

**AGENDA ITEM SUMMARY**  
**OCONEE COUNTY, SC**  
**COUNCIL MEETING DATE: 4/19/05**  
**COUNCIL MEETING TIME: 3:00 PM**

**ITEM TITLE OR DESCRIPTION:**

Public Hearing to receive written and/or oral comments regarding proposed Resolution 2005-11, "A RESOLUTION IN SUPPORT OF THE ISSUANCE BY THE SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY OF ITS NOT EXCEEDING \$35,000,000 HOSPITAL REFLUNDING REVENUE BONDS (OCONEE MEMORIAL HOSPITAL PROJECT), IN ONE OR MORE SERIES PURSUANT TO THE PROVISIONS OF TITLE 41, CHAPTER 43, OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED"

**BACKGROUND OR HISTORY:**

Oconee Memorial Hospital is projecting the refinancing of prior debt and Oconee County, as the governing body, is assisting the Hospital by having this public hearing and adopting the proposed resolution as required by State law.

**SPECIAL CONSIDERATIONS OR CONCERNS:**

- (1) This proposed action has been reviewed by Bond Counsel Haynesworth, Sinder & Boyd.
- (2) Council agrees to execute the resolution approving the bond refinancing contingent upon the Hospital's specific written commitment to undertake bond restructuring, and various other commitments and considerations to be accomplished by a separate agreement.
- (3) County Bond Counsel assures us that these bonds will not count against the County's Bonding Capacity; nor will the County be responsible for the Bonds in the event of default by the Hospital.
- (4) The Bonds will not constitute a charge against the County or the taxing powers of the County.

**STAFF RECOMMENDATION FOR COUNCIL ACTION:**

- (1) Hold the public hearing to receive written and/or oral comments regarding the proposed resolution.
- (2) Adopted Resolution 2005-11 (Titled Above)

**FINANCIAL IMPACT:**

- (1) The revenue refunding bonds will be paid back by the borrower, Oconee Memorial Hospital.
- (2) The borrower, Oconee Memorial Hospital, will be maintaining approximately 1,031 jobs.


**ATTACHMENTS:**

Proposed Resolution & copy of advertisement

Opal O. Green  
Department Head/Elected Official

  
Ron H. Rabun, County Administrator

Reviewed By/ Initials:

 County Attorney

 Finance

 Other

C, Clerk to Council

A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF THE AGREEMENT DATED AS OF MAY 1, 2005 BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND OCONEE COUNTY MEMORIAL HOSPITAL RELATING TO (i) THE LEGAL DEFEASANCE OF \$4,115,000 OCONEE COUNTY, SOUTH CAROLINA GENERAL OBLIGATION BONDS, SERIES 2000 (LILA DOYLE PROJECT), (ii) CERTAIN SERVICES TO BE PROVIDED BY OCONEE COUNTY MEMORIAL HOSPITAL, (iii) THE TRANSFER OF CERTAIN LAND AND FACILITIES OWNED BY THE COUNTY TO OCONEE COUNTY MEMORIAL HOSPITAL, (iv) ACCESS TO CERTAIN RECORDS OF OCONEE COUNTY MEMORIAL HOSPITAL, (v) HOSPITAL BOARD MEMBERSHIP, AND (vi) OTHER MATTERS RELATED THERETO.

WHEREAS, Oconee County, South Carolina (the "County") and Oconee County Memorial Hospital (the "Hospital") desire to enter into an agreement setting forth certain rights and responsibilities of the parties in providing health care to the citizens of the County; and

WHEREAS, the County and the Hospital desire to legally defease with funds provided by the Hospital the outstanding Oconee County, South Carolina, General Obligation Bonds, Series 2000 (Lila Doyle Project)(the "Series 2000 Bonds"); and

WHEREAS, the County and the Hospital desire to address other matters in addition to the defeasance of the Series 2000 Bonds including (i) the legal defeasance of \$4,115,000 Oconee County, South Carolina (General Obligation Bonds, Series 2000 (Lila Doyle Project), (ii) certain services to be provided by Oconee County Memorial Hospital, (iii) the transfer of certain land and facilities owned by the County to Oconee County Memorial Hospital, (iv) access to certain records of Oconee County Memorial Hospital, (v) Hospital Board Membership, and (vi) other matters related thereto.

WHEREAS, the County desires to facilitate the issuance of revenue bonds to be issued by the South Carolina Jobs-Economic Development Authority, the proceeds of which will be loaned to the Hospital to refund certain outstanding obligations of the Hospital and undertake certain improvements as set forth in the resolution presented at this meeting and the public hearing notice published in connection therewith;

NOW, THEREFORE, BE IT RESOLVED by the County Council of Oconee County, South Carolina as follows:

**Section 1.** The Agreement dated as of May 1, 2005 (the "Agreement") between the County and the Hospital in substantially the form attached hereto is approved with such changes as may be approved by the Chairman of County Council and the County Administrator.

**Section 2.** The Chairman of County Council and the County Administrator are hereby authorized to execute the Agreement, and the Clerk to County Council is authorized to affix the seal of the County and attest the same and deliver the Agreement to the Hospital.

Section 3. This Agreement shall be effective as of the date of its execution and delivery by the parties thereto.

Passed and approved in meeting assembled this \_\_\_\_\_ day of April, 2005.

**OCONEE COUNTY, SOUTH CAROLINA**

(SEAL)

By: \_\_\_\_\_  
(Chairman, County Council)

Attest:

By: \_\_\_\_\_  
(County Administrator)

\_\_\_\_\_  
(Clerk to County Council)

**AGENDA ITEM SUMMARY**  
**OCONEE COUNTY, SC**  
**COUNCIL MEETING DATE: April 19, 2005**  
**COUNCIL MEETING TIME: 3:00PM**

**ITEM TITLE OR DESCRIPTION: FILOT Extension Request**

Request an extension of a Fee-In-Lieu-Of-Tax (FILOT) agreement with Valenite LLC, located near Westminster, SC.

**BACKGROUND OR HISTORY:**

In December of 2004 Oconee Council approved a FILOT agreement with Valenite LLC for a \$43,000,000 investment within the next five years. The success of this project has allowed another project to come to Oconee County which will bring another investment of approximately \$24,000,000 over the next five years. The first investment also carried the creation of 44 jobs; this next expansion should bring 18 additional jobs. Just as a reminder, jobs are not required in order to request or approve a FILOT agreement.

**SPECIAL CONSIDERATIONS OR CONCERNS:**

This is a \$24,000,000 new investment in the county accompanied by 18 new jobs.

**STAFF RECOMMENDATION FOR COUNCIL ACTION:**

Recommend the extension of the FILOT be approved at 6% for 20 years based on the June 30, 2004 millage rate.

**FINANCIAL IMPACT:**

The investment will bring approximately \$ 1.5M in taxes over the next 20 years. 18 new jobs will be available to our citizens. These jobs will bring an additional \$606,000 in annual wages.

**ATTACHMENTS:**

An attachment showing the estimated taxes over the 20 year life of this investment will be provided when received from the State.

**Submitted or Prepared By:**

  
James W. Alexander  
Economic Development Commission

**Approved for Submittal to Council:**

  
Ron H. Rabun, County Administrator

**Reviewed By/ Initials:**

 County Attorney

\_\_\_\_\_  
Finance

\_\_\_\_\_  
Other

C: Clerk to Council

A RESOLUTION APPROVING THE EXTENSION BY OCONEE COUNTY, SOUTH CAROLINA OF A LEASE AGREEMENT BY AND BETWEEN VALENITE, LLC AND OCONEE COUNTY, SOUTH CAROLINA (VALENITE, LLC PROJECT), PURSUANT TO THE PROVISIONS OF SOUTH CAROLINA CODE ANNOTATED, SECTION 4-12-30 (1976), AS AMENDED.

**WHEREAS**, Oconee County, South Carolina (the "County") and Valenite Inc. (now known as Valenite, LLC) (the "Company") have entered into a fee-in-lieu of tax ("FILOT") lease agreement (the "Agreement"), pursuant to Section 4-12-30, South Carolina Code of Laws, 1976, as amended (the "Act"), dated as of November 1, 2003; and;

**WHEREAS**, pursuant to the Act, the five year period for investment under and pursuant to the Agreement may be extended by agreement of the County and the Company so long as the required statutory minimum investment under the Act has been made within the initial five years; and

**WHEREAS**, in the Agreement the Company agreed with the County to invest not less than \$25,000,000 by December 31, 2008; and

**WHEREAS**, the Company has represented to the County that it has, to date, invested in excess of \$39,036,169 and will invest in excess of \$92,000,000 in the FILOT project it undertook pursuant to the Agreement; and

**WHEREAS**, the Company is requesting a five (5) year extension to the investment period under the Agreement in order to continue the investment and expansion of its facilities in the County so as to meet the infrastructure growth requirement for the economic development of the County;

**NOW, THEREFORE**, and based on the forgoing recitations and representations, the County hereby agrees to extend the time for investment in the facility by extending the FILOT investment period under and pursuant to the Agreement for a period of five (5) additional years, pursuant to the provisions of South Carolina Code 4-12-30, such that the FILOT investment period will now end on December 31, 2013. The Chairman of County Council and the Clerk to County Council are hereby authorized to execute an Amendment to Fee Agreement for the sole purpose of extending the time to invest pursuant to the Agreement.

