surfaces		2		6		8
Threshold Siting Surface / TERPS		2		6		8
Approach Features & Colour Information				2		2
Obstruction Depictions / Table			4	4		8
Drawing Notes/Comments		2		2		4
Airport Inner-Approach Drawing - Rwy 25 (NP) (20% Complete)						
FAR Part 77 Imaginary Surfaces		2		6		8
Threshold Siting Surface / TERPS				1		1
Approach Features & Colour Information			2	2		4
Obstruction Depictions / Table				2		2
Drawing Notes/Comments		2		1		3
Subtotal - Manhours	0	10	9	29	0	48
Subtotal - Labor Expense	\$0	\$1,040	\$572	\$2,088	\$0	\$3,500
Note: Involves approach surfaces and obstruction analysis for 5,000' length.						
4.4 Airport Centerline & Profile Drawing (0% Complete)						
Runway 7-25	1	1	4	4		10
Subtotal - Manhours	1	1	4	4	0	10
Subtotal - Labor Expense	\$128	\$104	\$248	\$288	\$0	\$768
Note: Involves analysis for 5,000' length.						
4.5 Airport Terminal Area / Access Drawing (50% Complete)						
Existing Structures						0
Proposed Structures						0
Design Standards / Top Elevations / Tables						0
Subtotal - Manhours	0	0	0	0	0	0
Subtotal - Labor Expense	\$0	\$0	\$0	\$0	\$0	\$0
Note: Includes building construction details or confirmation for compliance with local building codes. Note: Includes top elevations of building & structures as available per surveyed and non-surveyed sources.						
4.6 Airport Land Use Drawing (0% Complete)						
INM Noise Contours (Ultimate - Year 2022)		1	1	1		3
Cr-Airport Land Uses		1	1	2		4
Cl-Airport Land Uses		1	1	2		4
Subtotal - Manhours	0	3	3	5	0	11
Subtotal - Labor Expense	\$0	\$312	\$186	\$376	\$0	\$874
Note: INM noise contours based on forecasted operations for year 2022 per CEU A/F Update Narrative (October, 2009). Note: 95 INM depicted on Land Use Drawing, or as directed by Airport Sponsor.						





**AGENDA ITEM SUMMARY**  
**OCONEE COUNTY, SC**

**COUNCIL MEETING DATE:** April 5<sup>th</sup>, 2005  
**COUNCIL MEETING TIME:** 7:00 pm

**ITEM TITLE OR DESCRIPTION:**

Work Authorization for TBI project #3401-0502 for Talbert & Bright (consultant) to complete a revision of the Airport Environmental Assessment as required by the FAA.

**BACKGROUND OR HISTORY:**

The Consultant shall revise and modify the "draft" CEU Environmental Assessment dated January 2004 to reflect proposed actions consistent with the preferred option identified in the 2004 CEU *Runway 7-25 Extension Preliminary Engineering Study*. The "draft" CEU Environmental Assessment was submitted to the Airport Sponsor, FAA and SCDOA in January 2004. The Consultant shall proceed with the CEU Environmental Assessment in order to obtain a Finding of No Significant Impact (FONSI).

Specifically, the amended CEU Environmental Assessment will document the extent of environmental impacts associated with the phased extension of Runway 7-25 from 4,400' to 5,000', and ultimately 5,500'. This entails an assessment of potential impacts associated with Airport property acquisition/relocations, the extension of Runway 7-25 and safety areas, the re-alignment corridor of SC 34 (Shiloh Road) beyond Runway 7 end, the re-alignment around the terminal area, the installation of NAVAID equipment, the expansion of terminal area facilities and related projects.

Major components of the EA revisions include:

- *Revise EA Proposed Actions*
- *Revise EA Alternative Discussion*
- *Solicit Agency comments regarding revised EA Proposed Actions*
- *Verify EA Effected Environment & Impacts*
- *Amend and revise EA Exhibits*
- *Print and distribute for Agency review*
- *Provide opportunity for public outreach*

The estimate time to prepare an amended "draft" CEU Environmental Assessment submitted for Agency response is 120 days, exclusive of Airport Sponsor and Agency review periods.

**SPECIAL CONSIDERATIONS OR CONCERNS:**

County's 2.5% match will not be required until next fiscal year, according to Mr. Al Smith with Talbert & Bright.

**STAFF RECOMMENDATION:**

Approve work authorization and authorize County Administrator to sign all related documents.



**FINANCIAL IMPACT:**

The entire project will cost \$27,700. 95% of the cost will be paid by the F.A.A. and 2.5% will be funded by the SC Division of Aeronautics. Oconee County will be responsible for funding the remaining 2.5% a total of \$692.50.


**ATTACHMENTS:**

Submitted or Prepared By:




Department Head/ Elected Official

Reviewed By/ Initials:

 County Attorney

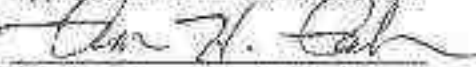
 Finance

 Grants

Other

C: Clerk to Council

Approved for Submittal to Council:



Ron H. Rabun, County Administrator

ATTACHED

TBI WORK AUTHORIZATION  
OCONEE COUNTY REGIONAL AIRPORT

3401-0502 (EA UPDATE)

**OCONEE COUNTY REGIONAL AIRPORT  
WORK AUTHORIZATION FOR PROFESSIONAL SERVICES  
Work Authorization No. 05-02 (Addendum to 01-01)  
February 4, 2005  
TBI Project No. 3401-0502 (Addendum to 3401-0101)**

It is agreed to undertake the following work in accordance with the provisions of our Contract for Professional Services. The Contract shall be amended to allow for the following work:

---

**Description of Work Authorization:** The Consultant shall revise and modify the 'draft' CEU Environmental Assessment dated January 2004 to reflect proposed actions consistent with the preferred option identified in the *2004 CEU Runway 7-25 Extension Preliminary Engineering Study*. The 'draft' CEU Environmental Assessment was submitted to the Airport Sponsor, FAA and SCDOA in January 2004. The Consultant shall proceed with the CEU Environmental Assessment in order to obtain a Finding of No Significant Impact (FONSI).

Specifically, the amended CEU Environmental Assessment will document the extent of environmental impacts associated with the phased extension of Runway 7-25 from 4,400' to 5,000', and ultimately 5,600'. This entails an assessment of potential impacts associated with Airport property acquisition/relocations, the extension of Runway 7-25 and safety areas, the re-alignment corridor of SC 34 (Shiwh Road) beyond the Runway 7 end, the re-alignment of SC 394 around the terminal area, the installation of NAVAID equipment, the expansion of terminal area facilities and related projects.

Major components of the EA revisions include:

- Revise EA Proposed Actions
- Revise EA Alternative Discussion
- Solicit Agency comments regarding revised EA Proposed Actions
- Verify EA Effected Environment & Impacts
- Amend and revise EA Exhibits
- Print and distribute for Agency review
- Provide opportunity for public outreach

**Time Schedule:** The estimated time to prepare an amended 'draft' CEU Environmental Assessment submitted for Agency response is 120 days, exclusive of Airport Sponsor and Agency review periods.

**Airport Meetings:**

- Extra EA Meeting #1 – EA On-Site Investigation & Coordination (Subconsultant)
- Extra EA Meeting #2 – EA On-Site Coordination (Agencies/DOT)

**Cost of Services:** The method of payment for the Study shall be lump sum in accordance with Section V of the current Contract for Professional Services. The total lump sum fee for amending the CEU Environmental Assessment is \$27,700. Additional services will be performed on an hourly basis if determined to be needed and so directed by the Airport Sponsor/FAA.

Agreed as to scope of services, time schedule and budget.

Approved:

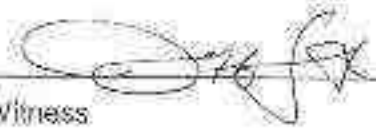
\_\_\_\_\_  
For Oconee County Regional Airport

  
\_\_\_\_\_  
For Talbert & Bright, Inc.

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

Date: 3/29/2005

\_\_\_\_\_  
Witness

  
\_\_\_\_\_  
Witness

Manhour Estimate / Project Budget  
 Amend Environmental Assessment  
 Coconino County Regional Airport  
 TBI No. 3401-0502 (Amendment to 3401-0101)

	PRIN \$128	PM/ENV \$109	PLNR 3 \$62	T4 \$72	S3 \$47	TOTAL
<b>PROJECT FORMULATION</b>						
Revise Scope, Budget and Work Authorization Project Application / Funding Assistance	2	4			4	10
	2	4			2	8
Manhours	4	8	0	0	6	18
Labor Expense	\$512	\$1,090	\$0	\$0	\$672	\$2,274

**PHASE 2 ENVIRONMENTAL ASSESSMENT**

2.1 Project Mapping / Agency Coordination		16	8	4		30
2.2 Revise EA Introduction		8				10
2.3 Revise Affected Environment	2	18	8	3		31
2.4 Revise Impact Consequences	2	24	8	3		37
2.5.1 Prepare "Draft" EA Report / Comments	2	24	4	3		33
2.5.2 Prepare "Final Draft" EA Report / Comments	2	16	4	4		30
2.6 Prepare "Final" EA Report w/ FONSI	2	12	8	4	4	30
4 Extra EA Meeting #1 (Subconsultant)	8	8	2	2	0	22
6 Extra EA Meeting #2 (EA Agency/DOY)	8	8	2	2	2	22

Note: Revisions include text and graphic modifications to the "draft" EA report.

Manhours	26	132	44	25	23	250
Labor Expense	\$3,328	\$14,368	\$2,728	\$1,800	\$936	\$23,210

**Direct Expenses**

Expense Description	Unit	Unit Rate	Estimated Units	Estimated Cost
Travel - Aircraft (FAIR)	Hour	\$250.00	4	\$1,000
Travel - Auto (AUMILE)	Miles	\$0.36	400	\$144
Lodging - Meals (LOG/MEA)	Lump Sum	\$75.00	1	\$75
Reproduction Photocopy (PRNT)	Each	\$0.15	3000	\$450
Reproduction Small Drawing (PRNT)	Each	\$1.25	40	\$50
Reproduction Large Drawing (PRNT)	Each	\$2.00	10	\$20
Photographs (PHOTO)	Each	\$1.50	0	\$0
Telephone (PHONE/FACS)	Lump Sum	\$80.00	1	\$80
Mailing (POSTG)	Lump Sum	\$85.00	1	\$85
Other Expenses (OTHR)	Lump Sum	\$87.00	1	\$87
Subtotal Expenses				\$2,216

Total TBI Manhours	250
Total TBI Labor Cost	\$23,210
Total TBI Expenses	\$25,426
Total TBI Subconsultant Administrative Cost	\$2,216
Total TBI Subconsultant Services	\$0

<b>PROJECT TOTAL</b>	<b>\$27,600</b>
----------------------	-----------------







- A. Sheet Size - Same as Airport Layout Drawing sheet size 22" x 34". The Map must be drawn to scale, all text must be legible, and all information must be on one (1) sheet.
- B. Scale - Same as Airport Layout Drawing.
- C. Title and Revision Block - Same as Airport Layout Drawing (prepared and provided electronically by Talbert & Bright Inc.)
- D. Legend - Use standard drafting symbols (i.e., shading, cross-hatching, or other tonal effects) and legend table to indicate the type of acquisition involved with each tract or area.
- E. Data Table - A data table with a numbering or lettering system should be used to show pertinent data applicable to property acquisitions. The following data must be included:
  1. The date the property was acquired.
  2. Grantor
  3. Grantee
  4. Type of land acquisition interest (fee or easement)
  5. Purpose for land acquisition / property release & date of FAA approval.
  6. Acreage
  7. County deed book & page reference
  8. Date of recording or date acquired
  9. Land in which the Airport is requesting reimbursement
  10. The Federal aid project number under which the property was acquired. Like property interests acquired with Federal funds under the same project may be grouped together and shown as one tract or area.
  11. Remarks and notes as applicable

**Task 5: Respond to Agency Comments and Deliver / Submit Certified Plat**

The Contractor shall respond to Airport Sponsor and Agency comments, and submit a sealed and certified Airport Property Plat to the Consultant in electronic and hard copy format. The Airport Property Plat will be sufficient to be recorded by the Oconee County Register of Deeds. The Airport Owner will be responsible for fees associated with recording with the County Register of Deeds.

**Project Requirements:**

- All drawing or map data is to be provided in digital and hard copy format. All mapping must be in AutoCad, Version 2004.
- All data is to be provided in digital and hard copy format. All text correspondence and documents must be in MS Word or Excel or compatible format.
- The Airport Sponsor will be responsible for arranging property access. The Contractor will coordinate on-site efforts with the Consultant.

- Copies of all deeds and acquisition data shall be provided to TBI in hard copy.
- The property line and runway ends must be tied to the State grid system.
- Vertical datum reported in NAD 83. Horizontal datum reported in NAVD 88.
- Verify property boundary closure, and any discrepancies.
- Standards for precision and accuracy would be part of this review.

Additional Services (if required):

- Provide separately estimated lump sum costs for any work not included in this scope, but deemed necessary by the Contactor for completion of the work.
- Provide separately an hourly rate for assistance in preparation for and attendance at meeting, if required.

Firm Information:


- Provide information on Minority Business Enterprise (MBE/DBE/WBE) status, if any.
- Provide resumes of key personnel involved in the work.

Talbert & Bright, Inc. Contact:

Jeff Smith, Senior Airport Planner  
 Phone: 910-763-5350  
 E-mail: jsmith@tbilm.com



**APPLICATION FOR  
FEDERAL ASSISTANCE**

<b>1. TYPE OF SUBMISSION</b>		<b>2. DATE SUBMITTED</b> February 8, 2005	Applicant Identifier 3-45-0016-14
<input type="checkbox"/> Construction	<input type="checkbox"/> Pre-application Construction	<b>3. DATE RECEIVED BY STATE</b>	State Application Identifier
<input checked="" type="checkbox"/> Non-Construction	<input type="checkbox"/> Non-Construction	<b>4. DATE RECEIVED BY AGENCY</b>	Federal Identifier 3-45-0016-13
<b>5. APPLICANT INFORMATION</b>			
Legal Name: Oconee County, South Carolina		Organizational Unit: Department: Oconee County	
Organizational OUNS: 045615883		Division:	
Address: Street: 365 Airport Road		Name and telephone of person to be contacted on matters involving this application (give area code):	
City: Seneca		Prefix: Mr.	First Name: Robert
County: Oconee		Middle Name:	
State: SC		Last Name: Banks	
Zip Code: 29678		Suffix:	
Country: United States		Email: rbanks@oconeesc.com	
<b>6. EMPLOYER IDENTIFICATION NUMBER (EIN):</b> 5 7 - 6 0 0 0 3 9 1		Phone Number (give area code): (864) 882 - 2959	Fax Number (give area code): (864) 886 - 4803
<b>8. TYPE OF APPLICATION</b> <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision If Revision, enter appropriate letter(s) in box(es) (See back of form for description of letters.) <input type="checkbox"/> <input type="checkbox"/> Other (specify):		<b>7. TYPE OF APPLICANT</b> (See back of form for Application Types) B - County Other (Specify):	
<b>10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NO.:</b> 2 0 - 1 0 6		<b>8. NAME OF FEDERAL AGENCY:</b> Federal Aviation Administration	
TITLE (Name of Program): Airport Improvement Program		<b>11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT:</b> 1. Planning Addendum - 1) CEU Runway Extension Justification Study, 2) Amend ALP Narrative, 3) Amend ALP Airport Layout Drawing (ALD), 4) Prepare Supporting ALP Drawings, and 5) Airport Property Boundary Survey - ALP, Exhibit 'A' Property Map.	
<b>12. AREAS AFFECTED BY PROJECT</b> (Counties, States, etc.):		<b>14. CONGRESSIONAL DISTRICTS OF:</b> a. Applicant: 10th b. Project: 13th	
<b>13. PROPOSED PROJECT</b> Start Date: 2/15/05 Ending Date: 7/15/05		<b>16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?</b> a. YES: <input checked="" type="checkbox"/> THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON: DATE: 2-8-2005 b. NO: <input type="checkbox"/> PROGRAM IS NOT COVERED BY E.O. 12372 <input type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW	
<b>15. ESTIMATED FUNDING:</b>		<b>17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?</b> <input type="checkbox"/> Yes, if "Yes", attach an explanation <input checked="" type="checkbox"/> No	
a. Federal	\$ 115,900 <sup>00</sup>	<b>18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT. THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.</b> a. Authorized Representative Prefix: Mr. First Name: Ron Middle Name: H.  Last Name: Rabun Suffix: b. Title: County Administrator c. Telephone: 864-638-4244 d. Signature of Authorized Representative: e. Date Signed:	
b. Applicant	\$ 3,050 <sup>00</sup>		
c. State	\$ 3,050 <sup>00</sup>		
d. Local	\$ <sup>00</sup>		
e. Other	\$ <sup>00</sup>		
f. Program Income	\$ <sup>00</sup>		
g. TOTAL	\$ 122,000 <sup>00</sup>		
Previous Editions Usable Authorized for Local Reproduction		Standard Form 424 (Rev 8-2003) Prescribed by GMS Circular 4-102	



## FY 2005 Planned Project

Airport Name: Oconee County Regional Airport

Designated AIF project Contact Person: Mr. Robert Banks, Airport Director

Address: 221 Airport Road

City: Seneca State: SC Zip: 29678

Phone: (864) 882-2959

Email Address: rbanks@OconeeSC.com

Name of your airport consultant (if you have one under contract): Talbert & Bright, Inc.

### Funding Information

Estimated FY 2005 General Aviation Entitlement Amount: \$150,000.00

Do you plan to use some or all of your entitlement funds in FY 05?

Yes

No. Carryover my funds for use in FY 05.

Not known at this time

If yes, has a Pre-Application for Federal Assistance been submitted to the Atlanta Airports District Office?  Yes  No

If yes, please provide a brief project description and federal share cost. (FAA participates in 90% of all eligible development/planning at general aviation airports. Federal share cost = .9 x total project cost)

- A. Update 'draft' 2002 CEU Runway Extension Justification Study & Surveys: The narrative report will be revised to reflect supplemental survey and interview responses solicited from turbine operators requiring more than 4,400'.
- B. Update 'draft' 2003 CEU ALP Narrative Report: The narrative report will be revised to reflect supplemental activity from the Runway Extension Justification Study, changes to the phased runway extension project, and estimated project costs.
- C. Update 'draft' 2003 CEU ALP, Airport Layout Drawing (ALD): The 'draft' ALP, Airport Layout Drawing (ALD) submitted to the FAA in June 2003 will be revised to reflect the following: Update per 150-5300-13, Airport Design (Change #8) – FAA ALP Checklist (May 2004) Depict phased ARC B-II and ARC C-II design standards Depict future 5,000' Runway 7-25 length Depict the ultimate 5,500' Runway 7-25 length Depict preferred SC 17 (Shiloh Road) re-alignment option Depict phased installation of ILS localizer and glideslope.



- D. Prepare CEU Supporting ALP Drawings (Full-Set): The entire supporting ALP drawing set will be prepared consistent with the ALP, Airport Layout Drawing (ALD) resulting from findings of the *2004 CEU Runway 7-25 Extension Preliminary Engineering Study*.
- E. Conduct Airport Property Survey/Plat for ALP, Airport Exhibit 'A' Drawing: The existing CEU Airport Exhibit 'A' Property Map, prepared April 1992 and amended in August 1996 and September 1999 lacks property acquired by the Airport in recent years.
- F. Update 'draft' Environmental Assessment: The draft CEU Environmental Assessment dated January 2004 will be modified to reflect proposed actions consistent with the preferred option identified in the *2004 CEU Runway 7-25 Extension Preliminary Engineering Study*.

Note: All sponsors requesting a FY 2005 project should submit a Pre-Application to the ATL/ADO no later than October 31, 2004.

#### SUMMARY OF FUNDS AVAILABLE (OCONEE COUNTY REGIONAL AIRPORT)

2003 Non-Primary Funds	\$ 29,751
2004 Non-Primary Funds	\$ 150,000
2005 Non-Primary Funds	\$ 150,000
<b>TOTAL:</b>	<b>\$ 329,751</b>
Planning Tasks (A to F)	\$ 122,000
2005 Carryover	\$ 207,751

#### PROGRAM NARRATIVE / PROJECT DESCRIPTION

##### A. Description and Need

This application for federal assistance requests financial aid in the further development of the Oconee County Regional Airport for the Planning, Design and Construction of projects, indicated below:

##### B. Preliminary Engineering Study for Runway 7-25 Extension

The Oconee County region is one of the fastest growing in South Carolina. Complementary with this success, the Airport is continuing to experience an increase in more demanding business traffic. As documented in the *2002 CEU Runway Extension Justification Study*, and *2003 CEU Airport Layout Plan Update*, the Airport is attracting more frequent business jet traffic, selling more Jet-A fuel to small, midsize and large-cabin business jets, and witnessing more

diverse and sophisticated on-airport tenants. To meet this growing demand, the Airport needs to conduct planning necessary to document future Airport expansion. It should be noted that the FAA, Southern Region has affirmed that a FAA Cost/Benefit Analysis is not required for the runway extension to 5,000'

## B. Benefits

Overall, the Oconee County area has a great growth potential, both for commercial and recreational uses. The Airport plays a key role in connecting these economic assets with the national air transportation system. These improvements accrue directly to aircraft users and indirectly to non-aviation benefactors. With regards to safety and efficiency, the additional runway length and improved instrument approach capability will satisfy demands by business jets currently seeking more reliable access to the Airport.

**Oconee County Regional Airport  
Estimated Budget for Planning Tasks (A to F)  
(2-5-2005)**

Project: Preliminary Engineering Study for Runway 7-25 Extension

Project Formulation

Subtotal - Scoping, Subconsultant Tasks and Funding Application	\$ 6,452.00
Subtotal - Scoping, Subconsultant Tasks and Funding Application	\$ 2,274.00

Planning\*

Update 'draft' 2002 CEU Runway Extension Justification Study & Surveys	\$ 8,520.00
Update 'draft' 2003 CEU ALP Narrative Report	\$ 5,000.00
Update 'draft' 2003 CEU ALP, Airport Layout Drawing (ALD)	\$ 3,992.00
Prepare CEU Supporting ALP Drawings (Full-Set) **	\$33,798.00
Airport Property Survey & Plat for ALP, Airport Exhibit 'A' Drawing	\$5,820.00
Update 'draft' Environmental Assessment	\$23,210.00

\* Includes Project Working Papers / Reports and Meetings

\*\* Includes \$22,000 previously identified for preparing supporting ALP drawings under AIP-11.

Subtotal - Manhours (Talbert & Bright, Inc.)*	\$ 89,066.00
Subtotal - Direct Expenses (Talbert & Bright, Inc.)*	\$ 5,434.00
Subtotal - Estimated Subconsultant Fees (Property Surveying)	\$27,500.00

<b>Total Budget</b>	<b>\$122,000.00</b>
---------------------	---------------------

\* Note: Subconsultant fee based on a total of three submitted proposals to scope of services to conduct a full property boundary survey of the Airport.

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

DOA No \_\_\_\_\_

Date \_\_\_\_\_

**PART I - PROJECT INFORMATION**

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

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

**Conduct updated revisions to the Airport Layout Plan Drawings and Environmental Assessment documentation, based on findings from the 2004 CEU Runway 7-25 Extension Preliminary Engineering Study.** As requested by the FAA Southern Region, the planning effort includes an update of existing CEU planning documentation currently in 'final draft' form, and for the preparation of new planning documentation in support of the Runway 7-25 extension project. The following are major study components as part of the planning revisions:

- Update 'draft' 2002 CEU Runway Extension Justification Study & Surveys
- Update 'draft' 2003 CEU ALP Narrative Report
- Update 'draft' 2003 CEU ALP Airport Layout Drawing (ALD)
- Prepare CEU Supporting ALP Drawings (Full-Set)
- Conduct Airport Property Survey/Plot for ALP, Airport Exhibit 'A' Drawing
- Update 2004 CEU Environmental Assessment documentation
- Working Papers & Reports
- Airport Meetings

all as more particularly described in the plans and specifications separately submitted to the Division on February 8, 2005 which are made a part hereof by reference.

**PART II - REPRESENTATIONS**

The Sponsor hereby represents and certifies as follows:

- I. Legal Authority. The Sponsor has the legal power and authority:
  - (A) to do all things necessary to undertake and carry out the Project in conformity with the applicable statutes, regulations, and policies;

- (B) to accept, receive and disburse grants of funds from the State of South Carolina in aid of the project on the terms and conditions stated in the applicable statutes, regulations, policies, and proposed grant agreement, and;
- (C) to carry out all of the provisions of Parts III and IV of this Project Application.

2. Funds. The Sponsor now has on deposit \$ 3,050 for use in defraying the costs of the Project. The present status of these funds is as follows:

The Sponsor hereby designates Mr. Ron H. Raburn, Oconee County Administrator to receive payments representing the Division's share of the Project costs.

### PART III - SPONSOR ASSURANCES

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

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



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



were not in fact complied with. The Sponsor, as part of this grant, agrees to require affidavit of non-collusion of prospective bidder in the form attached thereto as Exhibit A.

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

---

Signature of Sponsoring Agency's Representative

---

Representative Name and Title



## ATTACHMENT A

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

ITEM	TOTAL ESTIMATED COST	ESTIMATED SPONSOR'S SHARE OF COST	ESTIMATED FEDERAL SHARE OF COST	ESTIMATED STATE SHARE OF COST
		AMOUNT	AMOUNT	AMOUNT
1. PLANNING COST	\$122,000	\$3,050	\$115,900	\$3,050
2. LAND COST				
3. CONSTRUCTION COST				
4. ENGINEERING COST				
5. ADMINISTRATIVE COST				
7. MISCELLANEOUS				
8. TOTAL ALL ESTIMATED PROJECTED COST	\$122,000	\$3,050	\$115,900	\$3,050



The following action has been taken by the local governing body to provide steps toward protective zoning of the airspace and land surrounding the airport. Describe actions by Sponsor and governing body related to Land Use Planning and Zoning Ordinances. (Attach letter from governing body) The Airport Staff coordinates with County Departments regarding new developments in the vicinity of the Airport, has an adopted Airport Height Restriction Ordinance, Airspace Agreement with Eagle Ridge Airfield, and is pursuing land acquisition for further airport and airspace control.

---

8. Anticipated date construction or planning project is to commence:

Estimated start date: February to March, 2005

Estimated ending date: July, 2005\*

\* Exclusive of Airport Sponsor, FAA and SCDOA review

### ATTACHMENTS

(as required)

Project Justification ✓

Project Sketch (N/A)

Engineer's Project Cost Estimate ✓

Estimated quantities and Cost (N/A)

Federal Application Form 424 ✓

**SCOPE OF SERVICES (ADDENDUM TO 3401-0202)**

The following project Scope of Services defines the approach and schedule for updating supporting airport planning documentation for the Oconee County Regional Airport (CEU), South Carolina. The initial Scope of Services and Work Authorization dated May 2, 2002 is being amended to respond to planning efforts requested by the FAA Southern Region, resulting from a preferred development option (Option V) as determined from the 2004 CEU Runway 7-25 Extension Preliminary Engineering Study.

OCONEE COUNTY REGIONAL AIRPORT Planning Addendum Schedule			
Stage/ Tasks	Status	Project Description	Completion From Notice to Proceed Date
Task 1	Amended	Update 'Draft' 2002 CEU Runway Extension Justification Study & User Surveys	120 Days *
Task 2	Amended	Update 'draft' 2003 CEU ALP Narrative Report	120 Days *
Task 3	Amended	Update 'draft' 2003 CEU ALP Airport Layout Drawing (ALD Sheet)	150 Days *
Task 4	Amended/New	Prepare CEU Supporting ALP Drawings (Full-Set)	150 Days *
Task 5	New	Conduct Airport Property Boundary Survey for ALP, Airport Exhibit 'A' Property Map	150 Days *
* exclusive of sponsor and agency review			

**TASK 1: REVISE CEU RUNWAY EXTENSION JUSTIFICATION STUDY/ SURVEYS  
 (STAGE 1 of 3401-0202)**

The narrative report will be revised to reflect supplemental survey and interview responses solicited from turbine operators requiring more than 4,430'. The survey effort includes distributing (mail and hand-out) a questionnaire to document 'actual' and 'proposed' user activity and performance needs. Both the Consultant and Airport Sponsor will be involved in collecting additional survey responses, testimonials and letters of intent.

**TASK 2: UPDATE ALP NARRATIVE REPORT  
 (STAGE 2 of 3401-0202)**

The narrative report will be revised to reflect supplemental activity from the Runway Extension Justification Study; changes to the phased runway extension project, and estimated project costs.

**TASK 3: UPDATE ALP, AIRPORT LAYOUT DRAWING (ALD - SINGLE SHEET)  
(STAGE 2 of 3401-0202)**

The ALP, Airport Layout Drawing (ALD) submitted to the FAA in June 2003 will be revised to reflect the following:

- Update per 150-5300-13, *Airport Design (Change #8)* - FAA ALP Checklist (May 2004)
- Depict phased ARC B-II and ARC C-II design standards
- Depict future 5,000' Runway 7-25 length
- Depict ultimate 5,500' Runway 7-25 length
- Depict preferred SC 37 (Shiloh Road) re-alignment option
- Depict phased installation of ILS localizer and glideslope

**TASK 4: UPDATE SUPPORTING AIRPORT LAYOUT PLAN (ALP) DRAWINGS  
(STAGE 2-A of 3401-0202)**

The entire supporting ALP drawing set will be prepared consistent with the ALP, Airport Layout Drawing (ALD) resulting from findings of the 2004 *CEU Runway 7-25 Extension Preliminary Engineering Study*. The supporting ALP drawings will be prepared in AutoCAD, Release 2000 with colored enhance capabilities:

- ALP, Cover Sheet
- ALP, Airspace Drawing
- ALP, Terminal Area & Access Drawing
- ALP, Inner-Portion of the Approach Surface Drawing (per runway end)
- ALP, Runway Centerline Drawing
- ALP, Airport Land Use Drawing
- ALP, Airport Property Map "Exhibit A" (per property boundary survey/ plat)

**ALP Review & Deliverables:** The Airport Sponsor, FAA and SCDOA will be provided with the following list of deliverables:

**Airport Sponsor:**

Draft ALP Set	2 Copies
Final Draft ALP Set	2 Copies
Final ALP Set (Sponsor Signature / FAA & SCDOA Acceptance)	3 Copies
Electronic Copy	1 Diskette

**Federal Aviation Administration (FAA):**

Draft ALP Set	2 Copies
Final Draft ALP Set	5 Copies
Final ALP Set (Sponsor Signature / FAA & SCDOA Acceptance)	2 Copies
Electronic Copy	1 Diskette



SC, Division of Aeronautics (SCDOA):

Draft ALP Set

2 Copies

Final Draft ALP Set

2 Copies

Final ALP Set (Sponsor Signature / FAA & SCDOA Acceptance)

2 Copies

Electronic Copy

1 Diskette

**TASK 5: AIRPORT PROPERTY BOUNDARY SURVEY  
(NEW)**

The Airport Exhibit 'A' Property Map (Map) is a required Airport Layout Plan (ALP) drawing which defines individual parcels and tracts showing the current Airport property boundary compiled from deed research, available mapping/surveys and field verification. The existing CEU Airport Exhibit 'A' Property Map, prepared April 1982 and amended in August 1995 and September 1999 lacks property acquired by the Airport in recent years. In addition, the property boundary does not close. The tasks associated with this effort are as follows:

- Airport Property Research / Review Existing CEU Airport Property Map
- Property Surveying - Preliminary Property Plat
- Develop Airport Exhibit 'A' Property Map
- Deliver and Transmit Final Draft Airport Exhibit 'A' Property Map
- Respond to Agency Comments / Final Airport Exhibit 'A' Property Map

**Documentation**

Reports will be prepared and submitted to the County, SCDOA and FAA throughout the planning process, including working papers and progress reports. The opportunity is thus furnished for all interested parties to be well informed of study progress in advance of reviews and meetings. Each working paper will be forwarded in advance of all meetings, and will be fully documented to support the findings, assumptions and recommendations.

**Meetings**

The coordination is directed toward the following:

- *Technical Meeting*: Participants involved in administering the Study
- *Presentation Meeting*: Governing body presentational meeting

**Project Meetings (Addended Meetings/Site Visits):**

**Airport Meeting #1 - Property Survey On-Site Coordination (Subconsultant)**

**Airport Meeting #2 - ALP Planning Meeting (Sponsor, FAA & SCDOA)**



**TBI Contact:**

If there are any questions with regard to this project, please feel free to contact:

Jay Talbert - Talbert & Bright, Inc. (910-763-5350 - jtalbert@tbtb.com)

Jeff Smith - Talbert & Bright, Inc. (910-763-5350 - jsmith@tbtb.com)

**AGENDA ITEM SUMMARY**  
**OCONEE COUNTY, SC**  
**COUNCIL MEETING DATE: 4/5/05**  
**COUNCIL MEETING TIME: 7:00 PM**

**ITEM TITLE OR DESCRIPTION:**

Approval of Budget Transfer for the Road Department, \$100,000 from Paving Account line to Operational Account line for patching for the 2004-05 fiscal year budget.

**BACKGROUND OR HISTORY:**

Last year there was a total of \$112,000 spent on road patching. So far this year, we have spent \$91,642.34. This figure does not include March billing and the remaining fiscal year. The average cost of patching has been \$11,455.31 per month.

**SPECIAL CONSIDERATIONS OR CONCERNS:**

With the 2003-04 contract still not complete, it is our concern that we will not be able to start on the roads that need patching before the 2004-05 fiscal year contract begins. Upon notification that the Road Department was going to have to stop work Mr. Rabun allowed them to continue the patching with the understanding this action would be ratified by Council.

**STAFF RECOMMENDATION FOR COUNCIL ACTION:**


Adopt and ratify the County Administrator's emergency budget transfer in the amount of \$100,000 from the paving line item to the operational line item to provide for pavement patching.

**FINANCIAL IMPACT:**

Reduction of paving funds by \$100,000 to accommodate the transfer. The current road paving balance is \$2,239,356.39, if this transfer is approved the balance will be \$2,139,356.39.

**ATTACHMENTS:**

Proposed Transfer  
Submitted or Prepared By:  
  
Department Head/Elected Official

Approved for Submittal to Council:  
  
Ron H. Rabun, County Administrator

Reviewed By/ Initials:  
 County Attorney  
 Finance  
 Other

TRANSFER REQUEST FORM

OCCONEE COUNTY, SOUTH CAROLINA  
BUDGET REVISION FORM

BUDGET REVISION FORM

FISCAL YEAR: 2004-05 DEPARTMENT NAME: Road SIGNATURE OF DEPARTMENT DIRECTOR: [Signature] DATE OF REQUEST: 4/5/2005

**TRANSFER TO**

LINE ITEM ACCOUNT NUMBER: 010 601 40032 OPERATIONAL  AMOUNT TO TRANSFER: \$100,000

LINE ITEM DESCRIPTION: \_\_\_\_\_

EXPLAIN WHY THIS ITEM (OR ITEMS) IS NEEDED AND WHY IT WAS NOT BUDGETED FOR THESE FUNDS ARE NEEDED FOR THE OPERATIONAL LINE ITEM TO COMPLETE THE PATCHING FOR THE 2003-04 YEAR AND WILL BEGIN THE 2004-05 FISCAL YEAR PATCHING

WAS THIS ITEM PREVIOUSLY CUT FROM YOUR BUDGET DURING THE BUDGET PROCESS?  Yes  No

**TRANSFER FROM**

LINE ITEM ACCOUNT NUMBER: 010 601 00881 PAVING  AMOUNT TO TRANSFER: \$100,000

LINE ITEM DESCRIPTION: \_\_\_\_\_

LINE ITEM DESCRIPTION: \_\_\_\_\_

LINE ITEM DESCRIPTION: \_\_\_\_\_

WHY ARE THERE EXCESS FUNDS IN THIS ACCOUNT? WHAT ITEM WILL NOT BE NEEDED THAT WAS APPROVED DURING THE BUDGET PROCESS? THESE ARE NOT EXCESS FUNDS, BUT THE PATCHING WILL HAVE TO BE COMPLETED BEFORE THE PAVING CAN BE COMPLETED

Approved by Council 4/5/05

Contingent upon all paving coming as of 4/6/05

until new Public Works Dept finishes reconstruction

to Council

APPROVED  DENIED

\_\_\_\_\_  
Ray E. Robus, Administrator

APPROVED  DENIED

\_\_\_\_\_  
Shate C. Lawrence, Director of Administrative Services & Finance

**AGENDA ITEM SUMMARY  
OCONEE COUNTY, SC**

**COUNCIL MEETING DATE:** April 5, 2005  
**COUNCIL MEETING TIME:** 7PM

**ITEM TITLE OR DESCRIPTION:**

Annual contract renewal of the Oconee County Employee Health Plan, effective May 1, 2005.

**BACKGROUND OR HISTORY:**

Oconee County is self-funded for medical, dental and prescription insurance. Currently we have 463 members, which include employees, their dependants, and 65 retirees. Our current policy is with American National, a third party advisor, with an attachment point of \$3,697,078 carrying a specific deductible of \$60,000. Due to increased claims experience, renewal with the same provider has an attachment point of \$5,089,476 and a specific deductible of \$70,000. This is an actual dollar increase of \$1,392,398. Historically, the county's health insurance has run in a cycle of being high every fourth year. This is our fourth year.

**SPECIAL CONSIDERATIONS OR CONCERNS:**

Countless hours have been spent analyzing our plan, as well as the available options to fund this renewal. Although we realize the impending financial impact, we believe that our recommendation will be in the best interest for both the county and the employees with each of us sharing increased costs.

**STAFF RECOMMENDATION:**

- We recommend the free insurance incentive no longer be offered for employees retiring with 28 years of regular service or 25 years of police service. This would become effective July 1, 2005. We will "grandfather" the free insurance to the current eleven (11) retirees that are still receiving the old coverage.
- We recommend that coverage for all retiree's dependants be stopped effective July 1, 2005 with the exception of 2 retirees that we propose to grandfather.
- We recommend that the employee's single coverage cost increase from \$5 to \$15 per pay period, effective the first payroll in May 2005.
- We recommend that the employee cost for dependant coverage increase by 15% for each category of dependant coverage (See attachment).
- We recommend there be no coverage for temporary or part-time employees.

- We also recommend that the amount budgeted per employee in the department budgets be raised from its current value of \$269.50 each month to \$368.00 each month, effective July 1, 2005.
- Authorize County Administrator to sign contract renewal documents.

**FINANCIAL IMPACT:**

- In this proposal, the rising cost of health insurance is shared by both the county and its employees.
- Nationwide, the cost of health insurance over the past twelve (12) months has increased 16 to 18% for medical. The total to be paid by the County for the proposed renewal policy is projected to be a 36% increase over the current medical contract plan due to an unusually high claims year.

**ATTACHMENTS:**

See spreadsheet titled "Oconee County Health Insurance Budget Year 2005-2006".

Submitted or Prepared by:

*Kay Oltan*  
Department Head/Elected Official

Approved for Submittal to Council:

*Ron H. Rabun*  
Ron H. Rabun, County Administrator

Reviewed By/ Initials:

*N/A* County Attorney

*RH* Finance

*N/A* Other

C: Clerk to Council

# Oconee County Health Insurance

Budget Year 2005-2006

(200% Employee Only and 15% Other Increase)

Department	Account Number	Number of Positions	Cost per Position	Total Cost FY 05/06	Total Cost FY 04/05
Sherrif	010-101-20016	91	4,416	367,696	
Sherrif Federal	010-101-20216	7	4,416	30,912	
Rural Fire	010-102-20016	4	4,416	17,664	
Coroner	010-103-20016	1	4,416	4,416	
Communications	010-104-20016	18	4,416	79,656	
Emergency Management	010-105-20016	3	4,416	13,248	
Law Enforcement Center	010-106-20016	25	4,416	110,400	
Animal Control	010-110-20016	3	4,416	13,248	
PRT	010-202-20016	14	4,416	61,824	
Library	010-206-20016	18	4,416	79,488	
Assessor	010-301-20016	13	4,416	57,408	
Auditor	010-302-20016	5	4,416	26,496	
Tax Collector	010-305-20016	3	4,416	13,248	
Treasurer	010-306-20016	6	4,416	26,496	
Veteran's Affairs	010-404-20016	3	4,416	13,248	
Clerk Of Court	010-501-20016	7	4,416	30,912	
Clerk Of Court Federal	010-501-20216	3	4,416	13,248	
Probate Court	010-502-20016	5	4,416	22,080	
Steno	010-504-20016	5	4,416	22,080	
Magistrate	010-509-20016	11	4,416	48,576	
Road Department	010-601-20016	40	4,416	176,640	



# Oconee County Health Insurance

Budget Year 2005-2006

(200% Employee Only and 15% Other (retirees))

Department	Account Number	Number of Positions	Cost per Position	Total Cost	Total Cost
				FY 05/06	FY 04/05
Building Codes	010-702-20016	9	\$ 4,416	\$ 39,744	
County Council	010-704-20016	6	\$ 4,416	\$ 26,496	
Designation	010-706-20016	1	\$ 4,416	\$ 4,416	
Economic Development	010-707-20016	2	\$ 4,416	\$ 8,832	
Finance	010-708-20016	8	\$ 4,416	\$ 35,328	
Human Resources	010-710-20016	5	\$ 4,416	\$ 22,080	
IT	010-711-20016	11	\$ 4,416	\$ 48,576	
Planning	010-712-20016	2	\$ 4,416	\$ 8,832	
Procurement	010-713-20016	5	\$ 4,416	\$ 22,080	
Public Building Maint	010-714-20016	4	\$ 4,416	\$ 17,664	
Registration & Election	010-715-20016	2	\$ 4,416	\$ 8,832	
Soil and Water	010-716-20016	1	\$ 4,416	\$ 4,416	
Supervisor	010-717-20016	2	\$ 4,416	\$ 8,832	
Traffic	010-720-20016	5	\$ 4,416	\$ 22,080	
Vehicle Maintenance Facility	010-721-20016	15	\$ 4,416	\$ 66,240	
Environmental Services	010-732-20016	6	\$ 4,416	\$ 26,496	
Registrar of Deeds	010-736-20016	5	\$ 4,416	\$ 22,080	
Short SRP (Grants)	013-101-20016	3	\$ 4,416	\$ 13,248	
Salvator SRP (WSF)	013-504-20016	1	\$ 4,416	\$ 4,416	
Solid Waste Fund	016-718-20016	19	\$ 4,416	\$ 76,384	
Rock Quarry	017-719-20016	17	\$ 4,416	\$ 75,072	

# Oconee County Health Insurance

Budget Year 2005-2006

(200% Employee Cost and 15% Other Increase)

Department	Account Number	Number of Positions	Cost per Position	Total Cost FY 05/06	Total Cost FY 04/05
Total Budgeted for County Employees		2	Increase 26.0%	\$ 1,912,128	\$ 1,400,322
Total Receivables Retirees	Senior Key/Other		15% Increase Included	\$ 122,914	
Total Receivables Employees Portion			20% Increase (\$15/Per Month)	\$ 164,190	\$ 542,733
Total Receivables Dependant Coverage			12% Increase	\$ 485,187	
<b>TOTAL FOR ALL</b>				<b>\$ 2,883,519</b>	<b>\$ 1,943,055</b>

General Expense (Subsidy by County) 010-709-20018 2 Increase 24.5% \$ 2,405,958 \$ 1,831,320 1

Amount of Policy Renewal (Effective May 1, 2005) Increase \$1.3M \$ 5,089,477 \$ 3,897,074 1

Difference \$ (0) \$ (177,304)

Fund Balance Designated for Health Insurance June 30, 2004 \$ 890,446 \$ 539,222

- 1 Total paid by County, both budgeted and General Expense for FY 04-05 is \$3,331,662 (50%) of the total renewal cost of \$3,697,074. Total to be paid by County, both budgeted and General Expense for FY 05-06, is \$4,318,006 (85%) of the total renewal cost of \$5,089,477.
- 2 The Budgeted for County Employees and the General Expense Total Costs for FY 05-06 is a total increase of \$936,444 (61%) from last year.
- 3 The national average for medical health care costs has increase between 15 and 18% in the past 12 months.

Type of Coverage	Coverage Type Code	Current Monthly Amount	Current Pay Period	OTHER (Net) or Target Monthly Rate	% Increase	Total OTHER Premium with Increase per Pay Period	Total EMPLOYEE Premium with Increase per Pay Period	Sum of OTHER and EMPLOYEE Pay Period	Total Premium with Increase per Pay Period	Number of Employees with this Coverage	Yearly Total for OTHER Premium	Yearly Total for EMPLOYEE Premium	Yearly Total ALL Premium	Yearly Total
Early	ERT	\$ 7,087.77	\$ 95.11	\$ 127.30	15%	\$ 100.00	\$ 15.00	\$ 118.88	\$ 118.88	102	\$ 282,993	\$ 20,900	\$ 324,893	\$ 324,893
Employee	ELS	\$ 177.84	\$ 69.24	\$ 12.00	15%	\$ 22.72	\$ 15.00	\$ 52.72	\$ 52.72	52	\$ 167,249	\$ 9,240	\$ 176,489	\$ 176,489
Contract	CON	\$ 52.89	\$ 49.52	\$ 0.00	15%	\$ 49.98	\$ 15.00	\$ 60.28	\$ 60.28	28	\$ 32,638	\$ 11,307	\$ 43,945	\$ 43,945
Contract	CON	\$ 101.95	\$ 49.22	\$ 95.51	45%	\$ 50.95	\$ 10.00	\$ 92.65	\$ 92.65	21	\$ 77,756	\$ 8,105	\$ 85,861	\$ 85,861
Family	FAM	\$ 20.04	\$ 5.00	\$ -	200%	\$ -	\$ 10.00	\$ 15.00	\$ 15.00	101	\$ 489,107	\$ 24,150	\$ 513,257	\$ 513,257

2

D

**AGENDA ITEM SUMMARY**  
**O'CONNOR COUNTY, SC**  
**COUNCIL MEETING DATE: 4/5/05**  
**COUNCIL MEETING TIME: 7:00 PM**

**ITEM TITLE OR DESCRIPTION:**

Approval of Resolution 2005-08, "NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS) RESOLUTION"

**BACKGROUND OR HISTORY:**

In September 2004 Mr. Tom Ridge, then director of Homeland Security sent a letter informing all State Governors that all departments and agencies are required to adopt NIMS and use it in their domestic incident management and emergency prevention, preparedness, response, recovery and mitigation activities, as well as support in all actions taken to support state and local entities.

**SPECIAL CONSIDERATIONS OR CONCERNS:**

In order to receive FY 2006 preparedness funding, the minimum FY 2005 compliance requirements as described on the attachment must be met.

**STAFF RECOMMENDATION FOR COUNCIL ACTION:**

Adoption of the attached resolution so that Oconee County may continue to receive funding -- the funding level for federal fiscal year 2005-06 has not been determined at this time.

**FINANCIAL IMPACT:**

Loss of 2006 preparedness funding is the resolution is not adopted.

**ATTACHMENTS:**

Proposed resolution, NIMS compliance schedule & letter from Homeland Security

Submitted or Prepared By:

  
Department Head/Elected Official

Approved for Submittal to Council:

  
Ron H. Kabun, County Administrator

**Reviewed By/ Initials:**

N/A County Attorney

RH Finance

N/A Other

STATE OF SOUTH CAROLINA )

COUNTY OF OCONEE )

RESOLUTION NO. 2005-08

**ADOPTION OF THE NATIONAL INCIDENT MANAGEMENT SYSTEM**

**WHEREAS**, emergency response to critical incidents, whether natural or manmade, requires integrated professional management;

**WHEREAS**, unified command of such incidents is recognized as the management model to maximize the public safety response;

**WHEREAS**, the National Incident Management System, herein referred to as NIMS, has been identified by the Federal Government as being the requisite emergency management system for all political subdivisions; and

**WHEREAS**, failure to adopt NIMS as the requisite emergency management system may preclude reimbursement to the political subdivision for costs expended during and after a declared emergency or disaster and for training and preparation for such disasters or emergencies;

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of Oconee County, South Carolina, the Oconee County Council, that it shall be the public policy of Oconee County to adopt the NIMS concept of emergency planning and unified command, and to train public officials responsible for emergency management.

Approved by the Oconee County Council in meeting duly assembled this 5<sup>th</sup> day of April 2005.

ATTEST:

Opal O. Green  
Clerk to Council

BY:

H. Frank Ables, Jr. Chair  
Oconee County Council

## NIMS Compliance Activities to be accomplished during FY 2005

### States and Territories

- \* Incorporate NIMS into existing training programs and exercises;
- \* Ensure that federal preparedness funding supports state, local and tribal NIMS implementation;
- \* Incorporate NIMS into Emergency Operations Plans;
- \* Promote intrastate mutual aid agreements;
- \* Coordinate and provide NIMS technical assistance to local entities; and
- \* Institutionalize the use of the Incident Command System.

### State, Territorial, Local and Tribal Jurisdictions

- \* Complete the NIMS Awareness Course: "National Incident Management System (NIMS), An Introduction" IS 700. This independent study course developed by the Emergency Management Institute (EMI) explains the purpose, principles, key components and benefits of NIMS. The course is available on the EMI web page at: <http://training.fema.gov/EMIWeb/IS/is700.asp>.
- \* Formally recognize the NIMS and adopt NIMS principles and policies. States, territories, tribes and local entities should establish legislation, executive orders, resolutions, or ordinances to formally adopt the NIMS. Go to <http://www.fema.gov/nims> and see NIMS Resources for examples.
- \* Determine which NIMS requirements already have been met. Clearly state, territorial, tribal, and local entities have already implemented many of the concepts and protocols identified in the NIMS. However, as gaps in compliance with the NIMS are identified, states, territories, tribes and local entities should use existing initiatives, such as the Office for Domestic Preparedness (ODP) Homeland Security Grant Programs, to develop strategies for addressing those gaps.
- \* Develop a strategy and timeframe for full NIMS implementation. States, territories, tribes, and local entities are encouraged to achieve full NIMS implementation during FY 2005. To the extent that full implementation is not possible during FY 2005, federal preparedness assistance must be leveraged to complete NIMS implementation by FY 2006. By FY 2007, federal preparedness assistance will be conditioned by full compliance with the NIMS. States should work with tribal and local governments to develop a strategy for statewide compliance with the NIMS.
- \* Institutionalize the use of the Incident Command System (ICS). All federal, state, territory, tribal and local jurisdictions are required to adopt ICS in order to be compliant with the NIMS. See NIMS and the Incident Command System at <http://www.fema.gov/nims> under NIMS Resources.

### FY 2006 and FY 2007 Requirements

In order to receive FY 2006 preparedness funding, applicants will need to certify as part of their FY 2006 grant applications that they have met the FY 2005 NIMS requirements.

Questions? Ask the NIC at [NIMS-Integration-Center@dhs.gov](mailto:NIMS-Integration-Center@dhs.gov).

January 24, 2005





# Homeland Security

September 8, 2004

Dear Governor:

In Homeland Security Presidential Directive (HSPD)-5, *Management of Domestic Incidents*, the President directed me to develop and administer the National Incident Management System (NIMS). The NIMS provides a consistent nationwide approach for Federal, State, territorial, tribal, and local<sup>2</sup> governments to work effectively and efficiently together to prepare for, prevent, respond to, and recover from domestic incidents, regardless of cause, size, or complexity. On March 1, 2004, the Department of Homeland Security (DHS) issued the NIMS to provide a comprehensive national approach to incident management, applicable at all jurisdictional levels and across functional disciplines. HSPD-5 also required DHS to establish a mechanism for ongoing coordination to provide strategic direction for, and oversight of, the NIMS. To this end, the NIMS Integration Center (NIC) was established to support both routine maintenance and the continuous refinement of the NIMS.

All Federal departments and agencies are required to adopt the NIMS and use it in their individual domestic incident management and emergency prevention, preparedness, response, recovery, and mitigation activities, as well as in support of all actions taken to assist State or local entities. The NIC is working with Federal departments and agencies to ensure that they develop a plan to adopt NIMS and that all fiscal year (FY) 2005 Federal preparedness assistance program documents begin the process of addressing State, territorial, tribal, and local NIMS implementation.

This letter outlines the important steps that State, territorial, tribal, and local entities should take during FY 2005 (October 1, 2004- September 30, 2005) to become compliant with the NIMS.