IN WITNESS WHEREOF, Oconee County, South Carolina has executed this Resolution by causing its name to be hereunto subscribed by the Chairman of County Council and attested to by the Clerk to the County Council.

OCCONEE COUNTY, SOUTH CAROLINA

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

ATTEST:

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

Dated: April 19, 2005

AGREED:

VALENTE, LLC

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

**AGENDA ITEM SUMMARY**  
**OCONEE COUNTY, SC**  
**COUNCIL MEETING DATE: 4/19/05**  
**COUNCIL MEETING TIME: 3:00 PM**

**ITEM TITLE OR DESCRIPTION:**

Interlocal Agreement between the Oconee County Council and Oconee Memorial Hospital (OMH).

**BACKGROUND OR HISTORY:**

As Oconee Memorial Hospital (OMH) began financial planning for the addition of a new patient tower, joint long-range discussion began between OMH and Oconee County regarding the future of the Hospital and the quality patient care in the County. Agreement issues contained herein cover land transfer of a 53-acre parcel of property, the provision of indigent care, EMS Service, assistance to the Rose Clark Clinic and Lakeview Assisted Living, Hospital facilities for County Coroner, and strengthening of membership qualifications on the Hospital Board.

**SPECIAL CONSIDERATIONS OR CONCERNS:**

This Agreement will be executed prior to Bond issuance and refinancing actions by Oconee Memorial Hospital and Oconee County Council at today's meeting.

**STAFF RECOMMENDATION FOR COUNCIL ACTION:**

Approval of Agreement and Authorization for Chairman and County Administrator to sign.

**FINANCIAL IMPACT:**


Positive for the County.

**ATTACHMENTS:**


Proposed Agreement  
Submitted or Prepared By:

\_\_\_\_\_  
Department Head

Approved for Submittal to Council:

  
\_\_\_\_\_  
Ron H. Rabun, County Administrator

Reviewed By/ Initials:

 County Attorney

N/A Finance

N/A Other

C: Clerk to Council



**AGENDA ITEM 8. (1)**

**Execution of Inter-local Agreement Between Oconee County & Oconee Memorial Hospital Related to Hospital Board Membership, Ownership of Land, Indigent Medical Care, Emergency Medical Services & Other Considerations**

Further information regarding this item will be provided to County Council Members prior to the Council Meeting by Mr. Ron H. Rabun, County Administrator

**AGENDA ITEM SUMMARY**  
**OCONEE COUNTY, SC**  
**COUNCIL MEETING DATE: 4/19/05**  
**COUNCIL MEETING TIME: 3:00 PM**

**ITEM TITLE OR DESCRIPTION:**

Request for County Council to ratify revision to Tax Form Contract with Smith Data Processing for fiscal year 2005-06. The Computer tax Center is requesting an additional budget amount of \$8,635.86 to cover the purchase and processing of tax forms for 2005-06 and 2006 reassessment forms.

**BACKGROUND OR HISTORY:**

SC Code of Law Section 12-43-217 mandates that once every fifth year each County or State shall appraise and equalize those properties under its jurisdiction. Property valuation must be complete at the end of December every fourth year (2005) and the County or State shall notify every taxpayer of any change in value or classification if the change is one thousand dollars or more. In the fifth year, the County or State shall implement the program and assess all property on the newly appraised values.

**SPECIAL CONSIDERATIONS OR CONCERNS:**

The reassessment notifications for property valuations shall be mailed to County taxpayers by July 1, 2006. To meet this deadline it is necessary to fund the purchase and preparation of reassessment notices in the 2004-05 fiscal year.

If the forms had not been ordered by April 7, 2005 the tax notices for 2005-06 would be delayed affecting the County & School operations.

**STAFF RECOMMENDATION FOR COUNCIL ACTION:**

Ratification of approval for additional funding to allow Smith Data Processing to prepare and send the reassessment notices as well as tax forms for the Treasurer, Auditor, Delinquent Tax Collector and Assessor's Office.

**FINANCIAL IMPACT:**

The recommendation is that the amount of \$8,636 be taken from contingency, which will leave a balance of \$124,164 in the contingency account. The cost of the forms for all four departments is \$36,439.88.

**ATTACHMENTS:**

Submitted or Prepared By:

  
Opal O. Green  
Department Head/Elected Official

Approved for Submittal to Council:

  
Ron H. Raban, County Administrator

Reviewed By/ Initials:

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

  
\_\_\_\_\_  
Finance

\_\_\_\_\_  
Other

C. Clerk to Council

AGENDA ITEM SUMMARY  
OCONEE COUNTY, SC

COUNCIL MEETING DATE: 04/05/05  
COUNCIL MEETING TIME: 7:00 pm

ITEM TITLE OR DESCRIPTION:

Revision to Tax Form Contract with Smith Data Processing for fiscal year 2005 - 2006. The Computer Tax Center is requesting an additional budget amount of \$8,635.86 to cover the purchase and processing of 2006 reassessment forms.

*of Tax  
Forms  
for 05-06  
2nd*

BACKGROUND OR HISTORY: *2005*

SC Code of Law Section 12-43-217 mandates that once every fifth year each county or the State shall appraise and equalize those properties under its jurisdiction. Property valuation must be complete at the end of December of the fourth year and the county or the State shall notify every taxpayer of any change in value of classification if the change is one thousand dollars or more. In the fifth year, the county or State shall implement the program and assess all property on the newly appraised values.

SPECIAL CONSIDERATIONS OR CONCERNS:

The reassessment notifications for property valuations shall be mailed to County taxpayers by July 1, 2006. To meet this deadline it is necessary to fund the purchase and preparation of the reassessment notices from fiscal year 2005 - 2006. \*

STAFF RECOMMENDATION FOR COUNCIL ACTION:

The Computer Tax Center recommends that County Council approve this request for additional funding to allow Smith Data Processing to prepare and send the reassessment notices, as well as the forms for the Treasurer, Auditor, Tax Pay, & Assessor Report.

FINANCIAL IMPACT:

The recommendation is that the amount of \$8,636 to be taken from council contingency. The balance after this transfer, if approved, will be \$124,164. The total cost of the forms for all Dept is \$34,739.88.

ATTACHMENTS: SC Code of Law Section 12-43-217

Submitted or Prepared By:

*[Signature]*  
Department Head/Effect Official

Approved for Submittal to Council:

*[Signature]*  
Ron H. Rabun, County Administrator

*Shank - O.K.  
Haines - O.K.  
Dill - O.K.  
Jung - O.K.  
Stank - O.K.*

Reviewed By/ Initials:

N/A County Attorney  
PAJ Finance  
Other

C: Clerk to Council

\* *By all of these formal all  
not passed by April 7, 2005,  
all tax notices for 2005-06  
would be delayed. This affects  
both the County & School operations.  
[Signature]  
[Signature]*

# Memo

**To:** Phyllis Lombard, CGFO Director of Administrative Services and Financial  
**From:** Computer Tax Center (304)  
**CC:** Linda Shugart, Delinquent Tax Collector *LS*  
Anne Dodd, Treasurer *AdD*  
Linda Nix, Auditor *LN*  
Mr. Medford, Interim Assessor *MC*  
**Date:** 3/16/2005  
**Re:** Forms Contract for 2005-2006

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I am writing in regards to the 2005-2006 Forms and Contracts for the Computer Tax Center. There is a significant increase due to reassessment notices required by the Assessors Office. SC Code of Law 12-43-217 requires these forms.

According to Oconee County Procurement Office we need an additional \$9635.00 to cover the additional cost.

If we can be of further assistance regarding this matter, please do not hesitate to call.

**SECTION 12-43-217. Quadrennial reassessment; postponement ordinance.**

(A) Notwithstanding any other provision of law, once every fifth year each county or the State shall appraise and equalize those properties under its jurisdiction. Property valuation must be complete at the end of December of the fourth year and the county or State shall notify every taxpayer of any change in value or classification if the change is one thousand dollars or more. In the fifth year, the county or State shall implement the program and assess all property on the newly appraised values.

(B) A county by ordinance may postpone for not more than one property tax year the implementation of revised values resulting from the equalization program provided pursuant to subsection (A). The postponement ordinance applies to all revised values, including values for state-appraised property. The postponement allowed pursuant to this subsection does not affect the schedule of the appraisal and equalization program required pursuant to subsection (A) of this section.

(C) Postponement of the implementation of revised values pursuant to subsection (B) shall also postpone any requirement for submission of a reassessment program for approval by the Department of Revenue.

**AGENDA ITEM SUMMARY  
DORCHESTER COUNTY, SC**

**COUNCIL MEETING DATE: April 19, 2005  
COUNCIL MEETING TIME: 3:00 p.m.**

**ITEM TITLE OR DESCRIPTION:**

**TITLE SEARCH FOR DELINQUENT TAX COLLECTOR.** This Request for Proposal was issued to select a contractor to conduct approximately 1500 title searches of various parcels of real property for the Delinquent Tax Office in preparation for the annual Tax Sale on October 3, 2005. Also, there will be approximately 200 title updates on previously searched parcels.