The NIMS provides the framework for locals, tribes, territories, States, and the Federal Government to work together to respond to any domestic incident. Many of the NIMS requirements are specific to local jurisdictions. In order for NIMS to be implemented

---

<sup>1</sup> As defined in the Homeland Security Act of 2002, the term "State" means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any possession of the United States." 6 U.S.C. 101(15)

<sup>2</sup> As defined in the Homeland Security Act of 2002, Section 2(10) the term "local government" means "(A) county, municipality, city, town, township, local public authority, school district, special district, interstate compact, council of governments, regional or interstate government entity, or agency or instrumentality of a local government; (B) Indian tribe or authorized tribe/organization, or its Alaska Native village or Alaska Regional Native Corporation; and (C) any community, unincorporated town or village, or other public entity." 6 U.S.C. 201(10)

successfully across the nation, it is critical that States provide support and leadership to tribal and local entities to ensure full NIMS implementation. We are looking to you and your State Administrative Agency (SAA) to coordinate with the State agencies, tribal governments, and local jurisdictions to ensure NIMS implementation. Given the importance and urgency of this effort, Federal, State, territorial, tribal, and local entities should begin efforts to implement the NIMS, if such efforts are not already underway.

Implementation of and compliance with the NIMS is critical to ensuring full and robust preparedness across our nation. HSPD-5 established ambitious deadlines for NIMS adoption and implementation. FY 2005 is a start up year for NIMS implementation and full compliance with the NIMS is not required for you to receive FY 2005 grant funds. Since FY 2005 is a critical year for initial NIMS adoption, you should start now by prioritizing your FY 2005 preparedness assistance (in accordance with the eligibility and allowable uses of the grant) to facilitate its implementation. The NIC is working with the Federal departments and agencies to identify all of preparedness assistance programs. The NIC will then provide this information to the States, territories, tribes, and local governments.

To the maximum extent possible, States, territories, tribes, and local entities are encouraged to achieve full NIMS implementation and institutionalization across the entire response system during FY 2005. This memorandum highlights the important features of NIMS implementation that should receive special emphasis in FY 2005, but does not represent all of the actions necessary to fully implement the NIMS.

The NIMS is the nation's first-ever standardized approach to incident management and response. The NIMS unifies Federal, State, territorial, tribal, and local lines of government into one coordinated effort. This integrated system makes America safer by establishing a uniform set of processes, protocols, and procedures that all emergency responders, at every level of government, will use to conduct response actions. This system ensures that those involved in emergency response operations understand what their roles are and have the tools they need to be effective.

This system encompasses much more than the Incident Command System (ICS), although ICS is a critical component of the NIMS. It also provides a common foundation for training and other preparedness efforts, communicating and sharing information with other responders and with the public, ordering resources to assist with a response effort, and for integrating new technologies and standards to support incident management. For the first time, all of the nation's emergency responders will use a common language, and a common set of procedures when working individually and together to keep America safe. The NIMS ensures that they will have the same preparation, the same goals and expectations, and most importantly, they will be speaking the same language.

#### **Minimum FY 2005 NIMS Compliance Requirements:**

State and territory level efforts to implement the NIMS must include the following:

- **Incorporating NIMS into existing training programs and exercises**
- **Ensuring that Federal preparedness funding (including DHS Homeland Security Grant Program, Urban Area Security Initiative (UASI) funds) support NIMS implementation at the State and local levels (in accordance with the eligibility and allowable uses of the grants)**
- **Incorporating NIMS into Emergency Operations Plans (EOP)**
- **Promotion of intrastate mutual aid agreements**
- **Coordinating and providing technical assistance to local entities regarding NIMS**
- **Institutionalizing the use of the Incident Command System (ICS)**

At the State, territorial, tribal, and local levels, jurisdictions should support NIMS implementation by:

- **Completing the NIMS Awareness Course: "National Incident Management System (NIMS), An Introduction" IS 700**

This independent study course developed by the Emergency Management Institute (EMI) explains the purpose, principles, key components and benefits of NIMS. The course also contains "Planning Activity" screens, allowing participants an opportunity to complete some planning tasks during the course. The planning activity screens are printable so that they can be used after the course is complete. The course is available on-line and will take between forty-five minutes to three hours to complete. The course is available on the EMI web page at: <http://training.fema.gov/EMIWeb/IS/is700.asp>.

- **Formally recognizing the NIMS and adopting the NIMS principles and policies**  
States, territories, tribes, and local entities should establish legislation, executive orders, resolutions, or ordinances to formally adopt the NIMS. The NIC will provide sample language and templates to assist you in formally adopting the NIMS through legislative and/or executive/administrative means.

- **Establish a NIMS baseline by determining which NIMS requirements you already meet**

We recognize that State, territorial, tribal, and local entities have already implemented many of the concepts and protocols identified in the NIMS. The 2004 DHS Homeland Security Grant Program encouraged grantees to begin utilizing the NIMS concepts, principles, terminology, and technologies. The NIC is developing the NIMS Capability Assessment Support Tool (NIMCAST). The NIMCAST is a web-based self-assessment system that States, territories, tribes, and local governments can use to evaluate their incident response and management capabilities. This useful tool identifies the requirements established within the NIMS and can assist you in determining the extent to which you are already compliant, as well as identify the NIMS requirements that you are not currently meeting. As gaps in compliance with the NIMS are identified, States, territories, tribes, and local entities should use existing initiatives, such as the Office for Domestic Preparedness (ODP) Homeland Security grant programs, to develop strategies for addressing those gaps. The NIC will formally pilot the NIMCAST with a limited number of States in September. Upon completion of the pilot, the NIC will provide all

potential future users with voluntary access to the system. Additional information about the NIMCAST tool will be provided later this year.

- **Establishing a timeframe and developing a strategy for full NIMS implementation**

States, territories, tribes, and local entities are encouraged to achieve full NIMS implementation during FY 2005. To the extent that full implementation is not possible during FY 2005, Federal preparedness assistance must be leveraged to complete NIMS implementation by FY 2006. By FY 2007, Federal preparedness assistance will be conditioned by full compliance with the NIMS. Again, in order for NIMS to be implemented successfully across the nation, it is critical that States provide support and leadership to tribal and local entities to ensure full NIMS implementation. States should work with the tribal and local governments to develop a strategy for statewide compliance with the NIMS.

- **Institutionalizing the use of the Incident Command System (ICS)**

If State, territorial, tribal, and local entities are not already using ICS, you must institutionalize the use of ICS (consistent with the concepts and principles taught by DHS) across the entire response system. The 9/11 Commission Report recommended national adoption of the Incident Command System (ICS) to enhance command, control, and communications capabilities. All Federal, State, territory, tribal, and local jurisdictions will be required to adopt ICS in order to be compliant with the NIMS. Additional information about adopting ICS will be provided to you by the NIC.

#### **FY 2006 and FY 2007 Requirements:**

In order to receive FY 2006 preparedness funding, the minimum FY 2005 compliance requirements described above must be met. Applicants will be required to certify as part of their FY 2006 grant applications that they have met the FY 2005 NIMS requirements. Additional information about NIMS compliance and resources for achieving compliance will be forthcoming from the NIC. In addition, FY 2005 Federal preparedness assistance program documents will address State and local NIMS compliance. The NIC web page, [www.fema.gov/nimis](http://www.fema.gov/nimis), will be updated regularly with information about the NIMS and guidance for implementation. The NIC may be contacted at the following:

Gil Jamieson, Acting Director  
NIMS Integration Center  
500 C Street, SW  
Washington, DC 20472  
(202) 646-3850  
[NIMS-Integration-Center@dhs.gov](mailto:NIMS-Integration-Center@dhs.gov)  
web page: [www.fema.gov/nimis](http://www.fema.gov/nimis)

Thank you for your support in implementing the NIMS. I look forward to continuing our collective efforts to better secure the homeland and protect our citizens and appreciate all of your hard work in this important endeavor.

Sincerely,

Tom Ridge

cc: State Administrative Agency  
State Emergency Management Director  
State Homeland Security Advisor  
DHS Directorates and Offices  
Homeland Security Advisory Council



AGENDA ITEM SUMMARY  
OCONEE COUNTY, SC  
COUNCIL MEETING DATE: 4/5/05  
COUNCIL MEETING TIME: 7:00 PM

ITEM TITLE OR DESCRIPTION:

Adoption of Resolution 2005-09, "A RESOLUTION HONORING EMOGENSE FLROD"

BACKGROUND OR HISTORY:

Oconee County has a history of honoring retiring employees with a resolution when requested by the Department Head.

SPECIAL CONSIDERATIONS OR CONCERNS:

Mrs. Lynda Nix, Oconee County Auditor requested Council adopt this resolution.

STAFF RECOMMENDATION FOR COUNCIL ACTION:

Adoption of the attached resolution

FINANCIAL IMPACT:

None


ATTACHMENTS:

Proposed Resolution

Submitted or Prepared By:

Opal O. Green  
Department Head/Elected Official

Approved for Submittal to Council:

  
Ron H. Rabun, County Administrator

Reviewed By/ Initials:

N/A County Attorney

N/A Finance

N/A Other

C: Clerk to Council



STATE OF SOUTH CAROLINA  
COUNTY OF OCONEE  
RESOLUTION 2005-09

WHEREAS, Ms. Emogene Elrod began working with the Oconee County Auditor's Office on August 6, 1990 as an Account Clerk II; and

WHEREAS, Ms. Elrod will retire from her position in the Auditor's Office, effective April 6, 2005; and

WHEREAS, Ms. Elrod performed the duties assigned to her in a professional and courteous manner; and

WHEREAS, the members of the Oconee County Council, for themselves individually, and as a body, and on behalf of the citizens of Oconee County desire to express to Ms. Elrod their heartfelt thanks and appreciation for the many hours of service and effort she has given the Oconee County Auditor's Office and the citizens of Oconee County.

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

*"OCONEE COUNTY COUNCIL RECOGNIZES THE MANY HOURS AND SACRIFICES MADE BY MS. ELROD AS AN EMPLOYEE OF THE OCONEE AUDITOR'S OFFICE AND DUE TO SUCH UNSELFISH DEVOTION TO HER DUTIES FOR OVER SIXTEEN YEARS, MS. ELROD WILL BE REMEMBERED FOR HER ALTRUISTIC SERVICE TO THE COUNTY AND HER CITIZENS.*

RESOLVED & ADOPTED on first and final reading this 5<sup>th</sup> day of April 2005 as evidenced by the hand of the Council Chair and attest of the Clerk to Council.

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

Attest:

\_\_\_\_\_  
Opal O. Green  
Clerk to Council

AGENDA ITEM SUMMARY  
OCONEE COUNTY, SC  
COUNCIL MEETING DATE:

COUNCIL MEETING TIME: ITEM TITLE OR DESCRIPTION:

Fee-In-Lieu-Of-Tax (FILOT) for CG Roxane LLC, a water bottling company, located near Salem, SC.

BACKGROUND OR HISTORY:

CG Roxane LLC, purchased the former Fountainhead Water Company and plan to invest at least \$10,000,000 in the next 5 years. This investment qualifies them for a FILOT under SC law. They currently have 13 employees and plan to hire an additional 11 within 24 months.

SPECIAL CONSIDERATIONS OR CONCERNS:

This is a \$10,000,000+ new investment in the county and 24 new jobs.

STAFF RECOMMENDATION FOR COUNCIL ACTION:

Recommend the FILOT be approved at 6% for 20 years based on the June 30, 2004 millage rate. Suggest they be granted a Special Source Credit of 15% for the first five years. Note: CG Roxane is requesting a 25% Special Source Credit.

FINANCIAL IMPACT:


The investment will bring approximately \$1.2M in taxes over the next 20 years. 24 new jobs will be available to our citizens.

ATTACHMENTS:

Draft FILOT Property Tax Projection for the CG Roxane Project

Ordinance & Resolution

Submitted or Prepared By:

  
Department Head/Elected Official

Approved for Submittal to Council:

  
Ron H. Rabun, County Administrator

Reviewed By/ Initials:

 County Attorney

 Finance

N/A Other

C: Clerk to Council

DRAFT-

ANOTHER SUMMARY  
PACKAGE ON THE  
PROJECT IS BEING  
STAFFED BY  
JIM ALEXANDER  
7-31-05

Illustration of Fee-In-Lieu of Property Tax

Project CG

Oconee County

6%, 20-Year Fee, Locked Millage

Year	Annual Fee Schedule	Annual Tax Schedule without Fee	Annual Savings with Fee
1	\$159,101	\$189,737	\$30,637
2	\$143,541	\$172,893	\$29,352
3	\$127,982	\$155,694	\$27,712
4	\$112,422	\$138,133	\$25,711
5	\$96,863	\$120,205	\$23,342
6	\$81,303	\$109,538	\$28,235
7	\$65,744	\$122,129	\$56,386
8	\$50,184	\$94,157	\$43,973
9	\$47,355	\$89,738	\$42,383
10	\$47,355	\$90,635	\$43,280
11	\$47,355	\$91,541	\$44,186
12	\$47,355	\$92,457	\$45,102
13	\$47,355	\$93,381	\$46,026
14	\$47,355	\$94,315	\$46,960
15	\$47,355	\$95,258	\$47,903
16	\$47,355	\$96,211	\$48,856
17	\$47,355	\$97,173	\$49,818
18	\$47,355	\$98,145	\$50,790
19	\$47,355	\$99,126	\$51,771
20	\$47,355	\$100,117	\$52,762
TOTAL	\$1,405,398	\$2,280,584	\$875,186

Assumptions

Machine/Equip	\$11,500,000
Land/Blgd	\$2,700,000
Millage Rate	0.2050
Allowable Millage	0.0663
Average growth	1.00%
Depreciation	11%
Maximum Deprcc	99%

**OCONEE COUNTY  
RESOLUTION**

A RESOLUTION AUTHORIZING (1) THE EXECUTION AND DELIVERY OF AN INDUCEMENT AND MILLAGE RATE AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA ("THE COUNTY") AND CG ROXANE LLC (THE "COMPANY"), WHEREBY, UNDER CERTAIN CONDITIONS, THE COUNTY WILL ENTER INTO A FEE AGREEMENT WITH RESPECT TO SUCH PROPERTY; (2) THE COUNTY TO COVENANT IN SUCH FEE AGREEMENT TO ACCEPT CERTAIN FEES IN LIEU OF *AD VALOREM* TAXES WITH RESPECT TO SUCH PROPERTY; (3) SPECIAL SOURCE CREDITS TO REIMBURSE THE COMPANY FOR A PORTION OF THE COSTS OF CERTAIN INFRASTRUCTURE OR REAL PROPERTY COSTS INCURRED IN CONNECTION WITH A MANUFACTURING OR COMMERCIAL ENTERPRISE SERVING THE ECONOMIC DEVELOPMENT OF THE COUNTY; (4) THE BENEFITS OF A MULTI-COUNTY PARK TO BE MADE AVAILABLE TO THE COMPANY; AND (5) OTHER MATTERS RELATING THERETO.

WHEREAS, Oconee County, South Carolina (the "County"), acting by and through its County Council (the "Council"), is authorized and empowered under and pursuant to the provisions of the Code of Laws of South Carolina, 1976, as amended through the date hereof (the "Code"), particularly Title 12, Chapter 44 of the Code (the "Simplified FILOT Act"), and Title 4, Chapter 1 of the Code (the "Multi-County Park Act" or, as to Section 4-1-175 thereof, the "Special Source Act") (collectively, the "Act"); (i) to acquire, or cause to be acquired, certain industrial and commercial properties and to enter into agreements, including lease purchase agreements, with certain investors to construct, operate, maintain, and improve such projects through which the economic development of the State of South Carolina (the "State") will be promoted and trade developed by inducing manufacturing and commercial enterprises to locate and remain in the State and thus utilize and employ the manpower, agricultural products, and natural resources of the State; (ii) to covenant with such investors to accept certain fee in lieu of *ad valorem* tax ("FILOT") payments with respect to a project; (iii) to permit investors to claim special source credits against their FILOT payments ("Special Source Credits") to reimburse such investors for expenditures in connection with infrastructure serving the County and improved or unimproved real estate used in the operation of manufacturing or commercial enterprise in order to enhance the economic development of the County ("Special Source Improvements"); and (iv) to create, in conjunction with one or more other counties, a multi-county industrial or business park in order to afford certain enhanced income tax credits to such investors and facilitate the grant of Special Source Credits; and

WHEREAS, CG Roxane LLC, a limited liability company organized and existing under the laws of the State of California and authorized to transact business in the State (the "Company"), proposes to acquire, construct, renovate, and equip a facility in the County to be used primarily to extract, filter, process, and bottle potable water (the "Project"); and

WHEREAS, the Company anticipates that, should its plans proceed as expected, it will invest at least \$10,000,000, and possibly more than \$13,500,000, in the Project; and

WHEREAS, on the basis of the information supplied to it by the Company, the County has determined, *inter alia*, that the Project would subserve the purposes of the Act; and, in consideration of the jobs and investment created by the Company, which contribute to the tax base and the economic welfare of the County, the County wishes to induce the Company to undertake the Project by offering the incentives set forth herein and in the Inducement and Millage Rate Agreement presented to this meeting (the "Inducement Agreement"); and

WHEREAS, it appears that the Inducement Agreement now before this meeting is in appropriate form and is an appropriate instrument to be executed and delivered by the County for the purposes intended.

NOW, THEREFORE, BE IT RESOLVED, by the Council, as follows:

Section 1. It is hereby found, determined, and declared as follows:

(a) The Project will benefit the general public welfare of the State, and the County in particular, by creating an investment of at least \$10,000,000 and possibly more than \$13,500,000, and by providing additional jobs in the County, with a resulting alleviation of unemployment and a substantial increase in payrolls and other public benefits incident to the conduct of such businesses not otherwise provided locally; and

(b) The Project will give rise to no pecuniary liability of the County or charge against its general credit or taxing power; and

(c) The purposes to be accomplished by the Project are proper governmental and public purposes; and

(d) The benefits of the Project are greater than the cost.

Section 2.

(a) The County hereby agrees to enter into an agreement with the Company, which shall, at the election of the Company, be in the form of a fee agreement pursuant to the Simplified PILOT Act (such fee agreement hereinafter referred to as the "PILOT Agreement"), whereby the Company will agree to invest at least \$10,000,000 in the Project during the period commencing with the date of the Company's initial expenditure with respect to the Project (including the purchase of the real property portion of the Project that has been previously subject to property taxes in the State), whether before or after the date of this Resolution, and ending on the fifth anniversary of the end of the property tax year in which the Company places in service the initial assets comprising the Project (the "Statutory Compliance Period"), and the County agrees to accept Negotiated PILOT (as defined in the Inducement Agreement) payments in lieu of *ad valorem* taxes with respect to the Project.



(b) The Negotiated FII/OT shall be determined using: (1) an assessment ratio of 6%, (2) a millage rate of 205 mills, which is the millage rate applicable at the Project site as of June 30, 2004 and which shall be fixed for the entire term of the FII/OT Agreement, (3) the fair market value of the Project determined in accordance with the Act, and (4) and such other terms and conditions as are specified in the form of Inducement Agreement presented to this meeting.

(c) To encourage the Company to increase its investment in the Project, if the investment in the Project reaches at least \$10,000,000 by the end of the Statutory Compliance Period, the period for completion of the Project shall automatically be extended to the tenth anniversary of the end of the property tax year in which the County and the Company enter into the fee agreement (such Statutory Compliance Period or extended investment period, as the case may be, is referred to herein as the "Investment Period"); provided, however, that there shall be no extension of the period for meeting any statutory minimum investment requirement of \$5,000,000 beyond the Statutory Compliance Period.

Section 3. As reimbursement for the Company's investment in certain Special Source Improvements relating to the Project, and in consideration of the \$10,000,000 minimum investment commitment specified herein and the anticipated employment to be created by the Project, the County agrees that the Company shall be entitled to claim Special Source Credits in an amount up to twenty-five percent (25%) of each of the first five (5) net (after deducting, prior to application of said Credit, the one percent (1%) fee otherwise payable by the County to the partner county in the multi-county park referenced in Section 4 below) FII/OT payments.

Section 4. The County will diligently take all reasonable acts to insure that the Project will be included, and will remain, within the boundaries of a multi-county industrial or business park pursuant to the provisions of the Multi-County Park Act on terms which provide, for all jobs created at the Project during the Investment Period, any additional jobs tax credit afforded by the laws of the State for projects located within multi-county industrial or business parks and which facilitate the Special Source Credits described in Section 3 hereof.

Section 5. The fee agreement will contain such other terms and conditions as may be provided in the Inducement Agreement. The provisions, terms, and conditions of the Inducement Agreement presented to this meeting and filed with the Clerk to Council are hereby approved, and all of the provisions, terms, and conditions thereof are hereby incorporated herein by reference as if the Inducement Agreement were set out in this Resolution in its entirety. The Chairman of the Council is hereby authorized, empowered, and directed to execute the Inducement Agreement in the name and on behalf of the County; the Clerk to Council is hereby authorized, empowered, and directed to attest the same, and the Chairman of the Council is further authorized, empowered, and directed to deliver the Inducement Agreement to the Company. The Inducement Agreement is to be in substantially the form now before this meeting and hereby approved, or with such changes therein as shall not materially adversely affect the rights of the County thereunder and as shall be approved by the official or officials of the County executing the same, their execution thereof to constitute conclusive evidence of their approval of any and all changes or revisions therein from the form of the Inducement Agreement now before this meeting.



Section 6. The Chairman of the Council and the Clerk in Council, for and on behalf of the County, are hereby each authorized, empowered, and directed to do any and all things necessary or proper to effect the performance of all obligations of the County under and pursuant to the Inducement Agreement.

Section 7. The execution and delivery of the fee agreement to be entered into between the County and the Company in order to effect the PILOT arrangement as provided in the Inducement Agreement is subject to adoption by the Council of an ordinance authorizing the same and, in conjunction therewith, compliance with the provisions of the Home Rule Act regarding the procedural requirements for adopting ordinances.

Section 8. All orders, resolutions, and parts thereof in conflict herewith are to the extent of such conflict hereby repealed. This Resolution shall take effect and be in full force upon adoption by the Council.

[End of Resolution]

Done in meeting duly assembled April 5, 2005.

OCONEE COUNTY, SOUTH CAROLINA

By:

H. Frank Ables, Jr., Chairman of County Council  
Oconee County, South Carolina

[SEAL]

Attest:

By:

Opal O. Green, Clerk to County Council  
Oconee County, South Carolina

## INDUCEMENT AND MILLAGE RATE AGREEMENT

THIS INDUCEMENT AND MILLAGE RATE AGREEMENT (the "Agreement") between OCONEE COUNTY, SOUTH CAROLINA (the "County"), a body politic and corporate and a political subdivision of the State of South Carolina (the "State"), and CG ROXANE LLC, a limited liability company organized and existing under the laws of the State of California and authorized to transact business in the State (the "Company");

WITNESSETH:

### ARTICLE I

#### RECITATION OF FACTS

Section 1.1. As a means of setting forth the matters of mutual inducement which have resulted in the making and entering into of this Agreement, the following statements of fact are herewith recited:

(a) The County, acting by and through its County Council (the "Council"), is authorized pursuant to the provisions of the Code of Laws of South Carolina, 1976, as amended through the date hereof (the "Code"), particularly Title 12, Chapter 44 of the Code (the "Simplified PILOT Act"), and Title 4, Chapter 1 of the Code (the "Multi-County Park Act" or, as to Section 4-1-175 thereof, the "Special Source Act") (collectively, the "Act"); (i) to acquire, or cause to be acquired, certain industrial and commercial properties and to enter into agreements, including lease purchase agreements, with certain investors to construct, operate, maintain, and improve such projects through which the economic development of the State will be promoted and trade developed by inducing manufacturing and commercial enterprises to locate and remain in the State and thus utilize and employ the manpower, agricultural products, and natural resources of the State; (ii) to covenant with such investors to accept certain fee in lieu of *ad valorem* tax ("PILOT") payments with respect to a project; (iii) to permit investors to claim special source credits against their PILOT payments ("Special Source Credits") to reimburse such investors for expenditures in connection with infrastructure serving the County and improved or unimproved real estate used in the operation of a manufacturing or commercial enterprise in order to enhance the economic development of the County ("Special Source Improvements"); and (iv) to create, in conjunction with one or more other counties, a multi-county industrial or business park in order to afford certain enhanced income tax credits to such investors and facilitate the grant of Special Source Credits.

(b) The Company proposes to acquire, construct, renovate, and equip a facility in the County to be used primarily to extract, filter, process, and bottle potable water (the "Project"). The Company anticipates that, should its plans proceed as expected, it will invest at least \$10,000,000, and possibly more than \$13,500,000, at the Project.

(c) The County has given due consideration to the economic development impact of the Project, has determined on the basis of the information supplied to it by the Company that the Project would subserve the purposes of the Act, and, pursuant to a Resolution adopted by the Council on April 5, 2005 (the "Resolution"), has made certain findings in accordance with the provisions of the Act. Based upon such findings, and in consideration of the jobs and investment created by the Company which contribute to the tax base and the economic welfare of the County, the County wishes to induce the Company to acquire and construct the Project within the boundaries of the County, and, in furtherance thereof and subject to the terms of this Agreement, proposes to make available to the Company the incentives set forth herein, all as approved by the Resolution.

## ARTICLE II

### UNDERTAKINGS ON THE PART OF THE COUNTY

Section 2.1. With regard to the Project, the County agrees as follows:

(a) The County hereby agrees, subject to the investment and other requirements set forth herein and in the Act, to enter into an agreement with the Company, whereby the Company will agree to invest at least \$10,000,000 in the Project during the period commencing with the date of the Company's initial expenditure with respect to the Project (including the purchase of the real property portion of the Project that has been previously subject to property taxes in the State), whether before or after the date of this Agreement, and ending on the fifth anniversary of the end of the property tax year in which the Company places in service the initial assets comprising the Project (the "Statutory Compliance Period"), and the County agrees to accept Negotiated FILOT payments (as defined in paragraph (c) below) in lieu of *ad valorem* taxes with respect to the Project. At the election of the Company, such agreement shall be in the form of a fee agreement pursuant to the Simplified FILOT Act (the "FILOT Agreement"). The FILOT Agreement shall contain such terms and conditions as are set forth hereinafter and as may be customary in the State for similar transactions and as shall be mutually satisfactory to the County and the Company.

(b) In order to take advantage of the Negotiated FILOT described in paragraph (c) below, the Simplified FILOT Act requires that the Company invest not less than the statutory minimum investment of \$5,000,000 in the Project by the end of the Statutory Compliance Period. Such Statutory Compliance Period is anticipated to end on the Company's fiscal year end of December 31<sup>st</sup> in the year 2010. To encourage the Company to increase its investment in the Project, if the investment in the Project reaches at least \$10,000,000 by the end of the Statutory Compliance Period, the period for completion of the Project shall automatically be extended to the tenth anniversary of the end of the property tax year in which the Company places in service the first assets comprising the Project (such Statutory Compliance Period or extended

investment period, as the case may be, referred to herein as the "Investment Period"); and the County hereby consents to such extension on these terms; provided, however, that there shall be no extension of the period for meeting the statutory minimum investment requirement of \$5,000,000 beyond the Statutory Compliance Period. If extended, the Investment Period would be anticipated to extend through December 31, 2015.

(c) (i) The Company shall pay a FILOT calculated as provided in this Section 2.1(c) (the "Negotiated FILOT") for all property placed in service as part of the Project during the Investment Period. Subject to the provisions of the Act, the annual Negotiated FILOT payments shall commence with respect to the property tax year in which the first assets comprising a part of the Project are placed in service and shall continue for a period of up to 20 years thereafter; provided that, if the Project is placed in service during more than one year, each year's investment during the Investment Period shall be subject to the Negotiated FILOT for a period of 20 years, up to a total of 25 years or, if the Investment Period is extended, up to a total of 30 years.

(ii) The Negotiated FILOT shall be determined using: (1) an assessment ratio of 6.0%, (2) a millage rate of 205 mills, which is the millage rate applicable to the Project site as of June 30, 2004, and which rate shall be fixed for the entire term of the FILOT Agreement; and (3) the fair market value of the Project, determined in accordance with the Act, typically by using the original income tax basis without regard to depreciation or reassessment for any real property and the original income tax basis less allowable depreciation for any personal property.

(iii) If the Company fails to invest or cause to be invested at least \$5,000,000 by the end of the Statutory Compliance Period, the Company must pay to the County the difference between the Negotiated FILOT theretofore paid and the amount which would have been paid but for the FILOT Agreement plus interest as required by the Act.

Section 2.2. The FILOT Agreement shall contain, in substance, the following provisions in addition to the provisions specified elsewhere in this Agreement:

(a) The County and the Company agree to waive any requirement under the Act that the FILOT Agreement contain a recitation of the terms thereof at the beginning of the agreement. The Company shall provide the County with a copy of the Form PT-443 to be filed with the Department of Revenue and shall update such form from time to time to the extent that the information therein is no longer accurate.

(b) The County and the Company will agree that the Company, at its discretion, may dispose of property and replace property subject to FILOT payments as set forth in the Act.

Section 2.3. As reimbursement for the Company's investment in certain Special Source Improvements and in consideration of the \$10,000,000 minimum investment specified



herein and the anticipated employment to be created by the Project, the County agrees that the Company shall be entitled to claim Special Source Credits in an amount up to twenty-five percent (25%) of each of the first five (5) net (after deducting, prior to application of said Credit, the one percent (1%) fee otherwise payable by the County to the partner county in the multi-county park referenced in Section 2.4 below) PILOT Payments with respect to the Project.

If the Company fails to invest or cause to be invested in the Project at least \$10,000,000 by the end of the Statutory Compliance Period, the County reserves the right to terminate or adjust the Special Source Credits thereafter accruing, if any.

In no event shall the aggregate amount of the Special Source Credits exceed the amount heretofore or hereafter expended by the Company with respect to Special Source Improvements relating to the Project.

Section 2.4. The County will diligently take all reasonable acts to insure that the Project will be included, and will remain, within the boundaries of a multi-county industrial or business park pursuant to the provisions of the Multi-County Park Act on terms which provide, for all jobs created by the Company in the County during the Investment Period, any additional jobs tax credit afforded by the laws of the State for projects located in multi-county industrial or business parks and which facilitate the Special Source Credits described in Section 2.3 hereof.

Section 2.5. In so far as is legally and practically possible, the County will perform such other acts and adopt such further proceedings as may be required to faithfully implement this Agreement. The County through the Chairman of the Council and the Clerk to County Council are authorized to enter into any other documents or agreements consistent with the terms of this Agreement.

### ARTICLE III

#### UNDERTAKINGS ON THE PART OF THE COMPANY

Section 3.1. If the plans for the execution of the PILOT Agreement proceed as contemplated herein, the Company agrees as follows:

(a) To enter into the PILOT Agreement, under the terms of which it will obligate itself to pay to the County sums sufficient to make the PILOT payments calculated in accordance with Section 2.1 hereof, as and when the same become due and payable, such PILOT Agreement to be in form and to contain such provisions, consistent with those set forth herein, as shall be satisfactory to the County and to the Company;

(b) To perform such further acts and adopt such further proceedings as may be required faithfully to implement its undertakings and consummate the proposed acquisition, renovation, and equipping of the Project;





Section 4.3. If for any reason this Agreement is not executed and delivered by the Company before April 5, 2007, the provisions of this Agreement shall be canceled and neither party shall have any rights against the other and no third parties shall have any rights against either party. The parties understand that, even after execution of this Agreement, the Company may choose not to proceed with the Project or not to enter into the FILOT Agreement, as the case may be, in which event neither party shall have any further rights against the other, and no third party shall have any rights against either party.

Section 4.4. The Company may assign all or a part of its rights and/or obligations under this Agreement, the FILOT Agreement or any other agreement related hereto or thereto, or transfer any and all assets of the Company to any corporation, limited liability company, partnership or other person or entity which owns all or part of the Company or which is owned in whole or in part by the Company or by any partner, shareholder or owner of the Company ("Affiliates"), or to any person or company which subleases the Project to the Company or any of its Affiliates and any of the foregoing conveyances are hereby approved by the County. The Company shall provide the County and the South Carolina Department of Revenue with notice of any such assignment, transfer, or investment in accordance with the Act, and the County agrees, upon the request of the Company, to take all further action necessary to implement such assignment, transfer, or investment in accordance with the provisions of the Act.

[Signature Page to Follow]

IN WITNESS THEREOF, the parties hereto, each after due authorization, have executed this Agreement on the respective dates indicated below.

OCONEE COUNTY, SOUTH CAROLINA

By: \_\_\_\_\_  
H. Frank Ables, Jr., Chairman of County Council  
Oconee County, South Carolina

[SEAL]

Attest:

By: \_\_\_\_\_  
Opal O. Green, Clerk to County Council  
Oconee County, South Carolina

Date: April 5, 2005

CG ROXANE LLC

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

Date: April \_\_\_\_, 2005

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR OCONEE COUNTY  
ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AUTHORIZING: (1) THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AND INCENTIVE AGREEMENT (THE "FEE AGREEMENT") BETWEEN OCONEE COUNTY, SOUTH CAROLINA ("OCONEE COUNTY") AND CG ROXANE LLC (THE "COMPANY"), PURSUANT TO WHICH FEE AGREEMENT OCONEE COUNTY SHALL COVENANT TO ACCEPT CERTAIN FEES IN LIEU OF *AD VALOREM* TAXES; (2) SPECIAL SOURCE CREDITS TO REIMBURSE THE COMPANY FOR A PORTION OF THE COSTS OF CERTAIN INFRASTRUCTURE OR REAL PROPERTY COSTS INCURRED IN CONNECTION WITH A MANUFACTURING OR COMMERCIAL ENTERPRISE SERVING THE ECONOMIC DEVELOPMENT OF OCONEE COUNTY; (3) THE BENEFITS OF A MULTI-COUNTY PARK TO BE MADE AVAILABLE TO COMPANY; AND (4) OTHER MATTERS RELATING THERETO.

WHEREAS, Oconee County, South Carolina (the "County"), acting by and through its County Council (the "Council"), is authorized and empowered under and pursuant to the provisions of the Code of Laws of South Carolina, 1976, as amended through the date hereof (the "Code"), particularly Title 12, Chapter 44 of the Code (the "Simplified PILOT Act"), and Title 4, Chapter 1 of the Code (the "Multi-County Park Act" or, as to Section 4-1-175 thereof, the "Special Source Act") (collectively, the "Act"); (i) to enter into agreements with certain investors to construct, operate, maintain, and improve industrial and commercial facilities through which the economic development of the State of South Carolina (the "State") will be promoted by inducing industrial and commercial enterprises to locate and remain in the State and thus utilize and employ the manpower, agricultural products, and natural resources of the State; (ii) to covenant with such investors to accept certain fee in lieu of *ad valorem* tax ("PILOT") payments with respect to such properties; (iii) to permit investors to claim special source credits against their PILOT payments ("Special Source Credits") to reimburse such investors for expenditures in connection with infrastructure serving the County and improved or unimproved real estate used in the operation of manufacturing or commercial enterprise in order to enhance the economic development of the County ("Special Source Improvements"); and (iv) to create, in conjunction with one or more other counties, a multi-county industrial or business park in order to afford certain enhanced income tax credits to such investors and facilitate the grant of Special Source Credits; and

WHEREAS, CG Roxane LLC, a limited liability company organized and existing under the laws of the State of California and authorized to transact business in the State (the "Company"), is considering making a significant investment in the County through the acquisition of certain land and the construction, renovation, and equipping of certain buildings and other improvements thereon, which facilities the Company proposes to use

primarily to extract, filter, process, and bottle potable water (the "Project"). The Company anticipates that, should its plans proceed as expected, it will invest at least \$10,000,000, and possibly more than \$13,500,000, at the Project.

WHEREAS, the County has determined, *inter alia*, on the basis of the information supplied to it by the Company that the Project would subsserve the purposes of the Act, and in consideration of the jobs and investment created by the Company, the County wishes to induce the Company to undertake the Project by offering the inducements set forth in the Inducement and Millage Rate Agreement (the "Inducement Agreement") heretofore approved by the Council by Resolution adopted April 5, 2005 (the "Inducement Resolution"); and

WHEREAS, the County and the Company have agreed to the specific terms and conditions of such arrangements set forth in that certain Fee in Lieu of Tax and Incentive Agreement between the County and the Company (the "FILOT Agreement"), which FILOT Agreement is to be dated as of May 1, 2005, or such other date as the parties may agree; and

WHEREAS, it appears that the FILOT Agreement now before this meeting is in appropriate form and is an appropriate instrument to be executed and delivered by the County for the purposes intended;

NOW, THEREFORE, BE IT ORDAINED by the Council as follows:

Section 1. As contemplated by Section 12-44-46(F) of the Code, the findings and determinations set forth in the Inducement Resolution are hereby ratified and confirmed.

Section 2. The County hereby agrees to enter into the FILOT Agreement with the Company, whereby the Company will agree to pay a Negotiated FILOT (as defined in the FILOT Agreement) with respect to the Project in accordance with the terms of such FILOT Agreement. The FILOT Agreement will provide, *inter alia*, the following:

(b) In order to take advantage of the Negotiated FILOT, the Company must invest not less than the statutory minimum investment of \$5,000,000 in the Project by the end of the approximately five-year period commencing with the Company's initial expenditure with respect to the Project and ending on the fifth anniversary of the end of the property tax year in which the Company places in service the first assets comprising the Project (the "Statutory Compliance Period") and the Company will by contract agree to invest not less than \$10,000,000 in the Project during the Statutory Compliance Period. Such Statutory Compliance Period is anticipated to end on the Company's fiscal year end of December 31, 2010. To encourage the Company to increase its investment in the Project, if the investment in the Project aggregates at least \$10,000,000 on or before the end of the Statutory Compliance Period, the period for completion of the Project shall automatically be extended to the tenth anniversary of the end of the property tax year in which the Company places in service the first assets comprising the Project (*i.e.*, anticipated to extend through December 31, 2015) (such Statutory Compliance Period or extended investment period, as the case may be, herein referred to as the "Investment Period"), and the County hereby consents to such



extension on those terms; provided, however, that there shall be no extension of the period for meeting the statutory investment requirement of \$5,000,000 beyond the Statutory Compliance Period. If extended, the Investment Period would be anticipated to extend through December 31, 2015.

(b) (i) The Company shall pay a FILOT calculated as provided in this Section 2(b) (the "Negotiated FILOT") for all property placed in service by the Company as part of the Project during the Investment Period. The annual Negotiated FILOT payments shall commence with respect to the property tax year in which the first assets comprising a part of the Project are placed in service and shall continue for a period of up to 20 years thereafter; provided that, if the Project is placed in service during more than one year, each year's investment during the Investment Period shall be subject to the Negotiated FILOT for a period of 20 years, up to a total of 25 years or, if the Investment Period is extended, up to a total of 30 years.

(ii) The Negotiated FILOT shall be determined using: (1) an assessment ratio of 6.0%, (2) a millage rate of 205 mills, which is the millage rate applicable to the Project as of June 30, 2004, and which rate shall be fixed for the entire term of the FILOT Agreement, and (3) the fair market value of the Project, determined in accordance with the Act.

Section 3. As reimbursement for the Company's investment in certain Special Source Improvements and in consideration of the \$10,000,000 minimum investment specified herein and the anticipated employment to be created by the Project, the County agrees that the Company shall be entitled to claim Special Source Credits in an amount up to twenty-five percent (25%) of each of the first five (5) net (after deducting, prior to application of said Credit, the one percent (1%) fee otherwise payable by the County to the partner county in the multi-county park referenced in Section 2.4 below) FILOT Payments with respect to the Project.

If the Company fails to invest or cause to be invested in the Project at least \$10,000,000 by the end of the Statutory Compliance Period, the County reserves the right to terminate or adjust the Special Source Credits thereafter accruing, if any.

In no event shall the aggregate amount of the Special Source Credits exceed the amount heretofore or hereafter expended by the Company with respect to Special Source Improvements relating to the Project.

Section 4. The County will diligently take all reasonable acts to insure that the Project will be included, and will remain, within the boundaries of a multi-county industrial or business park pursuant to the provisions of the Multi-County Park Act on terms which provide, for all jobs created by the Company in the County during the Investment Period, any additional jobs tax credits afforded by the laws of the State for projects located in multi-county industrial or business parks and which facilitate the Special Source Credits described herein.

Section 5. The form, provisions, terms, and conditions of the FILOT Agreement presented to this meeting and filed with the Clerk to Council be and they are hereby approved, and all of the provisions, terms, and conditions thereof are hereby incorporated



herein by reference as if the FILOT Agreement were set out in this Ordinance in its entirety.

Section 6. The form, terms and provisions of the Inducement Agreement heretofore entered into by the County and the Company are hereby ratified and approved, and all of the terms, provisions, and conditions thereof are hereby incorporated herein by reference as if the Inducement Agreement were set out in this Ordinance in its entirety.

Section 7. The FILOT Agreement is to be in substantially the form now before this meeting and hereby approved, or with such changes therein as shall not materially adversely affect the rights of the County thereunder and as shall be approved by the officials of the County executing the same, their execution thereof to constitute conclusive evidence of their approval of any and all changes or revisions therein from the form of the FILOT Agreement now before this meeting.

Section 8. The Chairman of the Council and the Clerk to County Council, for and on behalf of the County, is hereby authorized, empowered, and directed to do any and all things necessary or proper to effect the execution and delivery of the Inducement Agreement and the FILOT Agreement, the performance of all obligations of the County under and pursuant to the Inducement Agreement and the FILOT Agreement, and to carry out the transactions contemplated thereby and by this Ordinance.

Section 9. The provisions of this Ordinance are hereby declared to be separable and if any section, phrase, or provision shall for any reason be declared by a court of competent jurisdiction to be invalid or unenforceable, such declaration shall not affect the validity of the remainder of the sections, phrases, and provisions hereunder.

Section 10. All orders, resolutions, ordinances, and parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed and this Ordinance shall take effect and be in full force from and after its passage and approval.

[End of Ordinance; execution page to follow.]

Enacted and approved this \_\_\_\_\_ day of May, 2005.

OCCONEE COUNTY, SOUTH CAROLINA

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

H. Frank Ables, Jr., Chairman of County Council  
Oconee County, South Carolina

[SEAL]

Attest:

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

Opal O. Green, Clerk to County Council  
Oconee County, South Carolina

First Reading:	April 5, 2005
Second Reading:	April 19, 2005
Public Hearing:	May 3, 2005
Third Reading:	May 3, 2005

**AGENDA ITEM SUMMARY  
OCONEE COUNTY, SC**

**COUNCIL MEETING DATE:** 4/5/05

**COUNCIL MEETING TIME:** 7:00 pm

**ITEM TITLE OR DESCRIPTION:**

First Reading of Ordinance 2005-06, "AN ORDINANCE TO PROVIDE FOR FLOOD DAMAGE PREVENTION"

**BACKGROUND OR HISTORY:**

Follow up to the action items required as a result of the South Carolina Department of Natural Resources Community Assistance Visit (CAV) dated November 22<sup>nd</sup> 2004. (See attached)

On August 12<sup>th</sup> 2004 Mr. John LaBrune of the Federal Emergency Management Agency (FEMA), National Flood Insurance Program (NFIP) conducted a Community Assistance Visit. During the visit the county was cited for serious problems with our administration and enforcement procedures as well as the serious programmatic issues of not requiring permits for building within the flood zone, and not requiring or maintaining Elevation Certificates.

This CAV follows one conducted August 15, 1995 by South Carolina Department of Natural Resources, in which serious problems were found with the county's floodplain management regulations.

**SPECIAL CONSIDERATIONS OR CONCERNS:**

The County must take action to avoid being subject to suspension or probation from the National Flood Insurance Program (NFIP) Program for failing to meet adequate flood plain management regulations required by Federal Emergency Management Agency (FEMA).

**Impact of Probation:**

1. Often used as a step before Suspension from the National Flood Insurance Program, each policy owner will be notified immediately of an additional \$50.00 surcharge that will be imposed upon the renewal of their flood insurance policy.

**Impact of Suspension:**

1. No Federal flood insurance available for anyone inside Oconee County.
2. No Federal disaster assistance provided for structures in identified flood hazard areas.
3. Federal mortgage insurance will not be provided for structures in identified flood hazard areas (ie. Loans/grants guaranteed by FIA, VA, SBA).
4. Possibility that Conventional loans may not be available to structures within the special hazard area.
5. Oconee County may be open to litigation due to loss of availability of flood insurance coverage needed for structures and property that are currently within the special flood hazard areas of the county.

**STAFF RECOMMENDATION FOR COUNCIL ACTION:**

*Floodplain Administrator:* Advise that the attached Ordinance and Standard Operating Procedures be adopted to bring us into compliance with current National Flood Insurance standards.

**FINANCIAL IMPACT:**

No internal financial impact.

**ATTACHMENTS:**


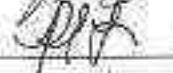
Submitted or Prepared By:

Mark Washington  
Department Head/Elected Official

Approved for Submittal to Council:

  
Ron H. Rabun, County Administrator

Reviewed By/Initials:

 County Attorney  
 Finance  
N/A Other

C: Clerk to Council

# OCONEE COUNTY FLOOD ORDINANCE DRAFT II

## OCONEE COUNCIL COUNCIL

### ORDINANCE 2005-06

#### "AN ORDINANCE TO PROVIDE FOR FLOOD DAMAGE PREVENTION"

### ARTICLE 1.

#### GENERAL PROVISIONS

##### SECTION ONE. Statutory Authorization

The Legislature of the State of South Carolina has in SC Code of Laws, title 4, Chapters 9 (Article 1), 25, and 27, and amendments thereto, delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the Oconee County Council Ordinance 87-4 "AN ORDINANCE TO PROVIDE FOR FLOOD DAMAGE PREVENTION" is amended as follows:

##### SECTION TWO. Findings of Fact

**2.1:** The flood hazard areas of unincorporated Oconee County, South Carolina are subject to periodic inundation which results in the loss of life, property, health and safety hazards; disruption of commerce and governmental services; extraordinary public expenditures for flood protection and relief; and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.

**2.2:** These flood losses are caused by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities; and by the occupancy in flood hazard areas by uses vulnerable to floods or hazardous to other lands which are inadequately elevated, flood-protected or otherwise unprotected from flood damages.

##### SECTION THREE. Statement of Purpose

It is the purpose of this ordinance to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

# OCONEE COUNTY FLOOD ORDINANCE

## DRAFT II

3.1: Restrict or prohibit uses which are dangerous to health, safety and property due to water or erosion hazards, which result in damaging increases in erosion or in flood heights or velocities;

3.2: Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;

3.3: Control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of floodwaters;

3.4: Control filling, grading, dredging and other development which may increase erosion or flood damage; and

3.5: Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands.

### SECTION FOUR. Objectives

4.1: It is the purpose of this ordinance to protect human life and health, minimize property damage, and encourage appropriate construction practices to minimize public and private losses due to flood conditions by requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction. Uses of the floodplain which are dangerous to health, safety, and property due to water or erosion hazards, or which increase flood heights, velocities, or erosion are restricted or prohibited. These provisions attempt to control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of flood waters, and control filling, grading, dredging and other development which may increase flood damage or erosion. Additionally, the ordinance prevents or regulates the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

4.2: The objectives of this ordinance are to protect human life and health, to help maintain a stable tax base by providing for the sound use and development of flood-prone areas in such a manner as to minimize flood blight areas, and to insure that potential home buyers are notified that property is in a flood area. The provisions of the ordinance are intended to minimize damage to public facilities and utilities such as water and gas mains, electric, telephone, and sewer lines, streets and bridges located in the floodplain, and prolonged business interruptions. Also, an important floodplain management objective of this ordinance is to minimize expenditure of public money for costly flood control projects and rescue and relief efforts associated with flooding.



# OCONEE COUNTY FLOOD ORDINANCE DRAFT II

4.3: Floodplains are an important asset to the community. They perform vital natural functions such as temporary storage of floodwaters, moderation of peak flood flows, maintenance of water quality, groundwater recharge, prevention of erosion, habitat for diverse natural wildlife populations, recreational opportunities, and aesthetic quality. These functions are best served if floodplains are kept in their natural state. Wherever possible, the natural characteristics of floodplains and their associated wetlands and water bodies should be preserved and enhanced. Decisions to alter floodplains, especially floodways and stream channels, should be the result of careful planning processes which evaluate resource conditions and human needs.

## SECTION FIVE. Lands to which this Ordinance Applies

This ordinance shall apply to all areas of special flood hazard within the jurisdiction of Oconee County, South Carolina as identified by the Federal Emergency Management Agency in its flood boundary and floodway maps (FHBMs) # 450157, dated November 25, 1977 with accompanying maps and other supporting data, and any revision thereto, which are hereby adopted and declared to be a part of this ordinance.

## SECTION SIX. Establishment of Development Permit.

A Development Permit shall be required in conformance with the provisions of this ordinance prior to the commencement of any development activities.

## SECTION SEVEN. Compliance.

No structure or land shall be located, extended, converted or structurally altered without full compliance with the terms of this ordinance and other applicable regulations.

## SECTION EIGHT. Abrogation and Greater Restrictions.

This ordinance is not intended to repeal, abrogate or impair any existing easements, covenants or deed restrictions. However, where this ordinance and another ordinance conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

## SECTION NINE. Interpretation.

In the interpretation and application of this ordinance, all provisions shall be:

**9.1:** Considered as minimum requirements;

# OCONEE COUNTY FLOOD ORDINANCE

## DRAFT II

9.2: Liberally construed in favor of the governing body; and

9.3: Deemed neither to limit nor repeal any other powers granted under state statutes.

### SECTION TEN. Partial Invalidity and Severability.

If any part of this Ordinance is declared invalid, the remainder of the Ordinance shall not be affected and shall remain in force.

### SECTION ELEVEN. Warning and disclaimer of liability.

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering consideration. Larger floods can and will occur on rare occasions. Flood heights may be increased by manmade or natural causes. This ordinance does not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of Oconee County, South Carolina, or by any officer or employee of the county thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder.

### SECTION TWELVE. Penalties for violation.

Violation of the provisions of this ordinance or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions, shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than \$500.00 or imprisoned for not more than thirty (30) days, or both, and in addition shall pay all costs and expenses involved in the case. **Each day such violation continues shall be considered a separate offense.** Nothing contained in this ordinance shall prevent the county from taking such other lawful action as is necessary to prevent or remedy any violation.

# OCONEE COUNTY FLOOD ORDINANCE

## DRAFT II

### ARTICLE 2.

#### Definitions.

Unless specifically defined in this section, words or phrases used in this chapter shall be interpreted so as to give them the meaning they have in common usage and to give this chapter its most reasonable application.

**Accessory Structure** - structure which is located on the same parcel of property as the principal structure and the use of which is incidental to the use of the principal structure. Garages, carports and storage sheds are common urban accessory structures. Pole barns, hay sheds and the like qualify as accessory structures on farms, and may or may not be located on the same parcel as the farm dwelling or shop building.

**Addition (to an existing building)** - an extension or increase in the floor area or height of a building or structure. Additions to existing buildings shall comply with the requirements for new construction regardless as to whether the addition is a substantial improvement or not. Where a fire wall or load-bearing wall is provided between the addition and the existing building, the addition(s) shall be considered a separate building and must comply with the standards for new construction.

**Agricultural structure** - a structure used solely for agricultural purposes in which the use is exclusively in connection with the production, harvesting, storage, drying, or raising of agricultural commodities, including the raising of livestock. Agricultural structures are **not** exempt from the provisions of this ordinance.

**Appeal** - a request for a review of the Flood Plain Administrator's interpretation of any provision of this ordinance.

**Area of shallow flooding** - a designated AO or VO Zone on a community's Flood Insurance Rate Map (FIRM) with base flood depths of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident.

**Area of special flood hazard** - the land in the floodplain within a community subject to a one percent or greater chance of being equalled or exceeded in any given year.

**Base flood** - the flood having a one percent chance of being equalled or exceeded in any given year.

**Basement** - means any enclosed area of a building which is below grade on all sides.

# OCONEE COUNTY FLOOD ORDINANCE

## DRAFT II

**Building** - any structure built for support, shelter, or enclosure for any occupancy or storage.

**DHS-FEMA**- Department of Homeland Security-Federal Emergency Management Agency.

**Development** - any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials.

**Elevated building** - a non-basement building built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns, piers, or shear walls parallel to the flow of water.

**Existing construction** - means, for the purposes of determining rates, structures for which the start of construction commenced before the effective date of the FIRM, or before January 1, 1975, for FIRMs effective before that date.