**BACKGROUND OR HISTORY:**

South Carolina Law Title 12, Section 12-49-300 requires that the Delinquent Tax Office give notification to any mortgage holder twenty years prior to seizure. Notification must be by certified mail (return receipt requested) thirty days prior to the sale of the property at a tax sale.

**SPECIAL CONSIDERATIONS OR CONCERNS:**

It is important that this RFP be awarded April 19, 2005 in order to provide contractor with a sales list of delinquent taxpayers' names and parcels numbers by May 9, 2005 for the title searches to be completed according to statute 12-49-220. The Evaluation Committee interviewed and scored three of the four respondents. There was a "tie" for first place. The Committee then voted to recommend Council approve award to Capitol Title & Research Services, Inc. in an estimated amount of \$76,300, whose proposal will result in a savings of approximately \$9,000 to delinquent taxpayers.

**STAFF RECOMMENDATION FOR COUNCIL ACTION:**

Council approves the RFP and contract to Capitol Title & Research Services, Inc. for \$76,300 to conduct required title searches for delinquent tax sale on October 3, 2005.

**FINANCIAL IMPACT:**

If we fail to meet the requirements of Title 12, Section 12-49-300, the delinquent tax sale could be challenged which would result in a loss of approximately \$250,000 in delinquent and current taxes. The cost for the title search contract will be paid from line item 010-080-00805-10285. Fees collected from delinquent taxpayers and the tax sale fund this account.

**ATTACHMENTS:**

- (1) Bid Tab sheet
- (2) Committee Ranking Sheet
- (3) Contract

**Submitted or Prepared By:**

  
Department Head/Elected Official

**Approved for Submittal to Council:**

  
Ron H. Rabun, County Administrator

**Reviewed By/ Initials:**

 County Attorney

 Finance

 Delinquent Tax Collector

C: Clerk to Council

Oconee County  
 Committee Ranking  
 Title Search for Delinquent Tax Collector

BIDDER	Anna Prater		Capitol Title & Research Serv Inc		Fridgen & Associates	
	Score	Ranking	Score	Ranking	Score	Ranking
Linda Shugart	88	3	100	1	91	2
Harriett Thomas	85	3	94	1	84	2
Anna Davison	89	3	95	2	87	1
Brad Norton	92	3	98	2	87	1
Ranking		3		1/tie		1/tie





COUNTY OF OCONEE  
STATE OF SOUTH CAROLINA

Title Search Contract

This contract is made and entered into this \_\_\_\_\_ day of April 2005 by and between Lynn Hammett and Capitol Title and Research, Inc. of Waihalla, South Carolina (hereinafter called the "Provider") and the County of Oconee (hereinafter called the "County"). The contract is subject to the conditions and provisions set forth herein.

Provider will accept responsibility for performing **20-year title searches** on all parcels submitted to him by the Delinquent Tax Collector. The Delinquent Tax Collector will provide Provider with a sales list including taxpayer's name and parcel number by May 9th.

For each parcel of real property assigned by the Delinquent Tax Office for the Tax Sale conducted October 3, 2005 the following applies:

1. Provider will check all relevant records: including mortgages, liens, judgments, Probate Court records, Lis.Pendens, bonds for title, and any other applicable public records, new owners and potential owners, addresses of all parties who hold an interest in parcel, and pertinent comments, and probate for up to a period of twenty years.
2. Provider will provide completed title searches to the Delinquent Tax Collector on the following dates:

Parcels assigned to be completed and submitted to the Delinquent Tax Office on the following dates:

- ✓ Parcels A - M - submitted by June 15th
- ✓ Parcels N - R - submitted by July 15th
- ✓ Parcels S - Z - submitted by August 15<sup>th</sup> ((or those that have mortgage holders and 9/9/05 for those without mortgages)

Delinquent Tax Collector reserves the right to withdraw any parcel from the Provider's active list upon notice to Provider. Notice will be given in writing. Provider will be paid for work that is completed.

Provider agrees to furnish each title search for a fee of \$49.00. The fee for all updates performed will be \$14.00.

Provider agrees that experienced, qualified abstractors will perform all title searches. Part-time students will be not be acceptable.

Invoices for work performed should be submitted monthly with payment to be expected within thirty days from receipt of invoice.

Provider shall indemnify the County against all liability, loss, costs, damage or expense sustained by the County, including attorney fees and other expenses of litigation arising out of or due to

any act or omission of vendor in the performance of an agreement or arising out of or due to the failure of vendor in any respect to satisfy its obligations under this agreement.

Provider shall provide one million (\$1,000,000.00) dollars of errors and omissions insurance and five hundred thousand (\$500,000.00) of liability insurance. Provider shall name Oconee County as a named insured on said policies. Provider shall also provide workers' compensation insurance.

Provider will only be responsible for information provided by the Delinquent Tax Office and the records on file in Oconee County.

This agreement cancels and supersedes all prior written and unwritten agreements, attachments, schedules and understandings between the parties to the matters covered in this agreement, and contains the entire agreement between the parties. No amendment, modification or waiver of, addition to, or deletion from the terms of this agreement will be effective unless reduced to writing and signed by representatives of both parties with actual authority to bind the parties.

Acceptance of contract shall be evidenced below per the signatures of the contracting parties.

Witness (as to the Provider)

---

\_\_\_\_\_  
Lynn Hammett, President  
Capitol Title and Research, Inc.

Witness (as to the County)

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\_\_\_\_\_  
Frank Ables, Chairman  
Oconee County Council

**AGENDA ITEM SUMMARY**  
**OCONEE COUNTY, SC**  
**COUNCIL MEETING DATE: April 19, 2008**  
**COUNCIL MEETING TIME: 3:00 P.m. ITEM TITLE OR DESCRIPTION:**  
**Resolution for Compact Air Products LLC and Oconee County**

Adoption of Resolution 2005-12, "A RESOLUTION APPROVING THE EXTENSION BY OCONEE COUNTY, SOUTH CAROLINA OF A LEASE AGREEMENT BY AND BETWEEN COMPACT AIR PRODUCTS LLC AND OCONEE COUNTY, SOUTH CAROLINA (COMPACT AIR PRODUCTS LLC PROJECT), PURSUANT TO THE PROVISIONS OF SOUTH CAROLINA CODE ANNOTATED, SECTION 4-12-30 91976), AS AMENDED

**BACKGROUND OR HISTORY:**

Oconee County and Compact Air Products LLC have entered into a fee-in-lieu of tax (FILOT) lease agreement pursuant to Section 4-12-30, South Carolina Code of Laws, 1976, as amended, dated as of June 1, 2002.

**SPECIAL CONSIDERATIONS OR CONCERNS:**

The five year period for investment under and pursuant to the Agreement may be extended by agreement of the County and Company as long as the required statutory minimum investment under the Act has been made within the initial five years. The Company agrees with the County to invest not less than \$5,000,000 by December 31, 2007.

**STAFF RECOMMENDATION FOR COUNCIL ACTION:**

Recommend adoption of proposed resolution in order for the company to continue the investment and expansion of its facilities in the County so as to meet the infrastructure growth requirement for the economic development of the County.

**FINANCIAL IMPACT:**

The investment of a minimum of \$5,000,000 will enhance the county tax base and create new jobs over the next five years.

*Non  
Merg?  
OK*

**ATTACHMENTS:**

Proposed Resolution

**Submitted or Prepared By:**

James W. (Jim) Alexander

*James W. Alexander*  
Department Head/Elected Official

**Approved for Submittal to Council:**

*Ron H. Rahn*  
Ron H. Rahn, County Administrator

**Reviewed By/ Initials:**

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

\_\_\_\_\_ Finance

**AGENDA ITEM SUMMARY**  
**OCONEE COUNTY, SC**  
**COUNCIL MEETING DATE: April 19, 2005**  
**COUNCIL MEETING TIME: 3:00 P.m. ITEM TITLE OR DESCRIPTION:**  
**Resolution for Compact Air Products LLC and Oconee County**

Fee-In-Lieu-Of-Tax (FILOT) extension for Compact Air Products, LLC, a manufacturing firm located in the Oconee County Commerce Center, Westminster, SC.

**BACKGROUND OR HISTORY:**

Oconee County and Compact Air Products LLC have entered into a fee-in-lieu of tax (FILOT) lease agreement pursuant to Section 4-12-30, South Carolina Code of Laws, 1976, as amended, dated as of June 1, 2002.

**SPECIAL CONSIDERATIONS OR CONCERNS:**

The five year period for investment under and pursuant to the Agreement may be extended by agreement of the County and Company as long as the required statutory minimum investment under the Act has been made within the initial five years. The Company agrees with the County to invest not less than \$5,000,000 by December 31, 2007.

**STAFF RECOMMENDATION FOR COUNCIL ACTION:**

Recommend the FILOT agreement be extended in order for the company to continue the investment and expansion of its facilities in the County so as to meet the infrastructure growth requirement for the economic development of the County.

**FINANCIAL IMPACT:**

The investment of a minimum of \$5,000,000 will enhance the county tax base and create new jobs over the next five years.

**ATTACHMENTS:**

Documentation provided by Wesley Crum, Attorney for Compact Air Products, LLC.

Submitted or Prepared By:

James W. (Jim) Alexander

  
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: April 19, 2005

COUNCIL MEETING TIME: 3:00 P.m. ITEM TITLE OR DESCRIPTION:

Resolution for Compact Air Products LLC and Oconee County

Adoption of Resolution 2005-12, "A RESOLUTION APPROVING THE EXTENSION BY OCONEE COUNTY, SOUTH CAROLINA OF A LEASE AGREEMENT BY AND BETWEEN COMPACT AIR PRODUCTS LLC AND OCONEE COUNTY, SOUTH CAROLINA (COMPACT AIR PRODUCTS LLC PROJECT), PURSUANT TO THE PROVISIONS OF SOUTH CAROLINA CODE ANNOTATED, SECTION 4-12-30 (1976), AS AMENDED"

**BACKGROUND OR HISTORY:**

Oconee County and Compact Air Products LLC have entered into a fee-in-lieu of tax (FILOT) lease agreement pursuant to Section 4-12-30, South Carolina Code of Laws, 1976, as amended, dated as of June 1, 2002.

**SPECIAL CONSIDERATIONS OR CONCERNS:**

The five year period for investment under and pursuant to the Agreement may be extended by agreement of the County and Company as long as the required statutory minimum investment under the Act has been made within the initial five years. The Company agrees with the County to invest not less than \$5,000,000 by December 31, 2007.

**STAFF RECOMMENDATION FOR COUNCIL ACTION:**

Recommend adoption of proposed resolution in order for the company to continue the investment and expansion of its facilities in the County so as to meet the infrastructure growth requirement for the economic development of the County.

**FINANCIAL IMPACT:**

The investment of a minimum of \$5,000,000 will enhance the county tax base and create new jobs over the next five years.

*None  
Mary?  
A*

**ATTACHMENTS:**

Proposed Resolution

Submitted or Prepared By:

James W. (Jim) Alexander

*James W. Alexander*

Department Head/Elected Official

Approved for Submittal to Council:

*Ron H. Rabun*

Ron H. Rabun, County Administrator

Reviewed By/ Initials:

*[Signature]* County Attorney

\_\_\_\_ Finance

\_\_\_\_ Other

C: Clerk to Council

A RESOLUTION APPROVING THE EXTENSION BY OCONEE COUNTY, SOUTH CAROLINA OF A LEASE AGREEMENT BY AND BETWEEN COMPACT AIR PRODUCTS LLC AND OCONEE COUNTY, SOUTH CAROLINA (COMPACT AIR PRODUCTS LLC PROJECT), PURSUANT TO THE PROVISIONS OF SOUTH CAROLINA CODE ANNOTATED, SECTION 4-12-30 (1976), AS AMENDED.

**WHEREAS**, Oconee County, South Carolina (the "County") and Compact Air Products LLC (the "Company") have entered into a fee-in-lieu of tax ("FILOT") lease agreement (the "Agreement"), pursuant to Section 4-12-30, South Carolina Code of Laws, 1976, as amended (the "Act"), dated as of June 1, 2002; and,

**WHEREAS**, pursuant to the Act, the five year period for investment under and pursuant to the Agreement may be extended by agreement of the County and the Company so long as the required statutory minimum investment under the Act has been made within the initial five years; and

**WHEREAS**, in the Agreement, the Company agreed with the County to invest not less than \$5,000,000 by December 31, 2007; and

**WHEREAS**, the Company has represented to the County that it has, to date, invested in excess of \$5,364,497 in the FILOT project it undertook pursuant to the Agreement; and

**WHEREAS**, the Company is requesting a five (5) year extension in the investment period under the Agreement in order to continue the investment and expansion of its facilities in the County so as to meet the infrastructure growth requirement for the economic development of the County.

**NOW, THEREFORE**, and based on the foregoing recitations and representations, the County hereby agrees to extend the time for investment in the facility by extending the FILOT investment period under and pursuant to the Agreement for a period of five (5) additional years, pursuant to the provisions of South Carolina Code 4-12-30, such that the FILOT investment period will now end on December 31, 2012. The Chairman of County Council and the Clerk to County Council are hereby authorized to execute an Amendment to Fee Agreement for the sole purpose of extending the time to invest pursuant to the Agreement.

IN WITNESS WHEREOF, Oconee County, South Carolina has executed this Resolution by causing its name to be hereunto subscribed by the Chairman of County Council and attested to by the Clerk to the County Council.

OCONEE COUNTY, SOUTH CAROLINA

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

ATTEST:

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

Dated: April 19, 2005

AGREED:

COMPACT AIR PRODUCTS LLC

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



**AGENDA ITEM SUMMARY**  
**OCONEE COUNTY, SC**  
**COUNCIL MEETING DATE: 4/19/05**  
**COUNCIL MEETING TIME: 3:00 PM**

**ITEM TITLE OR DESCRIPTION:**

Second Reading of Ordinance 2005-07, "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"

**BACKGROUND OR HISTORY:**

C. G. Roxane LLC purchased the former Fountain Water Company and plan to invest at least \$10,000,000 in the next five years. This investment qualifies them for a PILOT under SC law. They currently have thirteen employees and plan to hire an additional eleven within twenty-four months.

**SPECIAL CONSIDERATIONS OR CONCERNS:**

This is a \$10,000,000+ new investment in the County and twenty-four new jobs.

**STAFF RECOMMENDATION FOR COUNCIL ACTION:**

Adoption of this Ordinance on second reading which gives a PILOT at 6% for twenty years based on the June 30, 2004 millage rate. Also suggest they be granted a Special Source Credit of 15% for the first five years. **Note: CG Roxane is requesting 25% Special Source Credit.**

**FINANCIAL IMPACT:**

The investment will bring approximately \$1.2M in taxes over the next twenty years / twenty-four new jobs will be available to our citizens.

**ATTACHMENTS:**

Draft PILOT Property Tax Provisions & Ordinance  
Submitted or Prepared By:

Opal O. Green  
Department Head/Elected Official

Approved for Submittal to Council:

  
Ron H. Rabun, County Administrator



DRAFT

ANALYZED SUMMARY  
PACKAGE ON THE  
PROJECT IS BEING  
STAFFED BY  
JIM ALEXANDER  
3-31-05

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	\$88,738	\$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	\$1,496,398	\$2,280,584	\$675,186

Assumptions

Machine/Equip	\$11,500,000
Level/Bring	\$2,700,000
Millage Rate	8.2050
Alternate Millage	6.0055
Average growth	1.00%
Depreciation	11%
Maximum Deprec.	80%

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 FLOT Act"), and Title 4, Chapter 1 of the Code (the "Multi-County Park Act" or, as in 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 ("FLOT") payments with respect to such properties; (iii) to permit investors to claim special source credits against their FLOT 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 12-44-40(H) 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 these 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 (\$) 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 or 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 in 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.]

**AGENDA ITEM SUMMARY**  
**OCONEE COUNTY, SC**  
**COUNCIL MEETING DATE: 4/19/05**  
**COUNCIL MEETING TIME: 3:00 pm**

**ITEM TITLE OR DESCRIPTION:**

First Reading of Ordinance 2005-08, "A MULTI-COUNTY PARK ORDINANCE WITH PICKENS COUNTY TO INCLUDE ROXANE, LLC"

**BACKGROUND OR HISTORY:**

CG Roxanne LLC has requested that the two parcels of land it owns in Oconee County be placed in our multi-county park with Pickens County.

**SPECIAL CONSIDERATIONS OR CONCERNS:**

Industries in multi-county parks do not pay ad valorem taxes to counties. Instead, they pay fees-in-lieu of taxes, even though the amount paid would be the same as the taxes unless there is a separate fee-in-lieu agreement.

**STAFF RECOMMENDATION:**

Adoption of Ordinance 2005-08 on first reading. Since there is minimal impact to Oconee County to grant this request and potential tax incentives for CG Roxanne to be in a multi-county park, we should grant this request.

**FINANCIAL IMPACT:**

One percent of the fee each year would be sent to Pickens County.

**ATTACHMENTS:**

Proposed Ordinance  
Submitted or Prepared By:

  
Brad Norton  
Department Head/Elected Official

Approved for Submittal to Council:

  
Ron H. Rabun, County Administrator

Reviewed By/ Initials:

\_\_\_\_\_ County Attorney  
\_\_\_\_\_ Finance  
\_\_\_\_\_ Other

CC: Clerk to Council



ORDINANCE NO.