**Existing manufactured home park or manufactured home subdivision** - a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before March 3<sup>rd</sup> 1987.

**Expansion to an existing manufactured home park or subdivision** - the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete slabs).

**Flood** - a general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters, or the unusual and rapid accumulation of runoff of surface waters from any source.

**Flood Hazard Boundary Map (FHBM)** - an official map of a community, issued by the Federal Emergency Management Agency, where the boundaries of the areas of special flood hazard have been defined as Zone A.

**Flood Insurance Rate Map (FIRM)** - an official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

**Flood Insurance Study** - the official report provided by the Federal Emergency Management Agency. The report contains flood profiles, as well as the Flood Boundary Floodway Map and the water surface elevation of the base flood.



# OCONEE COUNTY FLOOD ORDINANCE

## DRAFT II

**Flood-resistant material** - any building material capable of withstanding direct and prolonged contact (minimum 72 hours) with floodwaters without sustaining damage which requires more than low-cost cosmetic repair. Any material which is water soluble or is not resistant to alkali or acid in water, including normal adhesives for above-grade use, is not flood-resistant. Pressure-treated lumber or naturally decay-resistant lumber are acceptable flooring materials. Sheet-type flooring coverings which restrict evaporation from below and materials which are impervious, but dimensionally unstable are not acceptable. Materials which absorb or retain water excessively after submergence are not flood-resistant. Please refer to Technical Bulletin 2-93, Flood-Resistant Materials for Buildings Located in Special Flood Hazard Areas in Accordance with the National Flood Insurance Program, document number FIA-TB-2, dated 4/93, and available from the Federal Emergency Management Agency. Class 4 and 5 materials, referenced therein, are acceptable flood-resistant materials.

**Floodway** - the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

**Functionally dependent facility** - a facility which cannot be used for its intended purpose unless it is located or carried out in close proximity to water, such as a docking or port facility necessary for the loading and unloading of cargo or passengers; shipbuilding, ship repair, or seafood processing facilities. The term does not include long-term storage, manufacture, sales, or service facilities.

**Highest Adjacent Grade** - the highest natural elevation of the ground surface, prior to construction, next to the proposed walls of the structure.

**Historic Structure** - any structure that is: (a) listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of the Interior (DOI)) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (b) certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (c) individually listed on a State inventory of historic places; (d) individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified (1) by an approved State program as determined by the Secretary of Interior, or (2) directly by the Secretary of Interior in states without approved programs. Some structures or districts listed on the State or local inventories **MAY NOT** be "Historic" as cited above, but have been included on the inventories because it was believed that the structures or districts have the **potential** for meeting the "Historic" structure criteria of the DOI. In order for these structures to meet NFIP historic structure criteria, it must be demonstrated and evidenced that the South Carolina Department of Archives and History has **individually determined** that the structure or district meets DOI historic structure criteria.

# OCONEE COUNTY FLOOD ORDINANCE

## DRAFT II

**Increased Cost of Compliance** - Those expenses a property owner must incur, above and beyond the cost to repair the physical damage the structure actually sustained from a flooding event, to comply with the mitigation requirements of the State or local flood damage prevention ordinance, laws or regulations. Acceptable mitigation measures are elevation, floodproofing, relocation, demolition, or any combination thereof.

**Limited storage** - an area used for storage and intended to be limited to incidental items which can withstand exposure to the elements and have low flood damage potential. Such an area must be of flood resistant or breakaway material, void of utilities except for essential lighting and cannot be temperature controlled. If the area is located below the base flood elevation in an A, AE and A1-A30 zone it must meet the requirements of art. 4, sec.2, para.2.5 of this ordinance.

**Lowest Floor** - the lowest floor of the lowest enclosed area. Any unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access, or storage in an area other than a basement area is not considered a building's lowest floor provided that such an enclosure is not built so as to render the structure in violation of other provisions of this ordinance.

**Manufactured home** - a structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

**Manufactured home park or subdivision** - a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

**Mean Sea Level** - the average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. For purposes of this ordinance, the term is synonymous with National Geodetic Vertical Datum (NGVD).

**National Geodetic Vertical Datum (NGVD)** - as corrected in 1929, elevation reference points set by National Geodetic Survey based on mean sea level.

**North American Vertical Datum (NAVD)** - datum point established at Pointe-au-Père on the St. Lawrence River, Québec Province, Canada, based on the mass or density of the earth. The datum listed as the reference datum on Flood Insurance Rate Maps should be used for Elevation Certificate and floodproofing certificate completion.

**New construction** - structure for which the start of construction commenced after (the effective date of the first floodplain management code, ordinance, or standard based upon specific technical base flood elevation data which establishes the area of special flood hazard) or (specific date). The term also includes any subsequent improvements to such structure.



# OCONEE COUNTY FLOOD ORDINANCE

## DRAFT II

**New manufactured home park or subdivision** - a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete slabs) is completed on or after 3 March 1987.

**Recreational vehicle** - a vehicle which is: (a) built on a single chassis; (b) 400 square feet or less when measured at the largest horizontal projection; (c) designed to be self-propelled or permanently tow-able by a light duty truck; and, (d) designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel, or seasonal use.

**Start of construction** - (for other than new construction or substantial improvements under the Coastal Barrier Resources Act (P.L. 97-348), includes substantial improvement, and means the date the development permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, or improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for footings, piers or foundations, or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of the building, whether or not that alteration affects the external dimensions of the building.

**Structure** - a walled and roofed building, a manufactured home, including a gas or liquid storage tank, or other man-made facility or infrastructure that is principally above ground.

**Substantial damage** - damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. Please refer to the definition of "substantial improvement".

**Substantial improvement** - any repair, reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the start of construction of the improvement. This term includes structures which have incurred substantial damage, regardless of the actual repair work performed. The term does not, however, include either: (1) any project of improvement to a structure to correct existing violations of State or local health, sanitary, or safety code specifications which have been identified by the local code enforcement

# OCONEE COUNTY FLOOD ORDINANCE DRAFT II

official and which are the minimum necessary to assure safe living conditions (does not include American with Disabilities Act compliance standards); or, (2) any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure. Permits shall be cumulative for a period of five years. If the improvement project is conducted in phases, the total of all costs associated with each phase, beginning with the issuance of the first permit, shall be utilized to determine whether "substantial improvement" will occur.

**Substantially improved existing manufactured home park or subdivision** - where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds 50 percent of the value of the streets, utilities and pads before the repair, reconstruction, or improvement commenced.

**Variance** - the grant of relief from a term or terms of this ordinance.

## ARTICLE 3.

### Administration

#### SECTION ONE. Designation of Local Administrator.

The Flood Plain Administrator in close coordination with the Building Code Director is appointed to administer and implement the provisions of this ordinance.

#### SECTION TWO. Development Permit and Certification Requirements.

Application for a development permit shall be made to the county on forms furnished by the Building Code Director, prior to any development activities. The development permit may include, but not be limited to, plans in duplicate drawn to scale showing: the nature, location, dimensions, and elevations of the area in question; existing or proposed structures; and the location of fill materials, storage areas, and drainage facilities. Specifically, the following information is required:

2.1: A plot plan that shows the 1% (100-year) floodplain contour or a statement that the entire lot is within the floodplain must be provided by the development permit applicant when the lot is within or appears to be within the floodplain as mapped by the Department of Homeland Security - Federal Emergency Management Agency (DHS - FEMA) or the floodplain identified pursuant to either Art.3, Sec.3, Para.3.9 or Art.4, Sec.3, and Art.4, Sec.4. The plot plan must be prepared by or under the direct supervision of a South Carolina Registered Land Surveyor or Professional Engineer and certified by same.

# OCONEE COUNTY FLOOD ORDINANCE

## DRAFT II

**2.2:** The plot plan required by Art. 3, Sec.2, Para.2.1 must show the floodway, if any, as identified by the Department of Homeland Security - Federal Emergency Management Agency (DHS - FEMA) or the floodway identified pursuant to either Art.3, Sec.3, Para.3.9 or Art.4, Sec.3 and Art.4, Sec.4.

**2.3:** Where base flood elevation data is provided as set forth in Art.1, Sec.5 or Art.3, Sec.3, Para.3.9, the application for a development permit within the flood hazard area shall show:

**2.31:** the elevation (in relation to mean sea level) of the lowest floor of all new and substantially improved structures, and

**2.32:** if the structure will be floodproofed in accordance with Art.4, Sec.2, Para.2.2, the elevation (in relation to mean sea level) to which the structure will be floodproofed.

**2.4:** If no base flood elevation data is provided as set forth in Art.1, Sec.5, or Art.3, Sec.3, Para.3.9, the application for a development permit must show construction of the lowest floor at least three (3) feet above the highest adjacent grade.

**2.5:** Where any watercourse will be altered or relocated as a result of proposed development, the application for a development permit shall include: a description of the extent of watercourse alteration or relocation; an engineering report utilizing detailed methods accepted by DHS-FEMA, US Army Corps of Engineers and any other applicable Federal or State regulatory agencies, on the effects of the proposed project on the flood-carrying capacity of the watercourse and the effects to properties located both upstream and downstream; and, a map showing the location of the proposed watercourse alteration or relocation, and notification of the proposal to the appropriate authorities of all affected agencies. A copy of the notification shall be maintained in the permit records and submitted to the Department of Homeland Security-FEMA, National Flood Insurance Program. Prior to the commencement of any work on the alteration of a water course, the applicant must procure and submit to the Flood Plain Administrator any applicable Federal or State approvals or permits, including a Conditional Letter of Map Revision (CLOMR).

**2.6:** When a structure is floodproofed, the applicant shall provide certification from a registered, professional engineer or architect that the non-residential, floodproofed structure meets the floodproofing criteria in Art.4, Sec.2, Para.2.2.

**2.7:** A floor elevation or floodproofing certification is required after the lowest floor is completed. As soon as possible after completion of the lowest floor and before any further vertical construction commences, or floodproofing by whatever construction means, whichever is applicable, it shall be the duty of the permit holder to submit to the Flood Plain Administrator a certification of the elevation of the lowest floor, or:

# OCONEE COUNTY FLOOD ORDINANCE

## DRAFT II

floodproofed elevation, whichever is applicable, as built, in relation to mean sea level. Said certification shall be prepared by or under the direct supervision of a South Carolina Registered Land Surveyor or Professional Engineer and certified by same. Any work done prior to submission of the certification shall be at the permit holder's risk. The Flood Plain Administrator shall review the floor elevation survey data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further progressive work being permitted to proceed. Failure to submit the survey or failure to make said corrections required hereby shall be cause to issue a stop-work order for the project.

**2.8:** Upon completion of the development a South Carolina Registered Professional Engineer, Land Surveyor or Architect, whichever professional is appropriate, shall certify that the development is built in accordance with Art.3, Sec.2, Para.2.6 and Art.3, Sec.2, Para.2.7 and in accordance with the submitted plans and previous pre-development certifications.

**2.9:** If the proposed project will impact the configuration of the watercourse, floodway, or base flood elevation for which a detailed Flood Insurance Study has been developed, the applicant shall apply for and must receive approval for a Conditional Letter of Map Revision with the Department of Homeland Security-FEMA prior to actual construction.

**2.10:** Within 60 days of completion of an alteration of a watercourse, referenced in Art.3, Sec.2, Para.2.9, the applicant shall submit as-built certification, by a registered professional engineer, to the Federal Emergency Management Agency.

### SECTION THREE. Duties and Responsibilities of the Flood Plain Administrator.

Duties of the Flood Plain Administrator shall include, but not be limited to:

**3.1:** Review all development permits to assure that the requirements of this ordinance have been satisfied.

**3.2:** Advise permittee that additional federal or State permits may be required, and if specific federal or State permits are required that copies of such permits be provided and maintained on file with the development permit.

**3.3:** Notify adjacent communities and the South Carolina Department of Natural Resources, Land, Water and Conservation Division, State Coordinator for Flood Mitigation Programs for the National Flood Insurance Program, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Department of Homeland Security-FEMA.



# OCONEE COUNTY FLOOD ORDINANCE

## DRAFT II

**3.4:** In addition to the notifications required in Art.3, Sec.3, Para.3.3, a program shall be established by the person altering the watercourse to maintain the watercourse and written reports of maintenance records must be maintained to show that maintenance has been provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is not diminished. This maintenance must consist of a comprehensive program of periodic inspections, and routine channel clearing and dredging, or other related functions. The assurance shall consist of a description of maintenance activities, frequency of performance, and the local official responsible for maintenance performance. Records shall be kept on file in the local office for the Department of Homeland Security-FEMA, National Flood Insurance Program inspection.

**3.5:** Prevent encroachments within floodways unless the certification and flood hazard reduction provisions of Article 4 are met.

**3.6:** Obtain actual elevation (in relation to mean sea level) of the lowest floor of all new or substantially improved structures, in accordance with Art.3, Sec.2, Para.2.7.

**3.7:** Obtain the actual elevation (in relation to mean sea level) to which the new or substantially improved structures have been floodproofed, in accordance with Art.3, Sec.2, Para.2.7.

**3.8:** When floodproofing is utilized for a particular structure, obtain certifications from a registered professional engineer or architect in accordance with Art.4, Sec.2, Para.2.2.

**3.9:** When interpretation is needed as to the exact location of boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), make the necessary interpretation. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this article.

**3.10:** When base flood elevation data or floodway data has not been provided in accordance with Art.1, Sec.5, obtain, review, and reasonably utilize best available base flood elevation data and floodway data available from a federal, State, or other source, including data developed pursuant to Art.3, Sec.4, Para.4.3, in order to administer the provisions of this ordinance. Data from preliminary, draft, and final Flood Insurance Studies constitutes best available data from a federal, state, or other source. If an appeal is pending on the study in accordance with 44-CFR Ch. 1, Part 67.5 and 67.6, the data does not have to be used.

**3.11:** When the exact location of boundaries of the area's special flood hazards conflicts with the current, natural topography information at the site, the property owner may apply and be approved for a Letter of Map Amendment (LOMA) by FEMA. A copy of the Letter of Map Amendment issued from FEMA will be maintained by the Flood Plain Administrator in the permit file.

# OCONEE COUNTY FLOOD ORDINANCE

## DRAFT II

**3.12:** Make on-site inspections of projects in accordance with Art. 3, Sec. 4.

**3.13:** Consult with The Building Codes Director, on the need to serve notices of violations, issue stop-work orders, revoke permits and take corrective actions in accordance with Art. 3, Sec. 4.

**3.14:** Maintain all records pertaining to the administration of this ordinance and make these records available for public inspection.

**3.15:** To determine damage to structures located in the Area of Special Flood Hazards, regardless of the source of the damage, and to further determine if the damage is considered "substantial damage" and/ or a repetitive loss due to flooding in accordance with Article 2, and notify the owner of the property of such finding. If the damage to the structure is caused by flooding and is determined to be substantial damage or is a repetitive loss, and the structure is covered by the NFIP insurance program, the structure may be eligible for the Increased Cost Coverage (ICC) provision under NFIP.

### SECTION FOUR. Administrative Procedures.

**4.1: Inspections of Work in Progress** - As the work pursuant to a permit progresses, the Building Codes Director and/or the Flood Plain Administrator shall make as many inspections of the work as may be necessary to ensure that the work is being done according to the provisions of the local ordinance and the terms of the permit. In exercising this power, the Building Codes Director and/or the Flood Plain Administrator has a right, upon presentation of proper credentials, to enter on any premises within the territorial jurisdiction at any reasonable hour for the purposes of inspection or other enforcement action.

**4.2: Stop-Work Orders** - Whenever a building or part thereof is being constructed, reconstructed, altered, or repaired in violation of this ordinance, the Building Codes Director and/or the Flood Plain Administrator may order the work to be immediately stopped. The stop-work order shall be in writing and directed to the person doing the work. The stop-work order shall state the specific work to be stopped, the specific reasons for the stoppage, and the conditions under which the work may be resumed. Violation of a stop-work order constitutes a misdemeanor.

**4.3: Revocation of Permits** - The Building Codes Director or designee may revoke and require the return of the development permit by notifying the permit holder in writing, stating the reason for the revocation. Permits shall be revoked for any substantial departure from the approved application, plans, or specifications; for refusal or failure to comply with the requirements of State or local laws; or for false statements or misrepresentations made in securing the permit. Any permit mistakenly issued in violation of an applicable State or local law may also be revoked.



# OCONEE COUNTY FLOOD ORDINANCE

## DRAFT II

**4.4: Periodic Inspections** - The Building Codes Director or designee and/or the Flood Plain Administrator shall have a right, upon presentation of proper credentials, to enter on any premises within the territorial jurisdiction of the department at any reasonable hour for the purposes of inspection or other enforcement action.

**4.5: Violations to be Corrected** - When the Building Codes Director or the Flood Plain Administrator finds violations of applicable State and local laws, it shall be his or her duty to notify the owner or occupant of the building of the violation. The owner or occupant shall immediately remedy each of the violations of law on the property he owns.

**4.6: Actions in Event of Failure to Take Corrective Action** - If the owner of a building or property shall fail to take prompt corrective action, the Building Codes Director or Flood Plain Administrator shall give him written notice, by certified or registered mail to his last known address or by personal service, that:

**4.61** - the building or property is in violation of the Flood Damage Prevention Ordinance;

**4.62** - a hearing will be held before the Building Codes Director and the Flood Plain Administrator at a designated place and time, not later than 10 days after the date of the notice, at which time the owner shall be entitled to be heard in person or by counsel and to present arguments and evidence pertaining to the matter; and,

**4.63** - following the hearing, The Building Codes Director may issue such order to alter, vacate, or demolish the building; or to remove fill as appears appropriate.

**4.7: Order to Take Corrective Action** - If, upon a hearing held pursuant to the notice prescribed above, the Building Codes Director or the Flood Plain Administrator shall find that the building or development is in violation of the Flood Damage Prevention Ordinance, he shall issue an order in writing to the owner, requiring the owner to remedy the violation within a period of time not less than 60 days. Where the Building Codes Director finds that there is imminent danger to life or other property, he may order that corrective action be taken in such lesser period as may be feasible.

**4.8: Appeal** - Any owner who has received an order to take corrective action may appeal from the order to the local elected governing body by giving notice of appeal in writing to the Building Codes Director or the Flood Plain Administrator and the county clerk within 10 days following issuance of the final order. In the absence of an appeal, the order of the Building Codes Director shall be final. The local governing body shall hear an appeal within a reasonable time and may affirm, modify and affirm, or revoke the order.

# OCONEE COUNTY FLOOD ORDINANCE DRAFT II

**4.9: Failure to Comply with Order** - If the owner of a building or property fails to comply with an order to take corrective action from which no appeal has been taken, or fails to comply with an order of the governing body following an appeal, he shall be guilty of a misdemeanor and shall be punished according to the provisions of Article 1, Section Twelve.

## ARTICLE 4.

### PROVISIONS FOR FLOOD HAZARD REDUCTION

#### SECTION ONE. General Standards.

Development may not occur in the floodplain where alternative locations exist due to the inherent hazards and risks involved. Before a permit is issued, the applicant shall demonstrate that new structures cannot be located out of the floodplain and that encroachments onto the floodplain are minimized. In all areas of special flood hazard the following provisions are required:

1.1: All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure;

1.2: All new construction and substantial improvements shall be constructed with flood resistant materials and utility equipment resistant to flood damage;

1.3: All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damages;

1.4: Electrical, ventilation, plumbing, heating and air conditioning equipment (including ductwork), and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding. This requirement does not preclude the installation of outdoor faucets for shower heads, sinks, hoses, etc., as long as cut off devices and back flow devices are installed to prevent contamination to the service components and thereby minimize any flood damages to the building;

1.5: All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;

1.6: New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters;

# OCONEE COUNTY FLOOD ORDINANCE

## DRAFT II

1.7: On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding; and,

1.8: Any alteration, repair, reconstruction, or improvement to a structure which is in compliance with the provisions of this ordinance, shall meet the requirements of "new construction" as contained in this ordinance. This includes post-FIRM development and structures.

1.9: **Non-Conforming Buildings or Uses.** Non-conforming buildings or uses may not be enlarged, replaced, or rebuilt unless such enlargement or reconstruction is accomplished in conformance with the provisions of this ordinance. Provided, however, nothing in this ordinance shall prevent the repair, reconstruction, or replacement of an existing building or structure located totally or partially within the floodway, provided that the bulk of the building or structure below base flood elevation in the floodway is not increased and provided that such repair, reconstruction, or replacement meets all of the other requirements of this ordinance.

1.10: **American with Disabilities Act (ADA).** A building must meet the specific standards for floodplain construction outlined in Art.4, Sec.2, as well as ICC/ANSI A117.1-1998. The ADA is not justification for issuing a variance or otherwise waiving these requirements. Also, the cost of improvements required to meet the ADA provisions shall be included in the costs of the improvements for calculating substantial improvement.

### SECTION TWO. Specific Standards.

In all areas of special flood hazard where base flood elevation data has been provided, as set forth in Art.1, Sec.5 or Art.3, Sec.3, Para.3.9, the following provisions are required:

2.1: **Residential Construction.** New construction or substantial improvement of any residential structure (including manufactured homes) shall have the lowest floor elevated no lower than three (3) feet above the base flood elevation. No basements are permitted. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimpeded movements of flood waters shall be provided in accordance with Art.4, Sec.2, Para.2.5.

2.2: **Non-Residential Construction.** New construction or substantial improvement of any commercial, industrial, or non-residential structure (including manufactured homes) shall have the lowest floor elevated no lower than three (3) feet above the level of the base flood elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimpeded movements of flood waters shall be provided in accordance with Art.4, Sec.2, Para.2.5. No basements

# OCONEE COUNTY FLOOD ORDINANCE

## DRAFT II

are permitted. Structures located in A zones may be floodproofed in lieu of elevation provided that all areas of the structure below the required elevation are watertight with walls substantially impermeable to the passage of water, using structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered, professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certifications shall be provided to the official as set forth in Art.3, Sec.2, Para.2.7 and Art.3, Sec.2, Para. 2.9. A variance may be considered for wetfloodproofing agricultural structures in accordance with the criteria outlined in Art.5, Sec.4 of this ordinance. Agricultural structures not meeting the criteria of Art.5, Sec.4 must meet the non-residential construction standards and all other applicable provisions of this ordinance. Structures which are floodproofed are required to have an approved maintenance plan with an annual exercise. The maintenance plan must be approved by the Building Codes Director and the Flood Plain Administrator and notification of the annual exercise shall be provided to same.

### **2.3: Manufactured Homes,**

**2.31** -Manufactured homes that are placed or substantially improved on sites outside a manufactured home park or subdivision, in a new manufactured home park or sub-division, in an expansion to an existing manufactured home park or subdivision, or in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood, must be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated no lower than three (3) feet above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

**2.32** -Manufactured homes that are to be placed or substantially improved on sites in an existing manufactured home park or subdivision that are not subject to the provisions of Art.4, Sec.2, Para.2.31 of this ordinance must be elevated so that the lowest floor of the manufactured home is elevated no lower than three (3) feet above the base flood elevation, and be securely anchored to an adequately anchored foundation to resist flotation, collapse, and lateral movement.

**2.33** -Manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement. For the purpose of this requirement, manufactured homes must be anchored to resist flotation, collapse, or lateral movement in accordance with Section 19-425.39 of the South Carolina Manufactured Housing Board Regulations, effective date May 25, 1990, as amended. Additionally, when the elevation requirement would be met by an elevation of the chassis at least 36 inches or less above the grade at the sight, the chassis shall be supported by reinforced piers or other foundation elements of at least equivalent strength. When the elevation of the chassis is above 36 inches in height an engineering certification is required.



# OCONEE COUNTY FLOOD ORDINANCE

## DRAFT II

**2.34** -An evacuation plan must be developed for evacuation of all residents of all new, substantially improved or substantially damaged manufactured home parks or subdivisions located within flood-prone areas. This plan shall be filed with and approved by the Flood Plain Administrator and the local Emergency Preparedness coordinator.

**2.4: Recreational Vehicles.** A recreational vehicle is ready for highway use if it is on wheels or jacking system, is attached to the site only by quick-disconnect type utilities and security devices, and has no permanently attached additions. Recreational vehicles placed on sites shall either be on site for fewer than 180 consecutive days and be fully licensed and ready for highway use, or meet the requirements of Art.3, Sec.2 and Art.4 and Art.4, Sec.2, Para.2,3.

**2.5: Elevated Buildings.** New construction or substantial improvements of elevated buildings that include fully enclosed areas that are usable solely for the parking of vehicles, building access, or storage in an area other than a basement, and which are subject to flooding shall be designed to preclude finished space and be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters.

**2.51** -Designs for complying with this requirement must either be certified by a professional engineer or architect or meet the following minimum criteria:

**2.511** -Provide a minimum of two openings on different walls having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;

**2.512** -The bottom of all openings shall be no higher than one foot above grade;

**2.513** -Openings may be equipped with screens, louvers, valves, or other coverings or devices provided they permit the automatic flow of floodwaters in both directions; and,

**2.514** -Fill placed around foundation walls must be graded so that the grade inside the enclosed area is equal to or higher than the adjacent grade outside the building on at least one side of the building.

**2.52 -Hazardous Velocities.** Hydrodynamic pressure must be considered in the design of any foundation system where velocity waters or the potential for debris flow exists. If flood velocities are excessive (greater than 5 feet per second), foundation systems other than solid foundations walls should be considered so that obstructions to damaging flood flows are minimized.

# OCONEE COUNTY FLOOD ORDINANCE

## DRAFT II

2.53 - Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the living area (stairway or elevator).

2.54 - The interior portion of such enclosed area shall not be partitioned or finished into separate rooms, except to enclose a single storage area and must be void of utilities except for essential lighting as required, and cannot be temperature controlled. One wet location switch and/or outlet connected to a ground fault interrupt breaker may be installed below the required lowest floor elevation specified in Art.4, Sec.2, Para.2.1, Art.4, Sec.2, Para.2.2 and Art.4, Sec.2, Para.2.3.

2.55 - All construction materials below the required lowest floor elevation specified in Art.4, Sec.2, Para.2.1, Art.4, Sec.2, Para.2.2 and Art.4, Sec.2, Para.2.3 shall be of flood resistant materials.