AN ORDINANCE TO AMEND THE JOINTLY OWNED AND OPERATED INDUSTRIAL/BUSINESS PARK IN CONJUNCTION WITH PICKENS COUNTY, DATED MAY 4, 1998 AND AMENDED ON DECEMBER 7, 1998, ON DECEMBER 21, 1999, APRIL 4, 2000, and \_\_\_\_\_, 2003; SUCH INDUSTRIAL/BUSINESS PARK BEING GEOGRAPHICALLY LOCATED IN PICKENS COUNTY AND OCONEE COUNTY AND ESTABLISHED PURSUANT TO SOUTH CAROLINA CODE OF LAWS OF 1976 §4-1-170, ET SEQUITUR, AS AMENDED; TO PROVIDE FOR A WRITTEN AGREEMENT WITH PICKENS COUNTY PROVIDING FOR THE EXPENSES OF THE PARK, THE PERCENTAGE OF REVENUE APPLICATION, AND THE DISTRIBUTION OF FEES IN LIEU OF AD VALOREM TAX TO THE COUNTIES AND RELEVANT TAXING ENTITIES; AND, TO PROVIDE THAT JOBS TAX CREDITS ALLOWED BY LAW BE PROVIDED FOR INDUSTRIES LOCATING IN SAID PARK, AND TO PERMIT A USER FEE IN LIEU OF AD VALOREM TAXATION.

WHEREAS, Oconee County, South Carolina and Pickens County, South Carolina (jointly the "Counties") are authorized under Article VIII, Section 13 of the South Carolina Constitution to jointly develop an industrial or business park within the geographical boundaries of one or more of the member Counties; and

WHEREAS, in order to promote the economic welfare of the citizens of the Counties by providing employment and other benefits to the citizens of the Counties, Oconee County, South Carolina entered into an agreement with Pickens County, South Carolina to develop jointly an industrial and business park (the "Park") as provided by Article VIII, Section 13 of the South Carolina Constitution and in accordance with Section 4-1-170 of the Code of Laws of South Carolina, 1976, as amended, (the "Act");

WHEREAS, the Counties executed an Agreement for Development for Joint County Industrial Park dated May 4, 1998 (the "Agreement") and amended on December 7, 1998 (the "First Amended Agreement") and amended on December 21, 1999 (the "Second Amended Agreement") and amended on April 4, 2000 (the "Third Amended Agreement") (jointly referred to herein as the "Agreement") and amended on \_\_\_\_\_, 2003 (the "Fourth Amended Agreement") and the Counties now wish to amend the Agreement.

NOW, THEREFORE, BE IT ORDAINED BY THE OCONEE COUNTY COUNCIL:

SECTION I Oconee County is hereby authorized to amend the Agreement so as to expand the Park premises located within Oconee County and Pickens County. The form

of the fifth amended joint industrial park agreement (the "Fifth Amended Agreement") is attached hereto, and all terms of the Agreement, First Amended Agreement, Second Amended Agreement, Third Amended Agreement and Fourth Amended Agreement are incorporated herein. The form, terms and provisions of the Fifth Amended Agreement presented to this meeting and filed with the Clerk to the County Council be and they are hereby approved, and all of the terms, provisions and conditions thereof are hereby incorporated herein by reference as if the Fifth Amended Agreement were set out in this Ordinance in its entirety. The Chairman of the County Council and the Clerk to the County Council be and they are hereby authorized, empowered and directed to execute, acknowledge and deliver the Fifth Amended Agreement in the name and on behalf of the County. The Fifth Amended Agreement is to be in substantially the form now before this meeting and hereby approved, or with such minor changes therein 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 Fifth Amended Agreement now before this meeting.

SECTION II. The maximum tax credits allowable by South Carolina Code of Laws, 1976, Section 12-6-3360, as amended, will apply to any business enterprise located in the Park.

SECTION III. Any business enterprise locating in the Park shall pay a fee in lieu of ad valorem taxes as provided for in the Agreement, as amended, Article VIII, Section 13 of the South Carolina Constitution and the Act. The user fee paid in lieu of ad valorem taxes shall be paid to the county treasurer for the county in which the premises is located. That portion of the fees from the Park premises located in Pickens County and allocated pursuant to the Agreement, as amended, to Oconee County shall be paid by the Pickens County Treasurer to the Oconee County Treasurer within five business days of receipt for distribution, such distribution shall be made in accordance with the Agreement. That portion of the fees from the Park premises located in Oconee County and allocated pursuant to the Agreement, as amended, to Pickens County shall be paid by the Oconee County Treasurer to the Pickens County Treasurer within five business days of receipt for distribution, such distribution shall be made in accordance with Agreement, as amended. Payments shall be made by a business or industrial enterprise on or before the due date for taxes for a particular year. Penalties for late payment will be at the same rate and at the same times as for late tax payment. Any late payment beyond said date will accrue interest at the rate of statutory judgment interest. The Counties, acting by and through the county tax collector for the county where the premises is located, shall maintain all liens and rights to foreclose upon liens provided for the counties in the collection of ad valorem taxes.

SECTION IV. The administration, development, promotion, and operation of the Park shall be the responsibility of the county in which each premises of the Park is located. Provided, that to the extent any Park premises is owned by a private developer, the developer shall be responsible for development expenses as contained in the Agreement, as amended.

SECTION V. In order to avoid any conflict of laws or ordinances between the Counties, the Oconee County ordinances will be the reference for such regulations or laws in connection with the Park premises located within Oconee County and the Pickens County ordinances will be the reference for such regulations or laws in connection with the Park premises located within Pickens County. Nothing herein shall be taken to supersede any state or federal law or regulation. The county in which the premises is located is specifically authorized to adopt restrictive covenants and land use requirements for the Park at the county's sole discretion.

SECTION VI. The Sheriff's Department for the county within the Park premises is located will have initial jurisdiction to make arrests and to exercise all authority and power within the boundaries of the Park premises located within each county, and fire, sewer, water and EMS services will be provided by the service district within whose jurisdiction the Park premises are located.

SECTION VII. Should any section of this Ordinance be, for any reason, held void or invalid, it shall not affect the validity of any other section hereof which is not itself void or invalid.

SECTION VIII. The Agreement, as amended, may not be terminated except by concurrent ordinances of Oconee County Council and Pickens County Council. In any event, this Ordinance shall terminate twenty (20) years from the date of its execution by both parties.

SECTION IX. Oconee County hereby designates the following distribution of the portion of the fee-in-lieu of ad valorem taxes received by Oconee County pursuant to the Agreement, as amended, for Park premises located in Pickens County.

Oconee County, South Carolina	100%
-------------------------------	------

SECTION X. Oconee County hereby designates that the distribution of the fee in lieu of ad valorem taxes pursuant to the Agreement received by Oconee County for Park premises located in Oconee County be paid to each of the taxing entities in Oconee County which levy an ad valorem property tax in any of the areas comprising the Oconee Park in the same percentage as is equal to that taxing entity's percentage of the millage rate being levied in the then current tax year for the property tax purposes, provided that the County may, from time to time, by ordinance, amend the distribution of the fee in lieu of tax payments to all taxing entities. A portion of the fee in lieu of ad valorem taxes which Oconee County receives pursuant to the Agreement, as amended, for Park premises may be, from time to time and by ordinance of Oconee County Council or its successor, designated for the payment of Special Source Revenue Bonds issued pursuant to Sections 4-1-175 and 4-29-68 of the South Carolina Code of Laws, 1976, as amended or an Infrastructure Tax Credit issued pursuant to Section 4-1-175, as amended.

SECTION XI. The Ordinance shall be effective after third and final reading and publication.

Passed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2005

OCONEE COUNTY, SOUTH CAROLINA

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

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

First Reading:  
Second Reading:  
Public Hearing:  
Third Reading:

**City of Walhalla**

206 North Church Street  
Post Office Box 1099  
Walhalla, South Carolina 29691

(864) 638-1343

Fax (864) 638-1347

April 13, 2005

Mr. Ron Rabun  
Oconee County Administrator  
415 South Pine Street  
Walhalla, South Carolina 29691

Dear Mr. Rabun:

On Tuesday, April 12, 2005, the Walhalla City Council voted unanimously to appoint Mr. William Addis to represent the City of Walhalla on the Solid Waste Commission.

Your consideration to this matter is greatly appreciated. If you have any questions, please feel free to contact me.

Sincerely,



Nancy Goshie  
City Administrator

cc: Oconee County Council

**AGENDA ITEM SUMMARY  
BUDGET & FINANCE COMMITTEE  
OCONEE COUNTY, SC  
TUESDAY, APRIL 19, 2005, 1 P.M.**

**ITEM TITLE OR DESCRIPTION:**

Third and Final Reading of Ordinance 2005-05, "THE 2004-2005 SUPPLEMENTAL APPROPRIATIONS ORDINANCE FOR OCONEE COUNTY".

**BACKGROUND OR HISTORY:**

Actions of County Council and staff, and other unanticipated expenditures during the first nine (9) months of the current fiscal year have added, changed or modified various projects, revenues and expenditures for which funds must be formally appropriated and balanced. Further, economic and business conditions have caused some positive fluctuations in revenues in various line items of the current fiscal year 2004-2005 county budget.