**2.6: Temporary Development.** Certain types of structures (e.g. fruit stands, construction site offices, portable toilets, etc.) may be situated temporarily on flood-prone property without having to comply with the elevation or floodproofing criteria of Art.4, Sec.2, Para.2.1 and Art.4, Sec.2, Para.2.2, respectively, provided that the following criteria are met:

2.61 -All applicants must submit to the Flood Plain Administrator, prior to the issuance of the development permit, a written plan for the removal of any temporary structures or development in the event of a hurricane or flash flood warning notification. The plan shall be reviewed and approved in writing, and must include the following information:

2.611 -a specified time period for which the temporary use will be permitted;

2.612 -the name, address and phone number of the individual responsible for the removal of temporary structures or development;

2.613 -the time frame prior to the event at which any structures will be removed (i.e. minimum of 72 hours before landfall of a hurricane or immediately upon flood warning notification);

2.614 -a copy of the contract or other suitable instrument with a trucking company to insure the availability of removal equipment when needed;

2.615 -designation, accompanied by documentation, of a location outside the floodplain to which any temporary structure will be moved;



# OCONEE COUNTY FLOOD ORDINANCE

## DRAFT II

**2.616** - a determination of permanent structures which would be adversely affected by increased flooding upstream or downstream, and a method for covering this liability; such as a performance bond; and,

**2.617** - a plan to restore the area to its natural condition once the temporary permit expires or the temporary use is terminated, whichever is first.

**2.62** - The structure is mobile, or can be made so, and is capable of being removed from the site with a maximum of four (4) hours warning.

**2.63** - The structure will not remain on the property for more than 180 days.

**2.7: Accessory Structures.** An accessory structure or garage, the cost of which is greater than \$2500, must comply with the elevated structure requirements of Art.4, Sec.2, Para.2.2 and Art.4, Sec.2, Para.2.5. When accessory structures of \$2500 or less are to be placed in the floodplain, the following criteria shall be met:

**2.71** -Accessory structures shall not be used for human habitation (including work, sleeping, living, cooking or restroom areas);

**2.72** -Accessory structures shall be designed to have low flood damage potential;

**2.73** -Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters;

**2.74** -Accessory structures shall be firmly anchored to prevent flotation, collapse, or lateral movement of the structure;

**2.75** -Service facilities such as electrical and heating equipment shall be installed in accordance with Art.4, Sec.1, Para.1.4; and

**2.76** -Openings to relieve hydrostatic pressure during a flood shall be provided below base flood elevation in conformance with Art.4, Sec.2, Para.2.5.

**2.8: Floodways.** Located within areas of special flood hazard established in Art.1, Sec.5, are areas designated as floodways. The floodway is an extremely hazardous area due to the velocity of flood waters which carry debris and potential projectiles and has erosion potential. The following provisions shall apply within such areas:

**2.81** -No encroachments, including fill, new construction, substantial improvements, additions, and other developments shall be permitted unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment

# OCONEE COUNTY FLOOD ORDINANCE

## DRAFT II

would not result in any increase in the flood levels during the occurrence of the base flood. Such certification and technical data shall be presented to the Flood Plain Administrator.

2.82 -If Art.4, Sec.2, Para.2.81 is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Article 4.

2.83 - Stream crossings for any purpose (i.e., timber harvesting operations), if temporary, shall be permitted in accordance with Art.4, Sec.2, Para.2.6. Otherwise, the development shall comply with all applicable flood hazard reduction provisions of Article 4.

2.84 -No manufactured homes shall be permitted, except in an existing manufactured home park or subdivision. A replacement manufactured home may be placed on a lot in an existing manufactured home park or subdivision provided the anchoring and the elevation standards of Art.4, Sec.2, Para.2.3 are met.

2.85 -Permissible uses within floodways may include: general farming, pasture, outdoor plant nurseries, horticulture, forestry, wildlife sanctuary, game farm, and other similar agricultural, wildlife, and related uses. Also, lawns, gardens, play areas, picnic grounds, and hiking and horseback riding trails are acceptable uses, provided that they do not employ structures or fill. Substantial development of a permissible use may require a no-rise certification. The uses listed in this subsection are permissible only if and to the extent that they do not cause any increase in base flood elevations.

**2.9: Fill.** Fill is discouraged because storage capacity is removed from floodplains. Elevating buildings by other methods must be considered. An applicant shall demonstrate that fill is the only alternative to raising the building to at least three (3) feet above the base flood elevation, and that the amount of fill used will not affect the flood storage capacity or adversely affect adjacent properties. The following provisions shall apply to all fill placed in the special flood hazard area:

2.91 - Fill may not be placed in the floodway unless it is in accordance with Art.4, Sec.2, Para.2.81;

2.92 - Fill may not be placed in tidal or non-tidal wetlands without the required State and federal permits;

2.93 - Fill must consist of soil and rock materials only. Dredged material may be used as fill only upon certification of suitability by a registered professional geotechnical engineer. Landfills, rubble fills, dumps, and sanitary fills are not permitted in the floodplain;

# OCONEE COUNTY FLOOD ORDINANCE

## DRAFT II

2.94 - Fill used to support structures must comply with ASTM Standard D-698, and its suitability to support structures certified by a registered, professional engineer.

2.95 - Fill slopes shall be no greater than two horizontal to one vertical. Flatter slopes may be required where velocities may result in erosion, and,

2.96 - The use of fill shall not increase flooding or cause drainage problems on neighboring properties.

### SECTION THREE. Standards for Streams Without Established Base Flood Elevations And/Or Floodways.

Located within the areas of special flood hazard established in Art.1, Sec.5, are small streams where no base flood data has been provided or where no floodways have been identified. The following provisions apply within such areas:

3.1: No encroachments, including fill, new construction, substantial improvements or new development shall be permitted within 100 feet of the stream bank unless certification with supporting technical data by a registered, professional engineer is provided demonstrating that such encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.

3.2: If Art.4, Sec.3, Para.3.1 is satisfied and base flood elevation data is available from other sources, all new construction and substantial improvements within such areas shall comply with all applicable flood hazard ordinance provisions of Article 4 and shall be elevated or floodproofed in accordance with elevations established in accordance with Art.3, Sec.3, Para.3.9. Data from preliminary, draft, and final Flood Insurance Studies constitutes best available data. If an appeal is pending on the study in accordance with 44 CFR Ch. 1, Part 67.5 and 67.6, the data does not have to be used. When base flood elevation data is not available from a federal, State, or other source, the lowest floor shall be elevated at least three (3) feet above the highest adjacent grade.

### SECTION FOUR. Standards for Subdivision Proposals.

4.1: All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage. An access road at or above the base flood elevation shall be provided to allow emergency access during flood conditions;

4.2: All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards; and,

# OCONEE COUNTY FLOOD ORDINANCE

## DRAFT II

**4.3:** All subdivision proposals greater than five (5) acres or more than fifty (50) lots require a study using detailed methods acceptable by the Department of Homeland Security-FEMA. The study will utilize floodplain geometry, hydrology and hydraulics to analyze the pre and post development conditions. All studies shall take into consideration a "full build out" condition for the studied watershed area. Such analysis shall be undertaken by a S.C. licensed Professional Engineer, who shall certify that the technical methods used reflect currently accepted engineering practices. Studies, analysis, and computations shall be submitted in sufficient detail to allow review and approval by the Planning Department. In addition the study information will be provided in a digital format compatible with the requirements and standards of The Oconee County Geographic Information System (GIS) Department. The accuracy of the data submitted for the Subdivision proposal shall be the sole responsibility of the applicant. Upon the acceptance by the County Planning Department the applicant shall submit to DHS-FEMA a Conditional Letter of Map Amendment (CLOMA) for review and upon completion of the development the applicant shall apply to DHS-FEMA for a Letter of Map Amendment (LOMA).

### **SECTION FIVE. Standards for Areas of Shallow Flooding (AO Zones).**

Located within the areas of special flood hazard established in Art. 1, Sec. 5, are areas designated as shallow flooding. The following provisions shall apply within such areas:

**5.1:** All new construction and substantial improvements of residential structures shall have the lowest floor elevated to the depth number specified on the Flood Insurance Rate Map, in feet, above the highest adjacent grade. If no depth number is specified, the lowest floor shall be elevated at least three (3) feet above the highest adjacent grade.

**5.2:** All new construction and substantial improvements of non-residential structures shall:

**5.21** - have the lowest floor elevated to the depth number specified on the Flood Insurance Rate Map, in feet, above the highest adjacent grade. If no depth number is specified, the lowest floor shall be elevated at least three (3) feet above the highest adjacent grade; or,

**5.22** - be completely floodproofed together with attendant utility and sanitary facilities to or above that level so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.



# OCONEE COUNTY FLOOD ORDINANCE DRAFT II

## ARTICLE 5.

### VARIANCE PROCEDURES

#### SECTION ONE. Establishment of Appeal Board.

The appeal board as established by Oconee County shall hear and decide requests for variances from the requirements of this ordinance.

#### SECTION TWO. Right to Appeal.

Any person aggrieved by the decision of the appeal board or any taxpayer may appeal such decision to the Court.

#### SECTION THREE. Historic Structures.

Variances may be issued for the repair or rehabilitation of historic structures upon the determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

#### SECTION FOUR. Agricultural Structures.

Variances may be issued to wet floodproof an agricultural structure in accordance with Technical Bulletin 7-93, Wet Floodproofing Requirements for Structures Located in Special Flood Hazard Areas in accordance with the National Flood Insurance Program, document number FIA-TB-7, dated 12/93, and available from the Federal Emergency Management Agency. In order to minimize flood damages during the base flood and the threat to public health and safety, the structure must meet all of the conditions and considerations of Art.5, Sec.8, Para.8.4, this section, and the following standards:

4.1: Use of the structure must be limited to agricultural purposes as listed below:

4.11 - pole frame buildings with open or closed sides used exclusively for the storage of farm machinery and equipment;

4.12 - steel grain bins and steel frame corn cribs;

4.13 - general purpose barns for the temporary feeding of livestock which are open on at least one side;

4.14 - for livestock confinement buildings, poultry houses, dairy operations, and similar livestock operations, variances may not be issued for structures which were substantially damaged. New construction or substantial improvement of

# OCONEE COUNTY FLOOD ORDINANCE

## DRAFT II

such structures must meet the elevation requirements of Art.4, Sec.2, Para.2.2 of this ordinance; and,

4.15 - detached garages and storage sheds solely used for parking and limited storage in connection with agricultural uses only, which are no greater than 400 square feet in area.

4.2: The agricultural structure must be built or rebuilt, in the case of an existing building which is substantially damaged, with flood-resistant materials for the exterior and interior building components and elements below the base flood elevation.

4.3: The agricultural structure must be adequately anchored to prevent flotation, collapse, or lateral movement. All of the structure's components must be capable of resisting specific flood-related forces including hydrostatic, buoyancy, hydrodynamic, and debris impact forces. Where flood velocities exceed 5 feet per second, fast-flowing floodwaters can exert considerable pressure on the building's enclosure walls or foundation walls;

4.4: The agricultural structure must meet the venting requirement of Art.4, Sec.2, Para.2.51 of this ordinance;

4.5: Any mechanical, electrical, or other utility equipment must be located above the base flood elevation so that they are contained within a watertight, floodproofed enclosure which is capable of resisting damage during flood conditions. The structure must comply with Art.4, Sec.1, Para.1.4 of this ordinance;

4.6: The agricultural structure must comply with the floodway encroachment provisions of Art.4, Sec.2, Para.2.3 of this ordinance; and,

4.7: Major equipment, machinery, or other contents must be protected. Such protection may include protective watertight floodproofed areas within the building, the use of equipment hoists for readily elevating contents, permanently elevating contents on pedestals or shelves above the base flood elevation, or determining that property owners can safely remove contents without risk to lives and that the contents will be located to a specified site out of the floodplain in accordance with the temporary development provisions of Art.4, Sec.2, Para.2.6.



# OCONEE COUNTY FLOOD ORDINANCE

## DRAFT II

### SECTION FIVE. Considerations.

In passing upon such applications, the appeal board shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this ordinance, and:

- 5.1: the danger that materials may be swept onto other lands to the injury of others;
- 5.2: the danger to life and property due to flooding or erosion damage; and the safety of access to the property in times of flood for ordinary and emergency vehicles;
- 5.3: the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
- 5.4: the importance of the services provided by the proposed facility to the community;
- 5.5: the necessity to the facility of a waterfront location, where applicable;
- 5.6: the availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
- 5.7: the compatibility of the proposed use with existing and anticipated development, and the relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
- 5.8: the expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site;
- 5.9: the costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, and streets and bridges, and;
- 5.10: agricultural structures must be located in wide, expansive floodplain areas, where no other alternative location for the agricultural structure exists. The applicant must demonstrate that the entire farm acreage, consisting of a contiguous parcel of land on which the structure is to be located, must be in the Special Flood Hazard Area and no other alternative locations for the structure are available.

### SECTION SIX. Findings.

Findings listed above shall be submitted to the appeal board, in writing, and included in the application for a variance. Additionally, comments from the Department of Natural Resources, Land, Water and Conservation Division, State Coordinator's Office, must be taken into account and included in the permit file.

# OCONEE COUNTY FLOOD ORDINANCE

## DRAFT II

### SECTION SEVEN. Floodways.

Variations shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

### SECTION EIGHT. Conditions.

Upon consideration of the factors listed above and the purposes of this ordinance, the appeal board may attach such conditions to the granting of variations as it deems necessary to further the purposes of this ordinance. The following conditions shall apply to all variations:

**8.1:** Variations may not be issued when the variance will make the structure in violation of other Federal, State, Local laws, regulations, ordinances, or Building Codes.

**8.2:** Variations shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

**8.3:** Variations shall only be issued upon a showing of good and sufficient cause, a determination that failure to grant the variance would result in exceptional hardship, and a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

**8.4:** Any applicant to whom a variance is granted shall be given written notice specifying the difference between the base flood elevation and the elevation to which the structure is to be built and a written statement that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation. Such notification shall be maintained with a record of all variance actions.

**8.5:** The Flood Plain Administrator shall maintain the records of all appeal actions and report any variations to the Federal Emergency Management Agency upon request.

**8.6:** Variations shall not be issued for un-permitted development or other development that is not in compliance with the provisions of this ordinance. Violations must be corrected in accordance with Art.3, Sec.4, Para.4.5 of this ordinance.

# OCONEE COUNTY FLOOD ORDINANCE DRAFT II

## ARTICLE 6

### LEGAL STATUS PROVISIONS

#### SECTION ONE. Effect on Rights and Liabilities under the Existing Flood Damage Prevention Ordinance.

This Ordinance in part comes forward by re-enactment of some of the provisions of the flood damage prevention ordinance enacted March 3<sup>rd</sup> 1987, as amended, and it is not the intention to repeal but rather to re-enact and continue to enforce without interruption of such existing provisions, so that all rights and liabilities that have accrued thereunder are reserved and may be enforced. The enactment of this ordinance shall not affect any action, suit or proceeding instituted or pending. All provisions of the flood damage prevention ordinance of Oconee County enacted on March 3<sup>rd</sup> 1987, as amended, which are not re-enacted herein are repealed.

#### SECTION TWO. Effect upon Outstanding Development permits.

Nothing herein contained shall require any change in the plans, construction, size or designated use of any building, structure or part thereof for which a development permit has been granted by the Building Code Director or his authorized agents before the time of passage of this ordinance; provided, however, that when construction is not begun under such outstanding permit within a period of sixty (60) days subsequent to passage of this ordinance, construction or use shall be in conformity with the provisions of this ordinance.

#### SECTION THREE. Disclaimer of Liability.

- (i) The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on available information derived from engineering and scientific methods of study.
- (ii) Larger floods may occur or flood heights may be increased by man-made or natural causes.
- (iii) This ordinance does not imply that development either inside or outside the Special Flood Hazard Area (SFHA) will be free from flooding or damage.
- (iv) This ordinance does not create liability on the part of the County or any officer or employee thereof, for any flood damage that results from reliance on this ordinance or any administrative decision made lawfully thereunder.

# OCONEE COUNTY FLOOD ORDINANCE DRAFT II

## SECTION FOUR Effective Date.

This ordinance shall become effective upon adoption.

## SECTION FIVE Adoption Certification.

I hereby certify that this is a true and correct copy of the flood damage prevention ordinance as adopted by the Oconee County Council on the \_\_\_ day of \_\_\_\_\_.

South Carolina Department of  
**Natural Resources**



November 22, 2004

Mr. Harry Hamilton, County Administrator  
Oconee County  
415 S. Pine Street  
Walhalla, South Carolina 29691

John L. Frampton  
Director  
Alfred H. Vang  
Deputy Director for  
**Land, Water &  
Conservation Division**

**RE: Oconee County  
Community Assistance Visit Findings**

Dear Mr. Hamilton:

Thank you for the courtesy extended to John LaBrune, FEMA, National Flood Insurance Program (NFIP), during the recent Community Assistance Visit (CAV) on August 12th, 2004. The purpose of the visit was to assist community officials with implementation and administration of the local floodplain management program and to evaluate Oconee County's status as a participant in the NFIP.

Mr. LaBrune met with Mr. Mark Washington, Mr. Tom Hendricks, Mr. Art Holbrooks, and Mr. Channon Chambers and reviewed the permitting process, your flood prevention ordinance.

A copy of the CAV report is enclosed for your reference. As noted in the CAV, the community shall:

- adopt the new draft ordinance;
- submit a plan in writing detailing how permits will be issued for development in the floodplain, and,
- develop procedures on how elevation certificates will be obtained and files maintained in the future.

We are requesting that this information to be submitted no later than February 28, 2005. Mr. Washington has an excellent working knowledge of NFIP requirements. Mr. Washington recently acquiring the status of Certified Floodplain Manager will be a great asset to Oconee County.

It is our goal to assist in keeping Oconee County's participation in good standing with the NFIP. Thank you for your assistance in resolving this matter.



If you have questions or need additional assistance please contact me at (803) 734-9120 or by email at [jonesls@dnr.sc.gov](mailto:jonesls@dnr.sc.gov). Additionally, I invite you to visit South Carolina's website at <http://www.dnr.state.sc.us/envafi/flood/scnfip.html> or visit FEMA's website at [www.fema.gov/nfig](http://www.fema.gov/nfig) where you will find additional information that may be of interest:

Sincerely,



Lisa Jones, CFM

Coordinator

Flood Mitigation Programs

SC Department of Natural Resources

cc: Mark Washington, Floodplain Administrator  
Bob Durin, FEMA

# COMMUNITY ASSISTANCE VISIT REPORT

Name of Community  
Oconee County

County  
Oconee

Community ID  
450187

Conducted By  
John LaPrade

Agency  
FEMA/State

Date of Visit  
8/12/04

Floodplain Administrator  
Mr. Mark Washington

Telephone  
(864) 638-4257

Address of Local Official  
415 South Pine Street Walhalla, SC 29688

	NONE    SERIOUS    MINOR		
1. Are there any problems with the community's floodplain mgt. regs?			X
2. Are there problems with administrative and enforcement procedures?		X	
3. Are there engineering or other problems with the maps or FIS?			X
4. Are there other problems with the local floodplain management program?			X
5. Are there problems with the Biennial Report data?			X
6. Are there any programmatic issues or problems identified?		X	

7. Are there any potential violations of the community's floodplain management regulations?

- A potential violation has been identified.  
 No violations have been identified.  
 Actions are in progress to remedy violations.

## A. BACKGROUND

- a. **LAST OAV/BY WHOM/RESULTS:** CIS records show the last OAV in Oconee County was conducted on August 15, 1995 by the State of South Carolina. The State found serious problems with the community's floodplain management regulations and minor problems with the FIRM's.
- b. **HISTORY/ FLOOD PROBLEMS/ POPULATION/ DEVELOPMENT PRESSURE/ BIENNIAL REPORT (Refer to FIS where appropriate):** There has been no real flood problem in Oconee County, to the community's knowledge. In 1999 the Community adopted building codes and started building inspections. The population is estimated at some 66,215 residents. There is typical development pressure. In 2004, the community has issued 500 building permits.
- c. **ADMINISTRATIVE PERMIT PROCESS (incl. Application review, inspection, record keeping, enforcement, & substantial improvement & damage):** The County does require permits, however, no floodplain development permits. No elevation certificates are on file. This is being corrected.
- d. **INSURANCE INFORMATION/CRS:** The community is not a member of CRS. CIS database shows there are 22 policies with a total premium of \$5,138. The amount of insurance in force is \$3,326,700. There have been 3 claims with a total payout of \$58,886. There are 2 repetitive loss properties, with a payout of \$43,886.40.

## B. REFERENCE QUESTIONS 1-4 ABOVE

1. **Floodplain Management Regulations:** The community has drafted a new floodplain management ordinance. The community shall adopt the new draft ordinance.
2. **Administrative and Enforcement Procedures:** There are problems with the way the community tracks the development in the SFHA's. Currently elevation certificates are not required to be submitted for buildings in the SFHA. Elevation certificates must be required for any development occurring in the SFHA.
3. **Maps and Flood Insurance Studies:** The existing FEMA maps are Flood Hazard Boundary Maps with only un-numbered A zones.
4. **Other Problems with the FPM Program:** The community is not keeping records or requiring elevation certificates. However, the problem hopefully will be resolve by the addition of a new Floodplain Administrator who has drafted a new ordinance that will ultimately be adopted. The floodplain manager has attained his "Certified Floodplain Manager" status, as developed by the "Association of State Floodplain managers".

## C. PROGRAMMATIC ISSUES

The community needs to institute a process for permitting development in the floodplain. Also, elevation certificates need to be required when ever a structure is proposed to be built in the SFHA.

## D. SECTION 404, HAZARD MITIGATION GRANT PROGRAM/ FMAP (Floodplain Management)

Assistance Program).

While the community is eligible for other Federal programs, the community has not elected to apply for these funds, such as FMAP, and the HMGP Program.

#### **E. EXECUTIVE ORDER 11988, FLOODPLAIN MANAGEMENT**

The community works with other Federal Agencies (OFA's) whenever it is called upon to do so, or the need is there. There is no deviation from this policy.

#### **F. OTHER FINDINGS**

Since the community is not requiring permits to be issued or elevation certificates for development in the SFHA no field visits were conducted.

#### **G. FOLLOW-UP (BY FEMA/STATE)**

There is need for follow up by the State or FEMA to determine if the community has implemented a policy for requiring development permits and elevation certificates for construction in the SFHA. In one year the State will follow up with the community.

#### **H. COMMUNITY ACTION NEEDED**

The community shall adopt an agreed upon, FEMA compliant floodplain ordinance, by February 28, 2005. Also, the community must submit a plan in writing detailing how permits will be issued for development in the floodplain and how elevation certificates will be obtained and files maintained by February 28, 2005.

South Carolina Department of  
**Natural Resources**



John E. Frampton  
Director  
Alfred H. Vang  
Deputy Director for  
Land, Water &  
Conservation Division

February 25, 2005

*[Handwritten signature]*  
3/7

Ron Raburn, County Administrator  
Oconee County  
415 South Pine Street  
Walhalla, S. C. 29691

**received**  
2-28-05

*Schedule  
to discuss adoption on  
March 15th Council?*

*1ST REACTION*

*cc: ORAL GREEN*

Subject: Draft Flood Damage Prevention Ordinance

Dear Mr. Raburn:

Thank you for the submission of the Draft Flood Damage Prevention Ordinance for Oconee County.

Based on our review of the draft ordinance, we find that the requirements of the regulations of the National Flood Insurance Program will be met. Once the Ordinance has been adopted please submit a certified copy to our office.

If, in the future, you require assistance in the interpretation or enforcement of your floodplain management program contact our office at (803) 734-9120. We look forward to working with you in the future in our efforts to promote better floodplain management.

Sincerely,

*Lisa S. Jones*

Lisa S. Jones, CFM  
State Coordinator  
Flood Mitigation Program

cc: Tom Hendricks, County Planner  
Mark Washington, Floodplain Administrator

# OCONEE COUNTY BUILDING CODES

415 SOUTH PINE STREET  
WALHALLA, SOUTH CAROLINA 29691  
PHONE: (864) 718-1005  
FAX: (864) 638-4168

## ELEVATION CERTIFICATE PROCEDURE DRAFT

---

### BACKGROUND

---

The Elevation Certificate is one of the most important documents produced during the floodplain development procedure. The Elevation Certificate is primarily used to determine the elevation of the lowest floor of any new structure or substantially improved buildings relative to the 1% (100 Year) flood level. Each floodplain permit file requires an official record that verifies the elevation to which new buildings and substantial improvements have been elevated. This is needed both to show compliance with Oconee County's Flood Control Ordinance # 87-4 and for the owner to obtain a flood insurance policy. The county will use the Elevation Certificate Form developed by The Department of Homeland Security - Federal Emergency Management Agency (DHS, FEMA), FEMA Form 81-31 as the official document recording elevations. Additionally if a property owner believes that his property is located at an elevation at or above the 1% (100 Year) Floodplain elevation the owner must submit an Elevation Certificate along with a request for Letter of Map Amendment (LOMA) or Letter of Map Revision (LOMR) to have the property officially removed from the Special Flood Hazard Area (SFHA).

---

### ELEVATION CERTIFICATION PROCEDURE

---

1. When an applicant for a development permit is made aware that their property may lie within or touch a Special Flood Hazard Area (SFHA), He/She will be scheduled to meet with the Building Codes Director and Floodplain Administrator. During this meeting the applicant will be given the FEMA Form 81-31 Elevation Certificate packet. The FEMA Form packet consists of Eight (8) pages, two (2) of which are the actual Elevation Certificate which must be returned to Building codes for inclusion in the permit file and instructions on completion of the forms. The importance and use of this form will be reviewed at this time. The applicant will be made aware of the requirement for two (2) Elevation Certificates to be on file.



**Intermediate Elevation Certificate:** A floor elevation is required after the lowest floor is completed. As soon as possible after completion of the lowest floor and before any further vertical construction commences, it shall be the duty of the permit holder to submit to the Building Codes Director an **Intermediate Elevation Certificate** of the lowest floor, as built, in relation to mean sea level. Said certification shall be prepared by or under the direct supervision of a South Carolina Registered Land Surveyor or Professional Engineer and certified by same. Any work done prior to submission of the certification shall be at the permit holder's risk. The Building Codes Director / Flood Plain Administrator shall review the floor elevation survey data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further progressive work being permitted to proceed. Failure to submit the Elevation Certificate or failure to make said corrections required hereby shall be cause to issue a stop-work order for the project.

**As-Built Elevation Certificate:** Upon completion of the project a South Carolina Registered Professional Engineer, Land Surveyor or Architect, whichever profession is appropriate, shall certify that the project has been built in accordance with the submitted plans and previous pre-development certifications, this shall be done only when all machinery and/or equipment have been installed and the grading around the building is completed.

## 2. Completion of Elevation Certificate:

- **Section A (Property Owner Information)** will be completed by the applicant this section identifies the building, its location, and its owner. Enter the name(s) of the building owner(s), the building's complete street address, and the tax parcel number. If the building's address is different from the owner's address, enter the address of the building being certified, the legal description, or an abbreviated location description based on distance and direction from a fixed point of reference. For the purposes of this certificate, "building" means both a building and a manufactured (mobile) home.

For building use, indicate whether the building is residential, non-residential, an addition to an existing residential or non-residential building, an accessory building (e.g., garage), or other type of structure. Use the Comments area of Section IV if needed.

- **Section B (Flood Insurance Rate Map Information)** will be completed by the Floodplain Administrator. This information will come from the:
  - o **Item B1. NFIP Community Name & Community Number.** Enter the complete name of the community in which the building is located and the associated 6-digit community number.
  - o **Item B2. County Name.** Enter the name of the county or counties in which the community is located. For an unincorporated area of a county, enter "unincorporated area." For an independent city, enter "independent city."
  - o **Item B3. State.** Enter the 2-letter state abbreviation.



---

#### MAINTENANCE OF ELEVATION CERTIFICATES

---

1. The original Elevation Certificates will be maintained within the building permit files within the Building Codes Office. To ensure that the Elevation Certificates are placed within the folders the person receiving the Elevation Certificate will initial and date the Building Codes Floodplain Permit Checklist placed on the outside of the Floodplain Permit application folders. There is no statute of limitations on the length of time the Elevation Certificates must be maintained.
2. The Floodplain Administrator will maintain copies of all Elevation Certificates completed as part of the flood management records.



**FEMA**

**FEDERAL EMERGENCY MANAGEMENT AGENCY**

**NATIONAL FLOOD INSURANCE PROGRAM**

**ELEVATION CERTIFICATE**

**AND**

**INSTRUCTIONS**

# NATIONAL FLOOD INSURANCE PROGRAM ELEVATION CERTIFICATE

## PAPERWORK BURDEN DISCLOSURE NOTICE

FEMA Form 81-31

The public reporting burden for this form is estimated to be 3.0 hours per response. The burden estimate includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the needed data, and completing, reviewing, and submitting the form. You are not required to respond to this collection of information unless a valid OMB control number appears in the upper right corner of this form. Send comments regarding the accuracy of the burden estimate and any suggestions for reducing this burden to: Information Collections Management, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, Paperwork Reduction Project (3067-0077). NOTE: Please do not send your completed form to the above address.

## PURPOSE OF THE ELEVATION CERTIFICATE

The Elevation Certificate is an important administrative tool of the National Flood Insurance Program (NFIP). It is to be used to provide elevation information necessary to ensure compliance with community floodplain management ordinances, to determine the proper insurance premium rate, and to support a request for a Letter of Map Amendment or Revision (LOMA or LOMR-F).

The Elevation Certificate is required in order to properly rate post-FIRM buildings, which are buildings constructed after publication of the Flood Insurance Rate Map (FIRM), for flood insurance Zones A1-A30, AE, AH, A (with BFE), VE, V1-V30, V (with BFE), AR, AR/A, AR/AE, AR/A1-A30, AR/AH and AR/AO. The Elevation Certificate is not required for pre-FIRM buildings unless the building is being rated under the optional post-FIRM flood insurance rates.

As part of the agreement for making flood insurance available in a community, the NFIP requires the community to adopt a floodplain management ordinance that specifies minimum requirements for reducing flood losses. One such requirement is for the community to obtain the elevation of the lowest floor (including basement) of all new and substantially improved buildings and maintain a record of such information. The Elevation Certificate provides a way for a community to comply with this requirement.

Use of this certificate does not provide a waiver of the flood insurance purchase requirement. Only a LOMA or LOMR-F from the Federal Emergency Management Agency (FEMA) can amend the FIRM and remove the Federal mandate for a lending institution to require the purchase of flood insurance. However, the lending institution has the option of requiring flood insurance even if a LOMA/LOMR-F has been issued by FEMA. The Elevation Certificate may be used to support a LOMA or LOMR-F request. Lowest floor and lowest adjacent grade elevations certified by a surveyor or engineer will be required if the certificate is used to support a LOMA or LOMR-F request.

This certificate is used only to certify building elevations. A separate certificate is required for floodproofing. Under the NFIP, non-residential buildings can be floodproofed up to or above the Base Flood Elevation (BFE). A floodproofed building is a building that has been designed and constructed to be watertight (substantially impermeable to floodwaters) below the BFE. Floodproofing of residential buildings is not permitted under the NFIP unless FEMA has granted the community an exception for residential floodproofed basements. The community must adopt standards for design and construction of floodproofed basements before FEMA will grant a basement exception. For both floodproofed non-residential buildings and residential floodproofed basements in communities that have been granted an exception by FEMA, a floodproofing certificate is required.



FEDERAL EMERGENCY MANAGEMENT AGENCY  
NATIONAL FLOOD INSURANCE PROGRAM

O.M.B. No. 5087-0077  
Expires December 31, 2005

ELEVATION CERTIFICATE

Important: Read the instructions on pages 1 - 7.

<b>SECTION A - PROPERTY OWNER INFORMATION</b>		For Insurance Company Use
BUILDING OWNER'S NAME		Policy Number
BUILDING STREET ADDRESS (including Apt., Unit, Suite, and/or Bldg. No.) OR P.O. ROUTE AND BOX NO.		Company NAIC Number
CITY	STATE	ZIP CODE
PROPERTY DESCRIPTION (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.)		
BUILDING USE (e.g., Residential, Non-residential, Addition, Accessory, etc. Use a Comments area, if necessary.)		
LATITUDE/LONGITUDE (OPTIONAL) ( $36^{\circ}$ - $00'$ $00''$ or $90.00000^{\circ}$ )	HORIZONTAL DATUM <input type="checkbox"/> NAD 1983 <input type="checkbox"/> NAD 1983	SOURCE: <input type="checkbox"/> GPS (Type) <input type="checkbox"/> USGS Quasi Map <input type="checkbox"/> Other

**SECTION B - FLOOD INSURANCE RATE MAP (FIRM) INFORMATION**

D1. FIRM COMMUNITY NAME & COMMUNITY NUMBER		B2. COUNTY NAME		B3. STATE	
H4. MAP AND PANEL NUMBER	B5. SUFFIX	B6. FIRM INDEX DATE	B7. FIRM PANEL EFFECTIVE/REVISED DATE	B8. FLOOD ZONE(S)	B9. BASE FLOOD ELEVATION(S) (Zone AD, use depth of flooding)

- B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in B9.  
 FIS Profile  FIRM  Community Determined  Other (Describe) \_\_\_\_\_
- B11. Indicate the elevation datum used for the BFE in B9:  NGVD 1929  NAVD 1988  Other (Describe) \_\_\_\_\_
- B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)?  Yes  No  
 Designation Date: \_\_\_\_\_

**SECTION C - BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)**

C1. Building elevations are based on:  Construction Drawings\*  Building Under Construction\*  Finished Construction  
 \*A new Elevation Certificate will be required when construction of the building is complete.

C2. Building Diagram Number: \_\_\_\_\_ (Select the building diagram most similar to the building for which this certificate is being completed - see pages 6 and 7. If no diagram accurately represents the building, provide a sketch or photograph.)

C3. Elevations - Zones A1-A30, AE, AH, A (with BFE), VE, V1-V30, V (with BFE), AR, AR/A, AR/AE, AR/A1-A30, AR/AH, AR/AO  
 Complete items C3.a-i below according to the building diagram specified in item C2. State the datum used, if the datum is different from the datum used for the BFE in Section B; convert the datum to that used for the BFE. Show field measurements and datum conversion calculation. Use the space provided or the Comments area of Section D or Section E, as appropriate, to document the datum conversion.  
 Datum: \_\_\_\_\_ Conversion/Comments: \_\_\_\_\_

Elevation reference mark used: \_\_\_\_\_ Does the elevation reference mark used appear on the FIRM?  Yes  No

<input type="checkbox"/> a) Top of bottom floor (including basement or enclosure)	_____	f.(m)	License Number, Embossed Seal, Signature, and Date
<input type="checkbox"/> b) Top of next higher floor	_____	f.(m)	
<input type="checkbox"/> c) Bottom of lowest horizontal structural member (V zones only)	_____	f.(m)	
<input type="checkbox"/> d) Attached garage (top of slab)	_____	f.(m)	
<input type="checkbox"/> e) Lowest elevation of machinery and/or equipment servicing the building (Describe in a Comments area.)	_____	f.(m)	
<input type="checkbox"/> f) Lowest adjacent (finished) grade (LAG)	_____	f.(m)	
<input type="checkbox"/> g) Highest adjacent (finished) grade (HAG)	_____	f.(m)	
<input type="checkbox"/> h) No. of permanent openings (hood vents) within 1 ft. above adjacent grade: _____			
<input type="checkbox"/> i) Total area of all permanent openings (hood vents) in C3.h: _____ sq. ft. (sq. m)			

**SECTION D - SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION**

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information.  
 I certify that the information in Sections A, B, and C on this certificate represents my best efforts to interpret the data available.  
 I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

CERTIFIER'S NAME \_\_\_\_\_ LICENSE NUMBER \_\_\_\_\_

TITLE \_\_\_\_\_ COMPANY NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_ CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP CODE \_\_\_\_\_

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_ TELEPHONE \_\_\_\_\_



<b>IMPORTANT:</b> In these spaces, copy the corresponding information from Section A.			For Insurance Company Use:
BUILDING STREET ADDRESS (Including Apt., Unit, Suite, and/or Bldg. No.) OR P.O. ROUTE AND BOX NO.			Policy Number
CITY	STATE	ZIP CODE	Company NAIC Number

**SECTION D - SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION (CONTINUED)**

Copy both sides of this Elevation Certificate for (1) community official, (2) insurance agent/company, and (3) building owner.

COMMENTS

Check here if attachments

**SECTION E - BUILDING ELEVATION INFORMATION (SURVEY NOT REQUIRED) FOR ZONE AO AND ZONE A (WITHOUT BFE)**

For Zone AO and Zone A (without BFE), complete items E1 through E5. If the Elevation Certificate is intended for use as supporting information for a LOMA or LOMR-F, Section C must be completed.

- E1. Building Diagram Number \_\_\_\_\_ (Select the building diagram most similar to the building for which this certificate is being completed - see pages 6 and 7. If no diagram accurately represents the building, provide a sketch or photograph.)
- E2. The top of the bottom floor (including basement or enclosure) of the building is \_\_\_\_\_ ft. (m) \_\_\_\_\_ in. (cm) \_\_\_\_\_ above or \_\_\_\_\_ below (check one) the highest adjacent grade. (Use natural grade, if available.)
- E3. For Building Diagrams 5-5 with openings (see page 7), the next higher floor or elevated floor (elevation by) of the building is \_\_\_\_\_ ft. (m) \_\_\_\_\_ in. (cm) above the highest adjacent grade. Complete items C3.h and C3.i on front of form.
- E4. The top of the platform of machinery and/or equipment servicing the building is \_\_\_\_\_ ft. (m) \_\_\_\_\_ in. (cm) \_\_\_\_\_ above or \_\_\_\_\_ below (check one) the highest adjacent grade. (Use natural grade, if available.)
- E5. For Zone AO only: If no flood depth number is available, is the top of the bottom floor elevated in accordance with the community's floodplain management ordinance?  Yes  No  Unknown. The local official must certify this information in Section G.

**SECTION F - PROPERTY OWNER (OR OWNER'S REPRESENTATIVE) CERTIFICATION**

The property owner or owners' authorized representative who completes Sections A, B, C (items C3.h and C3.i only), and E for Zone A (without a FEMA-issued or community-issued BFE) or Zone AO must sign here. *The statements in Sections A, B, C, and E are correct to the best of my knowledge.*

PROPERTY OWNER'S OR OWNER'S AUTHORIZED REPRESENTATIVE'S NAME

ADDRESS \_\_\_\_\_ CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP CODE \_\_\_\_\_

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_ TELEPHONE \_\_\_\_\_

COMMENTS

Check here if attachments

**SECTION G - COMMUNITY INFORMATION (OPTIONAL)**

The local official who is authorized by law or ordinance to administer the community's floodplain management ordinance can complete Sections A, B, C (or E), and G of this Elevation Certificate. Complete the applicable item(s) and sign below.

- G1.  The information in Section C was taken from other documentation that has been signed and embossed by a licensed surveyor, engineer, or architect who is authorized by state or local law to certify elevation information. (Indicate the source and date of the elevation data in the Comments area below.)
- G2.  A community official completed Section E for a building located in Zone A (without a FEMA-issued or community-issued BFE) or Zone AO.
- G3.  The following information (items G4-G9) is provided for community floodplain management purposes.

G4. PERMIT NUMBER:	G5. DATE PERMIT ISSUED:	G6. DATE CERTIFICATE OR COMPLIANCE/OCCUPANCY ISSUED:
--------------------	-------------------------	--

G7. This permit has been issued for  New Construction  Substantial Improvement

G8. Elevation of as-built lowest floor (including basement) of the building is: \_\_\_\_\_ ft. (m) Datum: \_\_\_\_\_

G9. BFE or (in Zone AO) depth of flooding at the building site is: \_\_\_\_\_ ft. (m) Datum: \_\_\_\_\_

LOCAL OFFICIAL'S NAME \_\_\_\_\_ TITLE \_\_\_\_\_

COMMUNITY NAME \_\_\_\_\_ TELEPHONE \_\_\_\_\_

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

COMMENTS

Check here if attachments

## INSTRUCTIONS FOR COMPLETING THE ELEVATION CERTIFICATE

The Elevation Certificate is to be completed by a land surveyor, engineer, or architect who is authorized by law to certify elevation information when elevation information is required for Zones A1-A30, AE, AH, A (with BFE), VE, V1-V30, V (with BFE), AR, AR/A, AR/AE, AR/A1-A30, AR/AH, or AR/AO. Community officials who are authorized by law or ordinance to provide floodplain management information may also complete this form. For Zones AO and A (without BFE), a community official, a property owner, or an owner's representative may provide information on this certificate, unless the elevations are intended for use in supporting a LOMA or LOMR-E. Certified elevations must be included if the purpose of completing the Elevation Certificate is to obtain a LOMA or LOMR-E.

In Puerto Rico only, elevations for building information and flood hazard information may be entered in meters.

---

### SECTION A - PROPERTY OWNER INFORMATION

---

This section identifies the building, its location, and its owner. Enter the name(s) of the building owner(s), the building's complete street address, and the lot and block numbers. If the building's address is different from the owner's address, enter the address of the building being certified. If the address is a rural route or a Post Office box number, enter the lot and block numbers, the tax parcel number, the legal description, or an abbreviated location description based on distance and direction from a fixed point of reference. For the purposes of this certificate, "building" means both a building and a manufactured (mobile) home.

A map may be attached to this certificate to show the location of the building on the property. A tax map, FIRM, or detailed community map is appropriate. If no map is available, provide a sketch of the property location, and the location of the building on the property. Include appropriate landmarks such as nearby roads, intersections, and bodies of water. For building use, indicate whether the building is residential, non-residential, an addition to an existing residential or non-residential building, an accessory building (e.g., garage), or other type of structure. Use the Comments area of Section F if needed.

If latitude and longitude data are available, enter them in degrees, minutes, and seconds, or in decimal degrees, taken at the center of the front of the building. Enter arc seconds to two decimal places. Indicate the horizontal datum and the source of the measurement data (for example, taken with GPS, scaled from a USGS Quad Map, etc.).

---

### SECTION B - FLOOD INSURANCE RATE MAP (FIRM) INFORMATION

---

Complete the Elevation Certificate on the basis of the FIRM in effect at the time of the certification.

The information for Section B is obtained by reviewing the FIRM panel that includes the building's location. Information about the current FIRM and a pamphlet titled "Guide to Flood Maps" are available from the Federal Emergency Management Agency (FEMA) website at <http://www.fema.gov> or by calling 1-800-427-4661. If a Letter of Map Amendment (LOMA) or Letter of Map Revision (LOMR-E) has been issued by FEMA, please provide the letter date and case number in the Comments area of Section D or Section G, as appropriate.

**Item B1. NFIP Community Name & Community Number.** Enter the complete name of the community in which the building is located and the associated 6-digit community number. For a building that is in an area that has been annexed by one community but is shown on another community's FIRM, enter the community name and 6-digit number of the annexing community. For a newly incorporated community, use the name and 6-digit number of the new community. Under the NFIP, a "community" is any State or area or political subdivision thereof, or any Indian tribe or authorized native organization, that has authority to adopt and enforce floodplain management regulations for the areas within its jurisdiction. To determine the current community number, see the NFIP *Community Status Book*, available on FEMA's website at <http://www.fema.gov> or by calling 1-800-427-4661.

**Item B2. County Name.** Enter the name of the county or counties in which the community is located. For an unincorporated area of a county, enter "unincorporated area." For an independent city, enter "independent city."

**Item B3. State.** Enter the 2-letter state abbreviation (for example, VA, TX, CA).

**Item B4. Map and Panel Number.** Enter the 10-digit number shown on the FIRM panel where the building or manufactured (mobile) home is located. The first six digits will not match the NFIP community number: 1) when the sixth digit is a "C," in which case the FIRM panel is in a countywide format; or 2) when one community has annexed land from another community but the FIRM panel has not been updated to reflect this annexation. If the sixth digit is a "C," it is followed by a four-digit map number. For maps not in countywide format, enter the "community panel number" shown on the FIRM.

**Item B5. Suffix.** Enter the suffix letter shown on the FIRM panel that includes the building's location.

**Item B6. FIRM Index Date.** Enter the effective date or map revised date shown on the FIRM Index.

**Item B7. FIRM Panel Effective/Revised Date.** Enter the map effective date or the map revised date shown on the FIRM panel. This will be the latest of all dates shown on the map. The current FIRM panel effective date can be determined by calling 1-800-427-4661.

**Item B8. Flood Zone(s).** Enter the flood zone, or flood zones, in which the building is located. All flood zones containing the letter "A" or "V" are considered Special Flood Hazard Areas. The flood zones are A, AE, A1-A30, V, VE, V1-V30, AH, AO, AR, AR/A, AR/AE, AR/A1-A30, AR/AH, and AR/AO. Each flood zone is defined in the legend of the FIRM panel on which it appears.

**Item B9. Base Flood Elevation(s).** Using the appropriate Flood Insurance Study (FIS) Profile, Flood Elevation Table, or FIRM panel, locate the property and enter the BFE (or base flood depth) of the building site. If the building is located in more than one flood zone in Item B8, list all appropriate BFEs in Item B9. BFEs are shown on a FIRM or FIS Profile for Zones A1-A30, AE, AH, V1-V30, VE, AR, AR/A, AR/AE, AR/A1-A30, AR/AH, and AR/AO; flood depth numbers are shown for Zone AO. Use the AR BFE if the building is located in any of Zones AR/A, AR/AE, AR/A1-A30, AR/AH, or AR/AO. In A or V zones where BFEs are not provided on the FIRM, the community may have established BFEs or obtained BFE data from other sources. For subdivisions and other developments of more than 50 lots or 5 acres, establishment of BFEs is required by the community's floodplain management ordinance. If the BFE is obtained from another source, enter the BFE in Item B9.

**Item B10.** Indicate the source of the BFE that you entered in Item B9.

**Item B11.** Indicate the elevation datum to which the elevations on the applicable FIRM are referenced.

**Item B12.** Indicate whether the building is located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA). Federal flood insurance is prohibited in designated CBRS areas for buildings or manufactured (mobile) homes built or substantially improved after the date of the CBRS designation. An information sheet explaining CBRS areas may be obtained on FEMA's website at <http://www.fema.gov> or by calling 1-800-427-4661.

---

### SECTION C - BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

---

Complete Section C if the building is located in any of Zones A1-A30, AE, AH, A (with BFE), VE, V1-V30, V (with BFE), AR, AR/A, AR/AE, AR/A1-A30, AR/AH, or AR/AO, or if this certificate is being used to support a LOMA or LOMR-F. If the building is located in Zone AO or Zone A (without BFE), complete Section E instead. To ensure that all required elevations are obtained, it may be necessary to enter the building (for instance, if the building has a basement or sunken living room, split-level construction, or machinery and equipment).

Surveyors may not be able to gain access to some crawl spaces to shoot the elevation of the crawl space floor. If access to the crawl space cannot be gained, use the following guidance:

- Use a yardstick or tape measure to measure the floor height to the "next higher floor," and then subtract the crawl space height from the elevation of the "next higher floor."
- Contact the local floodplain administrator of the community that the building is located in. The community may have documentation of the elevation of the crawl space floor as part of the permit issued for the building.
- If the property owner has documentation or knows the height of the crawl space floor to the next higher floor, try to verify this by looking inside the crawl space through any openings or vents.

In all three cases, provide the elevation in the Comments area and a brief description of how the elevation was obtained.

**Item C1.** Indicate whether the elevations to be entered in this section are based on construction drawings, a building under construction, or finished construction. For either of the first two choices, a post-construction Elevation Certificate will be

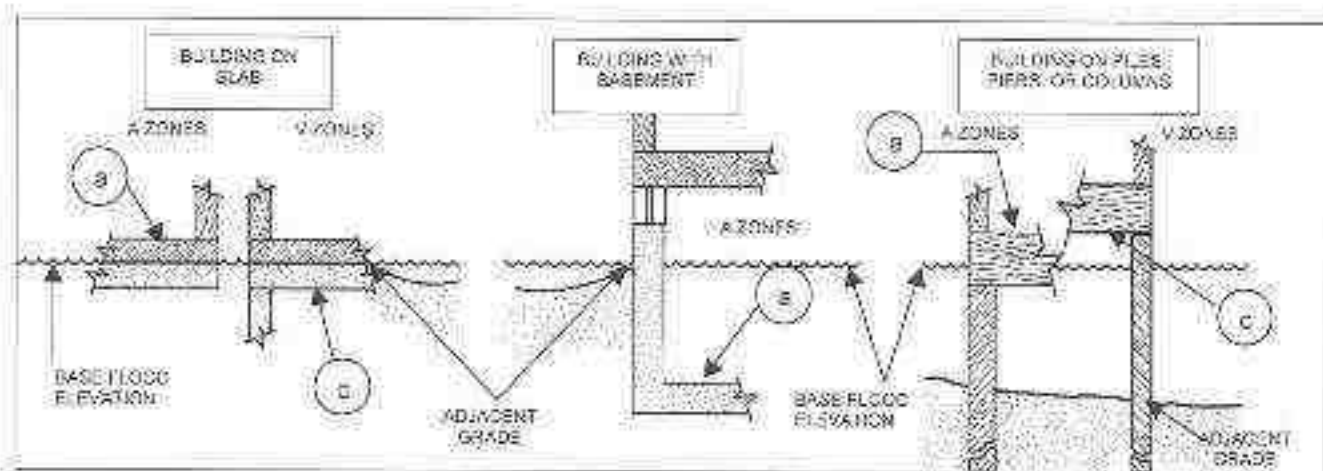


required when construction is complete. If the building is under construction, include only those elevations that can be surveyed in Items C3.a-g. Use the Comments area to provide elevations obtained from the construction plans or drawings. Select "finished construction" only when all machinery and/or equipment—furnaces, hot water heaters, heat pumps, air conditioners, and elevators and their associated equipment—have been installed and the grading around the building is completed.

**Item C2.** Select the diagram on pages 6 and 7 that best represents the building. Then enter the diagram number and use the diagram to identify and determine the appropriate elevations requested in Items C3.a-g. If you are unsure of the correct diagram, select the diagram that most closely resembles the building being certified, or provide a sketch or photograph of the building and enter all elevations in Items C3.a-g.

**Item C3.** Indicate whether the elevation reference mark (benchmark) used during the field survey is an elevation mark on the FIRM. If it is not, indicate the source and datum for the elevation. Vertical control benchmarks other than those shown on the FIRM are acceptable for elevation determinations. Show the conversion from the field survey datum used to the datum used for the BFE(s) entered in Item B9. All elevations for this certificate must be referenced to the datum on which the BFE is based. Show the datum conversion, if applicable, in this section or in the Comments area of Section D. For property experiencing ground subsidence, the most recently adjusted reference mark elevations must be used for determining building elevations. However, when subsidence is involved, the BFE should not be adjusted. Enter elevations in Items C3.a-g to the nearest tenth of a foot (nearest tenth of a meter, in Puerto Rico).

**Items C3.a-d.** Enter the building elevations (excluding the attached garage) indicated by the selected building diagram (Item C2.) in Items C3.a-c. If there is an attached garage, enter the elevation for top of attached garage slab in Item C3.d. (Because elevation for top of attached garage slab is self-explanatory, attached garages are not illustrated in the diagrams.) If the building is located in a V zone on the FIRM, complete Item C3.c. If the flood zone cannot be determined, enter elevations for all of Items C3.a-g. For buildings in A zones, elevations a, b, d, and e should be measured at the top of the floor. For buildings in V zones, elevation c must be measured at the bottom of the lowest horizontal structural member of the floor (see drawing below). For buildings elevated on a crawl space, Diagram 8, enter the elevation of the top of the crawl space floor in Item C3.a, whether or not the crawl space has openings (flood vents). *If any item does not apply to the building, enter "N/A" for not applicable.*



**Item C3.e** Enter the lowest elevation of machinery and/or equipment—furnaces, hot water heaters, heat pumps, air conditioners, and elevators and their associated equipment—in an attached garage or enclosure or on an open utility platform that provides utility services for the building. If the machinery and/or equipment is mounted to a wall, pile, etc., enter the platform elevation of the machinery and/or equipment. Indicate machinery/equipment type in the Comments area of Section D or Section G, as appropriate. *If this item does not apply to the building, enter "N/A" for not applicable.*

**Items C3.f-g.** Adjacent grade is defined as the elevation of the ground, sidewalk, patio slab, or deck support immediately next to the building. If the certificate is to be used for a LOMA or LOMR-F, provide in the Comments area the lowest adjacent grade elevation measured at the deck support or stairs if that elevation is lower than the building's lowest adjacent grade. For

Zone AO, use the natural grade elevation, if available. This measurement must be to the nearest tenth of a foot (nearest tenth of a meter, in Puerto Rico) if this certificate is being used to support a request for a LOMA or LOMR-F.