The County Administrator and the Finance office have completed the Proposed Supplemental Budget document to account for these changes and to re-balance the budget where necessary. The major items are shown in the following narrative. The complete list is shown in Exhibit A to the budget ordinance. (Attachment 2)

The Budget & Finance Committee held a workshop meeting on March 15<sup>th</sup> to review the supplemental budget and made recommendations to the full council. Later that day, the council approved several items, but asked for additional research on several remaining items. These are presented below:

**1 – Communications Center/Sheriff's Department (\$17,800 Total)** – Council requested that the Department's justification for each requested line-item increase be provided in order that council members might further review the substance of each request. The Sheriff has agreed to fund the requests below from reductions in his unexpended capital account. This will not have to be funded by council.

- **A. Additional overtime (\$6,700)** – The operation of two parallel 911 centers during the changeover along with the need for cross training on the new system will cause a need for additional overtime hours.
- **B. Second part-time position (\$4,000)** – During last year's budget process, the council did not approve a requested second part time position. According to the Sheriff's Office, Mr. Hamilton stated that they could bring this request forward again during the supplemental budget. The Sheriff's office has requested that this additional part time position is critical to keep up with the normal workload, conduct necessary training, and to assist in the conversion to the new 911 center.
- **C. Telecommunications for additional phone trunk lines (\$5,500)** – An additional \$5,500 has been requested for trunk lines for the Sheriff's office to accommodate a new phone line service from STED that started Feb 1, 2005.
- **D. Gas and Fuel oil for LEC Generator (\$1,600)** – This was an oversight in planning for the new generator installation.

**2 - Report on Animal Incinerator funding (\$75,000)** - Council basically approved this supplemental expenditure on March 15, and we have begun the bidding/purchase process due to a lack of space at our county landfill for animals. We are reporting on this item because the council requested the use of cage forfeiture funds for this purchase if possible. The Sheriff's Department has stated that such funds are not legally allowed for this purchase. We have reviewed the language of the State regulations and we concur.

**3 - Foothills Alliance Funding (\$10,000)** - Council requested that staff research the possible use of Victims Advocate funding through the Sheriff's Office to help fund these requested services (rape crisis, child abuse, and trauma prevention, and other intervention needs for over 140 clients). We have attached a copy of the South Carolina statute (Section 14-1-206, 207, 208, and 211) (Attachment 3) on the use of these funds. According to the information provided in said statute, these services offered by Foothills Alliance qualify for the use of these specified funds and the Sheriff has agreed to fund this request and will agree to fund their \$25,000 request next budget year.

**4 - Professional Fees (\$100,000)** - At the beginning of the fiscal year, Council appropriated \$419,000 in consultant fees. Based on expenditures so far, staff does not believe that these funds are sufficient and have recommended an additional \$100,000 be appropriated given the number of legal, engineering, bond counsel, external auditors, and other services, which have been, and must be engaged in this budget year. We have provided additional detail on these professional fees in a memorandum dated March 29, 2005 (Attachment 4), with full backup documents under separate cover in the Clerk's office.

**5 - Red Cross (\$10,000)** - Council received a letter dated March 21, 2005 (Attachment 5) requesting one-time emergency capital funding for the local Red Cross. This request is related to the local chapter's discovery that major structural damage has been identified at their local office. The Red Cross board and members have been able to secure over \$30,000 of local donations of cash, materials, and labor. They have requested that the county provide one-time funding of \$10,000 for the remaining costs in order for them to complete the work. This is a discretionary funding item from the Council Contingency fund.

**6 - Proposed Tamassee Convenience Center funding request (Proposed Manned Convenience Center #12)** - Council member Steve Moore has requested that construction of this center be considered by County Council, citing the return of funds from the Tri-County (and fill) project and pending land sale related to that project as potential funding sources. Staff has reviewed the recent evaluation of this center, its need, and the cost of construction. In summary, the research effort to date has expressed concern over cost-benefit issues, and survey information has revealed that the center would be underutilized if constructed at this time. Documentation summarizing these findings is attached for Council's information (See Attachment 6). Based on this information, the County Administrator does not recommend that this center be built at this time.

**7 - Motor Pool Gas and Diesel request** - Due to the rising price of fuel, the Motor Pool has requested additional funding be added to their March 15<sup>th</sup> request.

- \* Gasoline request is increased by \$5,000 from \$35,000 to \$40,000.

**8 - Animal Control Miscellaneous (\$1,000)** - For a digital camera and a fax machine. This was added at the March 15, 2005 council meeting.

**9 - Fire Grants Match (\$50,237)** - For seven (7) rural fire department FEMA grants from Council Contingency (Attachment 7).

**10 – Probate Court (\$6,349)** – For additional Court Expense, equipment maintenance and mileage reimbursement (Attachment 8).

**11 – Chan Ram Park Bridge (\$30,000)** – The insurance proceeds related to the claim for bridge at this county park have been received, and it is estimated that the cost to rebuild the bridge will be \$30,000 more than the \$95,000 paid by the insurance fund. This item is actually a line item description change and transfer, as it is proposed that \$28,000 of unexpended capital funds (old South Cove bathroom project) be combined with a \$2,000 transfer from the Maintenance of Buildings and Grounds account to fund the additional cost. Therefore, this item will not require additional county funds.

**SPECIAL CONSIDERATIONS OR CONCERNS:**

N/A

**STAFF RECOMMENDATION:**

Staff recommends that Ordinance #2005-05 and the attached list at Exhibit A be approved on third and final reading following Council discussion and possible adjustments.

**FINANCIAL IMPACT:**

In the aggregate, the current adopted fiscal year 2004-2005 budget stands at \$35,403,797. If all requested amendments are approved, the new amended budget will be \$36,237,918.

**ATTACHMENTS:**

- 1) Ordinance to Amend the Budget and to Cause Appropriation.
- 2) Exhibit A – Line Item Schedule of Changes
- 3) State Law Governing use of Victims Advocate Funds.
- 4) Professional Fees Memo.
- 5) Letter from American Red Cross.
- 6) Information on Proposed Managed Convergence Center #12.
- 7) List of Rural Fire Departments Requesting FEMA Grants.
- 8) Probate Court Request



Submitted or Prepared by:

*Larry Frazier*

Larry Frazier  
Finance Manager

Approved for Submittal to Council:

*Ken H. Rubin*

Ken H. Rubin  
County Administrator

Reviewed by/Initials:

N/A

County Attorney

*Dyckie E. Farnsworth*

Director of Administrative Services

Other:

C: Clerk to Council

**OCONEE COUNTY COUNCIL  
ORDINANCE 2005-05**

**BE IT ORDAINED**, by Oconee County Council in Council only assembled, upon third and final reading:

**SECTION I:**

This Ordinance shall be known as "THE 2004-2005 SUPPLEMENTAL APPROPRIATIONS ORDINANCE FOR OCONEE COUNTY".

**SECTION II:**

The purpose of this Ordinance is to amend and modify the 2004-2005 APPROPRIATIONS ORDINANCE FOR OCONEE COUNTY, Ordinance 2004-12 and to make appropriations, both supplemental and primary, from current revenue for the remaining portion of fiscal year 2004-2005 and to transfer funds from department accounts to other authorized uses as stated herein and to implement, approve and ratify the policies and other programs authorized by the Oconee County Council, and other matters relating thereto.

**SECTION III:**

The modifications set forth on Exhibit A attached hereto are approved. In the aggregate, the adopted Fiscal year 2004-2005 general fund budget stands at \$ 35,403,797. If these changes are adopted as recommended, the new amended budget will be \$36,237,918.

**SECTION IV:**

It shall be the policy of this county that certain temporary employees shall be engaged under contract terms of agreements with third-party providers. Such engagements shall be herein authorized to maintain staffing levels at the discretion of the department head, with the consent of the County Administrator, and County Council approval of related line-item transfer to the Professional services account which shall be charged will not be required. It is the intent of this provision to allow for such professional services contract payments to be aggregated with the related compensation accounts when evaluating compliance with line-item budget appropriations.

**SECTION V:**

Unless specifically modified, amended or deleted herein, all appropriations of funds created by the "APPROPRIATIONS ORDINANCE FOR OCONEE COUNTY" (Ordinance 2004-12) are hereby ratified and shall remain in full force and effect as originally adopted. All other sections of Ordinance 2004-12 not modified, directly or by implication shall likewise remain in full force and effect.