**Items C3.b-f.** Enter the number of permanent openings (flood vents) in the walls supporting the building, including the attached garage, that are no higher than 1.0 foot above the adjacent grade. Determine the total area of all such openings in square inches (square cm, in Puerto Rico), and enter the total in Item C3.i. If the building has no permanent openings (flood vents) within 1.0 foot above adjacent grade, enter "0" (zero) for each of Items C3.h and C3.i. Enter in the Comments area whether the openings are on the foundation walls of the building and/or on the walls of the garage.

---

#### SECTION D - SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

---

Complete as indicated. This section of the Elevation Certificate may be signed by only a land surveyor, engineer, or architect who is authorized by law to certify elevation information. Place embossed seal and signature in the box next to elevations in Section C. A flat stamp is acceptable only in states that do not authorize use of an embossed seal over the signature of a professional. You are certifying that the information in Sections A, B, and C on this certificate represents your best efforts to interpret the data available and that you understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001. Use the Comments area of Section D, on the back of the certificate, to provide datum, elevation, or other relevant information not specified on the front.

---

#### SECTION E - BUILDING ELEVATION INFORMATION (SURVEY NOT REQUIRED) FOR ZONE AO & ZONE A (WITHOUT BFE)

---

Complete Section E if the building is located in Zone AO or Zone A (without BFE). Otherwise, complete Section C instead.

**Item E1.** Select the diagram on pages 6 and 7 that best represents the building; then enter the diagram number. If you are unsure of the correct diagram, select the diagram that most closely resembles the building, or provide a sketch or photograph. Explain in the Comments area if the measurement provided under Item E.2, E.3, or E.4 is based on the "natural grade."

**Item E2.** Enter the height in feet and inches (meters and centimeters, in Puerto Rico) of the top of the bottom floor (as indicated in the applicable diagram) above or below the highest adjacent grade (HAG). For post-FIRM buildings in Zone AO, the community's floodplain management ordinance requires that this value equal or exceed the base flood depth on the FIRM. Buildings in Zone A (without BFE) may qualify for a lower insurance rate if an engineered BFE is developed at the site.

**Item E3.** For Building Diagrams 6-8 with proper openings (see page 7), enter the height in feet and inches (meters and centimeters, in Puerto Rico) of the next higher floor or elevated floor (as indicated in the applicable diagram) above the highest adjacent grade (HAG). Be sure that you have completed Items C3.h and C3.i on the front of the form to show the number of permanent openings (flood vents) within 1 foot above adjacent grade and the total area of the openings.

**Item E4.** Enter the height in feet and inches, in relation to the highest adjacent grade next to the building, of the platform that supports the machinery and/or equipment servicing the building. Indicate machinery/equipment type in the Comments area of Section E. *If this item does not apply to the building, enter "N/A" for not applicable.*

**Item E5.** For those communities where this base flood depth is not available, the community will need to determine whether the top of the bottom floor is elevated in accordance with the community's floodplain management ordinance.

---

#### SECTION F - PROPERTY OWNER (OR OWNER'S REPRESENTATIVE) CERTIFICATION

---

Complete as indicated. This section is provided for certification of measurements taken by a property owner or property owner's representative when responding to Sections A, B, C (Items C3.h and C3.i only), and E. The address entered in this section must be the actual mailing address of the property owner or property owner's representative who provided the information on the certificate.

---

## SECTION G - COMMUNITY INFORMATION (OPTIONAL)

---

Complete as indicated. The community official who is authorized by law or ordinance to administer the community's floodplain management ordinance can complete Sections A, B, C (or E), and G of this Elevation Certificate. If the authorized community official completes Sections C, E, or G, complete the appropriate item(s) and sign this section.

Check **Item G1**, if Section C is completed with elevation data from other documentation, including elevations obtained from the Community Rating System Elevation Software, that has been signed and embossed by a licensed surveyor, engineer, or architect who is authorized by law to certify elevation information. Indicate the source of the elevation data and the date obtained in the Comments area of Section G. If you are both a community official and a licensed land surveyor, engineer, or architect authorized by law to certify elevation information, and you performed the actual survey for a building in Zones A1-A30, AE, AH, A (with BFE), VE, V1-V30, V (with BFE), AR, AR/A, AR/A1-A30, AR/AL, AR/AH, or AR/AO, you must also complete Section D.

Check **Item G2**, if information is entered in Section E by the community for a building in Zone A (without a FEMA-issued or community-issued BFE) or Zone AO.

Check **Item G3**, if the information in Items G4-G9 has been completed for community floodplain management purposes to document the as-built lowest floor elevation of the building. Section C of the Elevation Certificate records the elevation of various building components but does not determine the lowest floor of the building or whether the building, as constructed, complies with the community's floodplain management ordinance. This must be done by the community. Items G4-G9 provide a way to document these determinations.

**Item G4. Permit Number.** Enter the permit number or other identifier to key the Elevation Certificate to the permit issued for the building.

**Item G5. Date Permit Issued.** Enter the date the permit was issued for the building.

**Item G6. Date Certificate of Compliance Issued.** Enter the date that the Certificate of Compliance or Occupancy or similar written official documentation of as-built lowest floor elevation was issued by the community as evidence that all work authorized by the floodplain development permit has been completed in accordance with the community's floodplain management laws or ordinances.

**Item G7. New Construction or Substantial Improvement.** Check the applicable box. "Substantial Improvement" means any reconstruction, rehabilitation, addition, or other improvement of a building, the cost of which equals or exceeds 50 percent of the market value of the building before the start of construction of the improvement. The term includes buildings that have incurred substantial damage, regardless of the actual repair work performed.

**Item G8. As-built lowest floor elevation.** Enter the elevation of the lowest floor (including basement) when the construction of the building is completed and a final inspection has been made to confirm that the building is built in accordance with the permit, the approved plans, and the community's floodplain management laws or ordinances. Indicate the elevation datum used.

**Item G9. BFL.** Using the appropriate FIRM panel, FIS, or other data source, locate the property and enter the BFE (or base flood depth) of the building site. Indicate the elevation datum used.

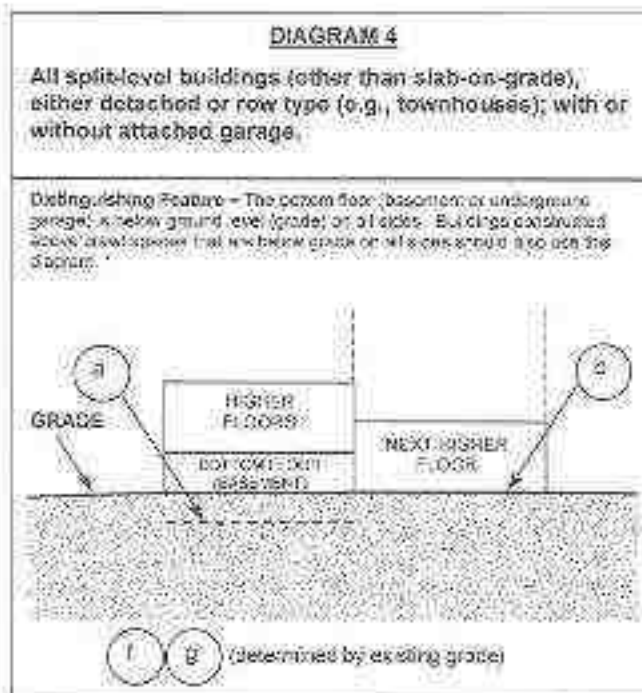
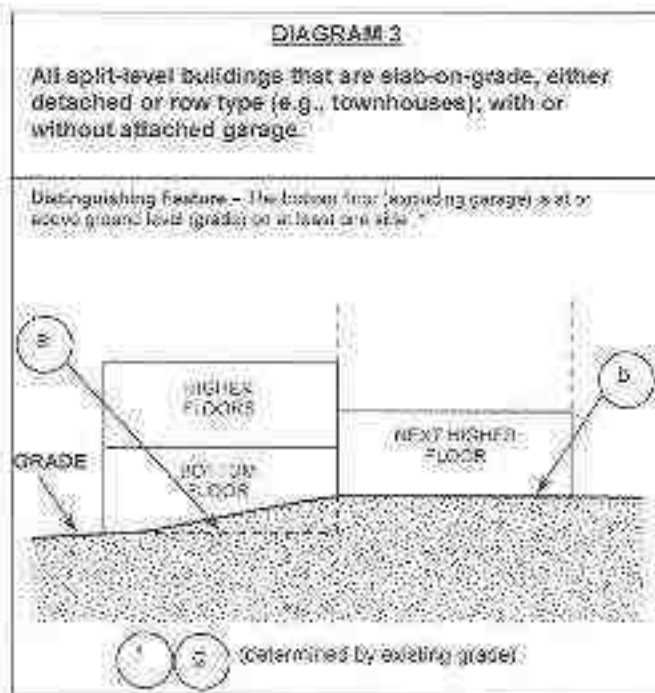
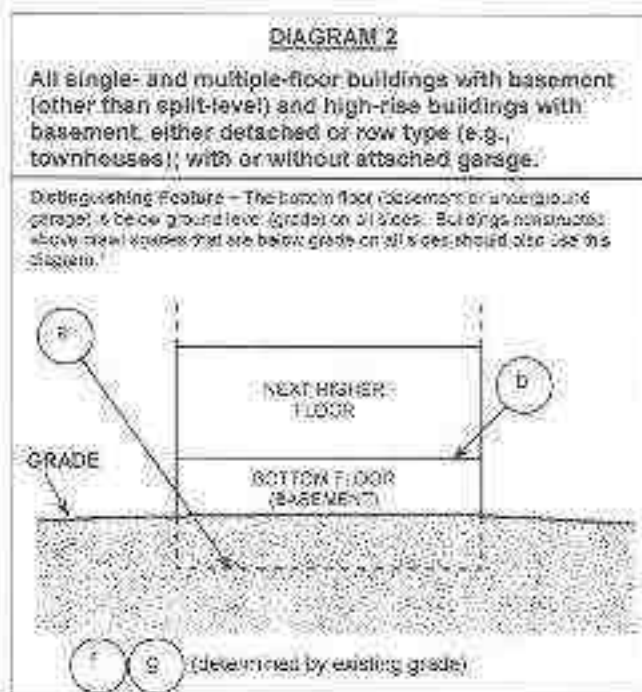
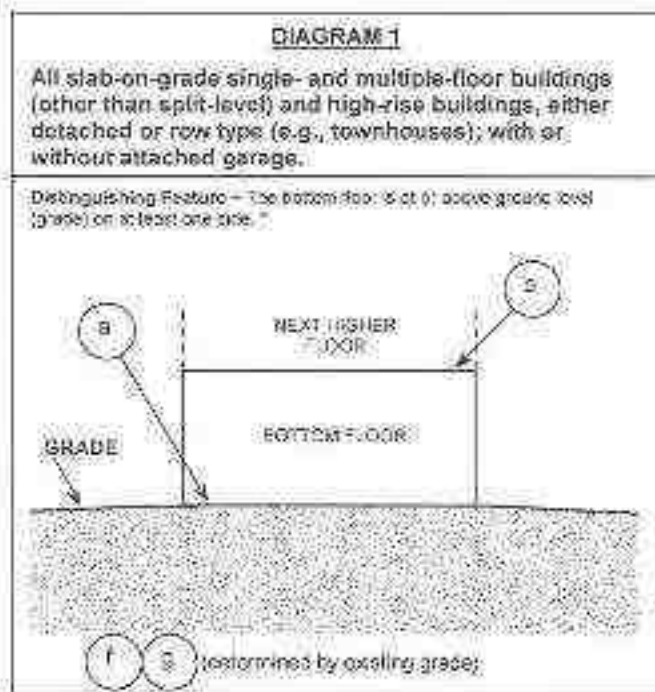
Enter your name, title, and telephone number, and the name of the community. Sign and enter the date in the appropriate blanks.



## BUILDING DIAGRAMS

The following eight diagrams illustrate various types of buildings. Compare the features of the building being certified with the features shown in the diagrams and select the diagram most applicable. Enter the diagram number in Item C2, and the elevations in Items C3.a-C3.g.

In A zones, the floor elevation is taken at the top finished surface of the floor indicated; in V zones, the floor elevation is taken at the bottom of the lowest horizontal structural member (see drawing in instructions for Section C).

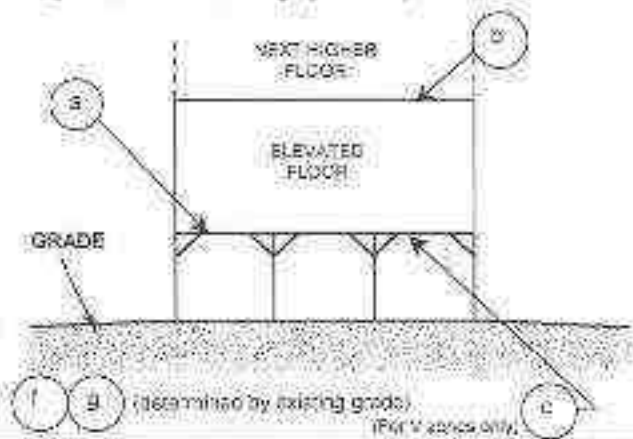


\* A floor that is below ground level (grade) on all sides is considered a basement even if the floor is used for living purposes, or as an office, garage, workshop, etc.

**DIAGRAM 5**

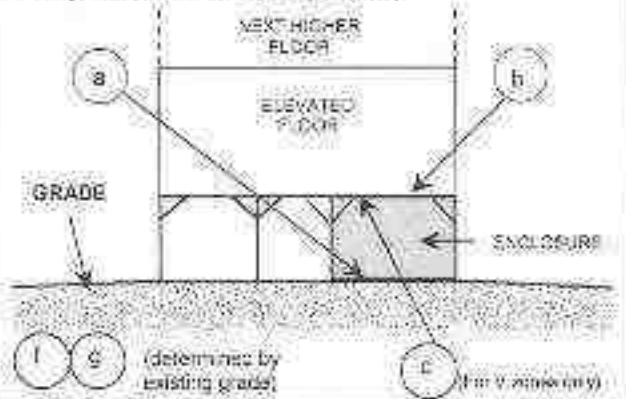
All buildings elevated on piers, posts, piles, columns, or parallel shear walls. No obstructions below the elevated floor.

Distinguishing Feature – For all zones, the area below the elevated floor is open with no obstruction to flow of flood waters (open lattice work and/or easily removable insect screening is permissible).

**DIAGRAM 6**

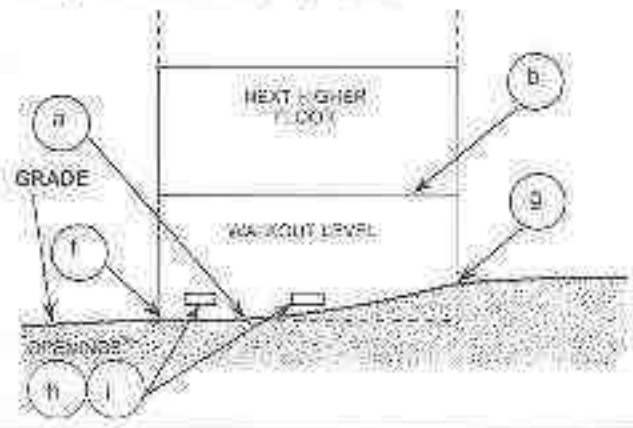
All buildings elevated on piers, posts, piles, columns, or parallel shear walls with full or partial enclosure below the elevated floor.

Distinguishing Feature – For all zones, the area below the elevated floor is enclosed, either partially or fully. In A zones, the partially or fully enclosed area below the elevated floor is with or without openings<sup>1</sup> present in the walls of the enclosure. Indicate information about openings in Section C, Building Elevation Information (Survey Required).

**DIAGRAM 7**

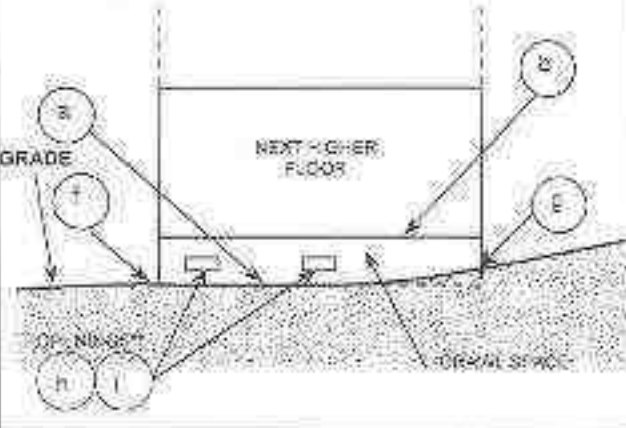
All buildings elevated on full-story foundation walls with a partially or fully enclosed area below the elevated floor. This includes walkout levels, where at least one side is at or above grade. The principal use of this building is located in the elevated floors of the building.

Distinguishing Feature – For all zones, the area below the elevated floor is enclosed, either partially or fully. In A zones, the partially or fully enclosed area below the elevated floor is with or without openings<sup>1</sup> present in the walls of the enclosure. Indicate information about openings in Section C, Building Elevation Information (Survey Required).

**DIAGRAM 8**

All buildings elevated on a crawl space with the floor of the crawl space at or above grade on at least one side, with or without an attached garage.

Distinguishing Feature – For all zones, the area below the first floor is enclosed by solid or partial perimeter walls. In A zones, the crawl space is with or without openings<sup>1</sup> present in the walls of the crawl space. Indicate information about the openings in Section C, Building Elevation Information (Survey Required).



<sup>1</sup> An "opening" (flood vent) is defined as a permanent opening in a wall that allows for the free passage of water automatically in both directions without human intervention. Under the NFIP, a minimum of two openings is required for enclosures or crawl spaces with a total net area of not less than one square inch for every square foot of area enclosed. Each opening must be on different sides of the enclosed area. If a building has more than one enclosed area, each area must have openings on exterior walls to allow floodwater to directly enter. The bottom of the openings must be no higher than one foot above the grade underneath the flood vents. Alternatively, you may submit a certification by a registered professional engineer or architect that the design will allow for the automatic equalization of hydrostatic fluid forces on exterior walls. A window, a door, or a garage door is not considered an opening.

# OCONEE COUNTY BUILDING CODES

415 SOUTH PINE STREET

WALHALLA, SOUTH CAROLINA 29691

PHONE: (864) 718-1005

FAX: (864) 638-4168

## FLOODPLAIN DEVELOPMENT PERMIT PROCEDURES DRAFT

---

### BACKGROUND

---

Each year, taxpayers and insurance companies spend millions of dollars for disaster relief assistance as a result of flooding. Approximately thirteen percent of the State's land area is subject to flooding. As a result The Department of Homeland Security / Federal Emergency Management Agency (DHS/FEMA) in conjunction with the South Carolina department of Natural resources (SC DNR) have directed local communities to implement certain floodplain management policies to ensure that insurance from the National Flood Insurance Program (NFIP) and Federal disaster assistance is available to the citizens of Oconee County in the event of a natural disaster.

Oconee County's Flood Control Ordinance # 87-4 necessitates that all development in or near a Special Flood Hazard Area (SFHA) comply with the following requirements:

---

### DEVELOPMENT PERMIT PROCEDURES

---

1. When application for a development permit is made with the Building Codes Department, the applicant will be given a floodplain check form that will be completed and verified by a representative of the Floodplain Administrator. Forms are available within the Building Codes Office, and will be given at the time application is made for a development permit. The determination of location of the proposed development and proximity to Special Flood Hazard Areas (SFHA) will be made within the Maproom.
2. If the proposed development is determined not to be within or near a Special Flood Hazard Area (SFHA), the floodplain check form will be marked no and signed by the individual making the check. The form will be returned to Building Codes with no further action required. This form will be carried in with the building permit application.

3. If the proposed development appears to be within or touching the Special Flood Hazard Area (SFHA) of the County as mapped by The Department of Homeland Security – Federal Emergency Management Agency the Floodplain check form will be checked yes and the applicant will be scheduled to have a meeting with the Building Codes Director and The Floodplain Administrator. The meeting will cover all aspects of the procedures to be followed and the possible associated costs of development within the floodplain. The meeting will also provide an opportunity for the applicant to ask questions and receive the required forms.
4. If the applicant decides to proceed with the project a property plan that shows the 1% (100-year) floodplain contour or a statement that the entire lot is within the floodplain must be provided by the development permit applicant. The property plan must be prepared by or under the direct supervision of a South Carolina Registered Land Surveyor or Professional Engineer and certified by same. The property plan must also show the floodway if applicable.
5. In addition to the property plan showing the 1% floodplain and floodway, additional documentation needed to approve the application include but is not limited to plans drawn to scale showing the nature, location, dimensions, and elevations of the area in question, existing and/or proposed structures, and the location of fill materials, storage areas, and drainage facilities.
6. The applicant will also provide for residential structures documentation to show that the elevation (in relation to mean sea level) of the lowest floor of all new and substantially improved structures is at a minimum three (3) feet above the base flood elevation (Base Flood Elevation = 1% floodplain). For non-residential structures applicant must provide proof from a South Carolina registered Professional Engineer or Architect that floodproofed structure meets DHS-FFMA standards.
7. Where any watercourse will be altered or relocated as a result of proposed development, the application for a development permit shall include: a description of the extent of watercourse alteration or relocation; an engineering report utilizing detailed methods accepted by DHS-FFMA, US Army Corps of Engineers and any other applicable Federal or State regulatory agencies, on the effects of the proposed project on the flood-carrying capacity of the watercourse and the effects to properties located both upstream and downstream; and, a map showing the location of the proposed watercourse alteration or relocation, and notification of the proposal to the appropriate authorities of all affected agencies. A copy of the notification shall be maintained in the permit records and submitted to the Department of Homeland Security-FFMA, National Flood Insurance Program. Prior to the commencement of any work on the alteration of a water course the applicant must procure and submit to the Flood Plain Administrator any applicable Federal or State approvals or permits, including a Conditional Letter of Map Revision (CLOMR).
8. After review of the permit application for completeness and compliance with technical requirements. The Building Codes Director will inspect the proposed site. The site should be staked out and the applicant or representative should be on hand to answer questions that may arise. The Building Codes Director will compare the site plan with the actual layout.



---

## ACTIONS AFTER PERMIT ISSUED

---

1. The following items may be required by Building Codes:
  - Footing soil compaction testing if the bearing capacity of the soil is in question.
  - Certification by a Structural Engineer on the footing and/or foundation of the structure depending on the soil type and/or location of the water source.
  - When foundation walls are fully enclosed, certification by a South Carolina Professional Engineer showing that the required openings in the foundation walls meet DHS-FLMA requirements.
2. A floor elevation or floodproofing certification is required after the lowest floor is completed. As soon as possible after completion of the lowest floor and before any further vertical construction commences, or floodproofing by whatever construction means, whichever is applicable, it shall be the duty of the permit holder to submit to the Building Codes Director a certification of the elevation ( Elevation Certificate ) of the lowest floor, or floodproofed elevation ( Floodproofing Certificate ), whichever is applicable, as such, in relation to mean sea level. Said certification shall be prepared by or under the direct supervision of a South Carolina Registered Land Surveyor or Professional Engineer and certified by same. Any work done prior to submission of the certification shall be at the permit holder's risk. The Building Codes Director / Flood Plain Administrator shall review the floor elevation survey data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further progressive work being permitted to proceed. Failure to submit the survey or failure to make said corrections required hereby shall be cause to issue a stop-work order for the project.
3. Once the Intermediate Elevation Certificate is submitted to The Building Codes Director a second inspection will be conducted to verify the information contained within the documents.
4. Upon completion of the development a South Carolina Registered Professional Engineer, Land Surveyor or Architect, whichever professional is appropriate, shall certify that the project has been built in accordance with the submitted plans and previous pre-development certifications. The As-built Elevation Certificate will then placed in the Permit files and recorded at this time.
5. A final inspection is necessary near or at the completion of the work. This inspection may be in conjunction with the placement of utilities to ensure they are located and constructed as specified in the Flood Damage Prevention Ordinance.
6. An Occupancy Certificate will only be issued after all documentation and final inspections demonstrate that all flood related issues have been resolved and recorded within the building permit file.



7. All other provisions concerning construction in a flood hazard area shall comply with the applicable provisions of the International Codes and other adopted regulations.

**COMMISSION MEMBERS THAT NEED TO BE REAPPOINTED/REPLACED  
BEGINNING JANUARY 2005:**

**AERONAUTICS COMMISSION:**

HEDNZ ROST DISTRICT I

BARRY FINLEY DISTRICT III

FRED GOLDEN DISTRICT V

**ECONOMIC DEVELOPMENT:**

ROBERT NEW MARK DISTRICT I

HANK FIELD DISTRICT III

**SOLID WASTE COMMISSION:**

DEAN WYATT DISTRICT I

JOHN P. VALGHI DISTRICT III

CITY OF WALHALLA WALHALLA (TOMMY CRUMPTON RESIGNED  
WHEN ELECTED TO COUNCIL; RECOMMENDATION TO BE MADE BY CITY)

**SEWER COMMISSION:**

RHETT SMITH WESTMINSTER

JERRY OPPERMAN AT LARGE

**PLANNING COMMISSION:**

WILLIAM NELSON DISTRICT I

RANDY ABBOTT DISTRICT II

BILL EVATT DISTRICT III

TOMMY ABBOTT DISTRICT IV

RYAN HONLA DISTRICT V

REX RAMSAY AT LARGE

HORACE MCGEE AT LARGE

HOWARD MOORE AT LARGE

**EMERGENCY MANAGEMENT:**

JANICE MATHESON DISTRICT I

MICHAEL WRIGHT DISTRICT II

SAM D. MCJUNKIN DISTRICT III

**ARTS & HISTORICAL:**

ANN MCMAHAN DISTRICT I

LOUISE BELL DISTRICT III

**TAX:**

ANSLEY FRASER

BENTLEY JONES (RESIGNED/MOVED FROM AREA)

KEVIN GRADY EVANS

GERI MCSWAIN

BARBARA LAUGHLIN

DOYLE BURTON

GERALD FOSTER