**APPROVED ON THIRD & FINAL READING THIS 19<sup>th</sup> DAY OF APRIL, 2005.**

\_\_\_\_\_  
E. Frank Abley, Jr.  
Chairman  
Oconee County Council

Attest:

\_\_\_\_\_  
Opie G. Green, Clerk to Council

## OCONEE COUNTY

SCHEDULE - SUPPLEMENTAL APPROPRIATIONS ORDINANCE  
ORDINANCE 2005-05

ACCOUNT				ADJUSTMENT INCREASE (DECREASE)
10	101	10112	460 SCHOOL RESOURCE OFFICER	955
10	101	10112	461 SCHOOL RESOURCE OFFICER	(4,610)
10	101	10110	463 DEPUTY II	22,875
10	101	10112	478 SCHOOL RESOURCE OFFICER	(1,035)
10	102	10110	504 EVT MECHANIC	(20,597)
10	105	10110	55300 EMERGENCY MANAGEMENT DIRECTOR	2,024
10	105	10110	55301 ADMINISTRATIVE ASSISTANT	1,189
10	105	10110	55303 R SQUAD COORD / TRAINER	(8,295)
10	110	10110	1101 ANIMAL CONTROL OFFICER I	(17,982)
10	110	10110	1102 ANIMAL CONTROL SUPERVISOR	1,693
10	110	10110	1103 ANIMAL CONTROL OFFICER	27,580
10	110	10110	1104 ANIMAL SHELTER TECHNICIAN	21,900
10	110	10110	1105 ACCOUNT CLERK I	20,042
10	202	10110	1800 PRT DIRECTOR	(11,299)
10	206	10110	1024 RECEPTIONIST	(25,133)
10	301	10110	1700 COUNTY ASSESSOR	5,439
10	504	10110	1800 DEPUTY SOLICITOR	8,767
10	504	10110	1502 ADMINISTRATIVE ASSISTANT	1,437
10	504	10110	1505 ASSISTANT SOLICITOR	3,011
10	504	10110	1608 SECRETARY II	1,570
10	504	10110	1610 ADMINISTRATIVE ASSISTANT	11,718
10	509	10110	6008 MAGISTRATE COURT CLERK	25,133
10	509	10110	6011 MAGISTRATE COURT CLERK	2,489
10	601	10110	2207 EQUIPMENT OPERATOR I	(12,901)
10	601	10110	2211 ROADS & BRIDGES SUPERINTENDENT	(4,160)
10	601	10110	2234 RIGHT OF WAY SPECIALIST	7,271
10	702	10110	3799 BUILDING CODES INSPECTOR III	1,322
10	708	10110	3604 DEPUTY FINANCE DIRECTOR	(1,227)
10	710	10110	2801 HUMAN RESOURCES DIRECTOR	2,869
10	711	10110	3801 INFORMATION TECHNOLOGY DIRECTOR	(9,955)
10	711	10110	3804 DATABASE ADMINISTRATOR	5,362
10	711	10110	3815 ACCOUNT CLERK I	(13,107)
10	717	10110	4200 ADMINISTRATOR	24,529
10	720	10110	900 AIRPORT DIRECTOR/COUNTY ENGINEER	(10,389)
10	104	10710	0 OVERTIME/COMP SAL/FRINGE	6,700
10	101	20013	0 SOCIAL SECURITY	1,391
10	102	20013	0 SOCIAL SECURITY	(1,576)
10	105	20013	0 SOCIAL SECURITY	(388)
10	110	20013	0 SOCIAL SECURITY	4,073
10	202	20013	0 SOCIAL SECURITY	(864)
10	206	20013	0 SOCIAL SECURITY	(1,822)
10	301	20013	0 SOCIAL SECURITY	417
10	504	20013	0 SOCIAL SECURITY	2,028
10	509	20013	0 SOCIAL SECURITY	2,114

OCONEE COUNTY					ADJUSTMENT
LINE-ITEM SCHEDULE - SUPPLEMENTAL APPROPRIATIONS ORDINANCE					INCREASE
ORDINANCE 2005-05					(DECREASE)
ACCOUNT					
00	601	20013	0	SOCIAL SECURITY	(748)
10	702	20013	0	SOCIAL SECURITY	102
10	708	20013	0	SOCIAL SECURITY	(93)
10	710	20013	0	SOCIAL SECURITY	320
10	711	20013	0	SOCIAL SECURITY	(1,354)
10	717	20013	0	SOCIAL SECURITY	5,702
10	720	20013	0	SOCIAL SECURITY	(794)
00	101	20014	0	RETIREMENT	1,346
10	102	20014	0	RETIREMENT	(1,410)
10	105	20014	0	RETIREMENT	(348)
10	110	20014	0	RETIREMENT	3,647
10	202	20014	0	RETIREMENT	(773)
00	208	20014	0	RETIREMENT	(1,721)
10	301	20014	0	RETIREMENT	373
10	504	20014	0	RETIREMENT	1,816
10	509	20014	0	RETIREMENT	1,893
10	601	20014	0	RETIREMENT	(670)
10	702	20014	0	RETIREMENT	91
10	708	20014	0	RETIREMENT	(84)
10	710	20014	0	RETIREMENT	197
10	711	20014	0	RETIREMENT	(1,212)
10	717	20014	0	RETIREMENT	1,681
10	720	20014	0	RETIREMENT	(711)
10	101	20015	0	WORKERS COMPENSATION	520
10	102	20015	0	WORKERS COMPENSATION	(791)
10	105	20015	0	WORKERS COMPENSATION	(400)
10	110	20015	0	WORKERS COMPENSATION	709
10	202	20015	0	WORKERS COMPENSATION	(382)
00	208	20015	0	WORKERS COMPENSATION	(64)
10	301	20015	0	WORKERS COMPENSATION	124
10	504	20015	0	WORKERS COMPENSATION	81
10	509	20015	0	WORKERS COMPENSATION	70
10	601	20015	0	WORKERS COMPENSATION	(671)
10	702	20015	0	WORKERS COMPENSATION	30
10	708	20015	0	WORKERS COMPENSATION	(3)
10	710	20015	0	WORKERS COMPENSATION	7
10	711	20015	0	WORKERS COMPENSATION	(77)
10	717	20015	0	WORKERS COMPENSATION	557
10	720	20015	0	WORKERS COMPENSATION	(200)
10	101	20016	0	HEALTH INSURANCE	1,887
10	102	20016	0	HEALTH INSURANCE	(2,234)
10	105	20016	0	HEALTH INSURANCE	(2,156)
10	110	20016	0	HEALTH INSURANCE	4,802
10	202	20016	0	HEALTH INSURANCE	(1,347)

## OCONEE COUNTY

## LINE-ITEM SCHEDULE - SUPPLEMENTAL APPROPRIATIONS ORDINANCE

## ORDINANCE 2005-05

ACCOUNT				ADJUSTMENT INCREASE (DECREASE)	
10	206	20016	0	HEALTH INSURANCE	(3,234)
10	302	20016	0	HEALTH INSURANCE	270
10	504	20016	0	HEALTH INSURANCE	539
10	569	20016	8	HEALTH INSURANCE	3,773
10	601	20016	0	HEALTH INSURANCE	(3,504)
10	711	20016	0	HEALTH INSURANCE	(2,504)
10	720	20016	0	HEALTH INSURANCE	(808)
10	302	30080	0	DUES, ORGANIZATIONS	40
10	302	30084	0	SCHOOL/SEMINAR/TRAINING/MTG	1,756
10	302	40032	0	OPERATIONAL	500
10	704	60717	0	ADMINISTRATOR RECRUITMENT	40,000
10	717	20030	0	HOUSING ALLOWANCE	12,000
10	717	20031	8	DEFERRED COMPENSATION	8,500
10	306	30041	0	TELECOMMUNICATIONS	500
10	709	40033	0	POSTAGE	50,000
10	735	30018	0	TRAVEL	200
10	708	30018	0	TRAVEL	350
10	713	30018	0	TRAVEL	350
10	721	80105	0	AUTOMOBILE MAINT - EMERG MGMT	1,000
10	721	80110	0	AUTOMOBILE MAINT - ANIMAL CONTROL	2,000
10	721	80206	0	AUTOMOBILE MAINT - LIBRARY	1,800
10	721	80714	0	AUTOMOBILE MAINT - PUBLIC BUILDINGS	2,000
10	721	80717	0	AUTOMOBILE MAINT - ADMINISTRATOR	2,000
10	721	80720	0	AUTOMOBILE MAINT - AIRPORT	4,500
10	721	81999	0	GASOLINE - CONTINGENCY	40,000
10	721	82999	0	DIESEL - CONTINGENCY	600
10	106	30042	0	GAS & FUEL OIL	(2,500)
10	106	30043	0	ELECTRICITY	(45,000)
10	106	30044	0	WATER/SEWER/GARBAGE	(8,500)
10	201	30042	0	GAS & FUEL OIL	1,500
10	201	30043	0	ELECTRICITY	600
10	201	30044	0	WATER/SEWER/GARBAGE	400
10	714	84108	0	GAS & FUEL OIL DETENTION CENTER	6,500
10	714	84110	0	GAS & FUEL OIL ANIMAL SHELTER	2,500
10	714	84510	0	GAS & FUEL OIL COURTHOUSE (NEW)	12,000
10	714	85106	0	ELECTRICITY DETENTION CENTER	72,000
10	714	85110	0	ELECTRICITY ANIMAL CONTROL	1,500
10	714	85488	0	ELECTRICITY SENECA HEALTH DEPT	3,000
10	714	85734	0	ELECTRICITY-COMMERCE CENTER	1,000
10	714	86108	0	WATER DETENTION CENTER	12,780
10	714	86110	0	WATER ANIMAL CONTROL	600
10	714	86733	0	WATER WELLS HWY (DAVCO)	500
10	105	30062	0	MEDICAL	32,000
10	106	18710	0	OVERTIME/COMP SAL/FRINGE	15,000

OCONEE COUNTY						ADJUSTMENT
LINE-ITEM SCHEDULE - SUPPLEMENTAL APPROPRIATIONS ORDINANCE						INCREASE
ORDINANCE 2005-05						(DECREASE)
ACCOUNT						
10	709	30025	0	PROFESSIONAL		100,000
10	711	60293	50045	GIS - PHASE II (FY05 CIP)		290,000
10	714	83110	0	BLOG MAINT ANIMAL SHELTER		500
10	714	83510	0	BLOG MAINT COURT-HOUSE (NEW)		24,000
10	110	30022	0	MAINTFNANCE BUILDINGS/GROUNDS		100
10	110	30041	0	TELECOMMUNICATIONS		1,050
10	110	30044	0	WATER/SEWER/GARBAGE FOR MEDICAL WAS		100
10	110	50062	0	MEDICAL		35,000
10	110	40032	0	OPERATIONAL		3,000
10	202	50850	0	BUILDINGS, CAPITAL EXPENDITURES		2,000
10	202	30022	0	MAINTENANCE BUILDINGS/ GROUND		(2,000)
10	709	60767	0	CONTINGENCY		(13,377)
10	110	60233	0	OC ANIMAL SHELTER		(100,287)
10	110	40031	0	NON-CAPITAL EQUIPMENT		1,000
10	110	50840	0	EQUIPMENT, CAPITAL EXPENDITURE		75,000
10	717	50870	0	VEHICLES/EQPMNT, CAPITAL EXPENDI		25,000
10	711	50840	0	EQUIPMENT, CAPITAL EXPENDITURE		(50,000)
10	706	30018	0	TRAVEL		500
10	706	40032	0	OPERATIONAL		500
10	104	30025	0	PROFESSIONAL		4,000
10	104	30041	0	TELECOMMUNICATIONS		13,000
10	104	30042	0	GAS & FUEL OIL		1,600
10	80	170	70012	TRANSFER TO/FROM CAP PROJECT REC CENTER		30,000
10	705	95100	20240	OCONEE COUNTY RED CROSS		10,000
10	502	30018	0	TRAVEL		440
10	502	30024	0	MAINTENANCE ON EQUIPMENT		2,300
10	502	30026	0	COURT EXPENSE		3,600
10	102	99999	0	GRANT MATCH		50,237
10	101	50840	0	EQUIPMENT, CAPITAL EXPENDITURE		(17,800)
10	80	810	20805	AID TO SUBDIVISION		(239,838)
10	80	805	10370	COMMUNICATION TOWER FEES		(5,000)
10	80	805	14100	REGISTER OF DEEDS		(100,000)
10	80	805	11100	DOG ADOPTION FEES		(8,500)
10	80	805	11101	CAT ADOPTION FEES		(1,500)
10	80	805	11104	ANIMAL CONTROL DONATIONS		(5,000)
10	80	805	11105	ANIMAL CONTROL COURT SETTLEMENTS		(700)
10	80	805	11711	GIS (MAP COPIES)		(5,000)
10	718	70170	0	TRANSFER TO/FROM S/W ENTERPRISL		(397,583)
10	80	805	10340	MISC INCOME		(70,000)
GENERAL FUND, NET (TO) FROM FUND BALANCE						0

OCONEE COUNTY					
LINE-ITEM SCHEDULE - SUPPLEMENTAL APPROPRIATIONS ORDINANCE					
ORDINANCE 2005-05					
ACCOUNT					ADJUSTMENT INCREASE (DECREASE)
13	82	830	41901	FAMILY COURT SEC.20-7-1315	(1,106)
13	501	60901	155	FAMILY COURT SEC 20 / 1315	1,106
13	81	810	11286	LIBRARY EDUCATION LOTTERY FUND	(111,504)
13	81	810	11287	LIBRARY- FY04 LOTTERY SURPLUS	(50,000)
13	206	60206		LIBRARY LOTTERY FUNDS (STATE)	111,504
13	206	60208	255	LIBRARY- FY04 LOTTERY SURPLUS	50,000
SPECIAL REVENUE, NET					-
16	718	10110	4949	CONVENIENCE CENTER CLERK	1,281
16	718	30068	0	P & L INSURANCE	9,875
16	718	50870	50034	VEHICLES/EQPMNT. CAP	32,572
16	718	50850	0	BUILDINGS - CAPITAL EXP	5,730
16	721	82718	0	SOLID WASTE DIESEL	20,000
16	80	805	841	EQUIPMENT REPLACEMENT	(41,302)
16	80	805	10340	MISC INCOME	(428,739)
16	80	805	xxxxxx	POSTCLOSURE COSTS	(185,611)
16	726	60011	0	POSTCLOSURE COSTS SENECA	185,611
16	80	49170	49170	INTERFUND TRANSFERS - SOLID WASTE	397,583
SOLID WASTE, NET					-
17	719	10110	5400	DIRECTOR OF THE ROCK QUARRY	(8,300)
17	719	10110	5410	ACCOUNT CLERK I	(4,000)
17	719	30068	0	P & L INSURANCE	6,300
17	721	82719	0	ROCK QUARRY DIESEL	60,000
17	719	50841	0	EQUIPMENT REPLACEMENT	(34,400)
16	80	805	15402	INTERFUND TRANSFERS - Rock Quarry	(19,600)
ROCK QUARRY, NET					-

**SECTION 14-1-206**. Additional assessment, general sessions or family court, remittance, disposition; annual audits. [SC ST SEC 14-1-206]

(A) Beginning January 1, 1995, and continuously after that date, a person who is convicted of, pleads guilty or *nolo contendere* to, or forfeits bond for an offense tried in general sessions court must pay an amount equal to one hundred percent of the fine imposed as an assessment. This assessment must be paid to the clerk of court in the county in which the criminal judgment is rendered for remittance to the State Treasurer by the county treasurer. The assessment is based upon that portion of the fine that is not suspended and assessments must not be waived, reduced, or suspended.

(B) The county treasurer must remit thirty-eight percent of the revenue generated by the assessment imposed in subsection (A) to the county to be used for the purposes set forth in subsection (D) and remit the balance of the assessment revenue to the State Treasurer on a monthly basis by the fifteenth day of each month and make reports on a form and in a manner prescribed by the State Treasurer. Assessments paid in installments must be remitted as received.

(C) The State Treasurer shall deposit the assessments received as follows:

(1) 47.17 percent for programs established pursuant to Chapter 21 of Title 24 and the Shock Incarceration Program as provided in Article 13, Chapter 13 of Title 24;

(2) 16.52 percent to the Department of Public Safety program of training in the fields of law enforcement and criminal justice;

(3) .5 percent to the Department of Public Safety to defray the cost of erecting and maintaining the South Carolina Law Enforcement Officers Hall of Fame. When funds collected pursuant to this item exceed the necessary costs and expenses of the South Carolina Law Enforcement Officers Hall of Fame operation and maintenance as determined by the Department of Public Safety, the department may retain the surplus for use in its law enforcement training programs;

(4) 16.21 percent to the Office of Indigent Defense for the defense of indigents;

(5) 13.26 percent for the State Office of Victim Assistance;

(6) 5.34 percent to the general fund;

(7) 1.0 percent to the Attorney General's Office for a fund to provide support for counties involved in complex criminal litigation. For the purposes of this item, 'complex criminal litigation' means criminal cases in which the State is seeking the death penalty and has served notice as required by law upon the defendant's counsel, and the county involved has expended more than two hundred fifty thousand dollars for a particular case in direct support of operating the court of general sessions and for prosecution related expenses. The Attorney General shall develop guidelines for determining what expenses are



reimbursable from the fund and shall approve all disbursements from the fund. Funds must be paid to a county for all expenditures authorized for reimbursement under this item except for the first one hundred thousand dollars the county expended in satisfying the requirements for reimbursement from the fund, however, money disbursed from this fund must be disbursed on a 'first received, first paid' basis. When revenue in the fund reaches five hundred thousand dollars, all revenue in excess of five hundred thousand dollars must be credited to the general fund of the State. Unexpended revenue in the fund at the end of the fiscal year carries over and may be expended in the next fiscal year.

(D) The revenue retained by the county under subsection (B) must be used for the provision of services for the victims of crime including those required by law. These funds must be appropriated for the exclusive purpose of providing victim services as required by Article 15 of Title 16, specifically, those service requirements that are imposed on local law enforcement, local detention facilities, prosecutors, and the summary courts. First priority must be given to those victims' assistance programs which are required by Article 15 of Title 16 and second priority must be given to programs which expand victims' services beyond those required by Article 15 of Title 16. All unused funds must be carried forward from year to year and used exclusively for the provision of services for victims of crime. All unused funds must be separately identified in the governmental entity's adopted budget as funds unused and carried forward from previous years.

(E) To ensure that fines and assessments imposed pursuant to this section and Section 14-1-209(A) are properly collected and remitted to the State Treasurer, the annual independent external audit required to be performed for each county pursuant to Section 4-9-150 must include a review of the accounting controls over the collection, reporting, and distribution of fines and assessments from the point of collection to the point of distribution and a supplementary schedule detailing all fines and assessments collected by the clerk of court for the court of general sessions, the amount remitted to the county treasurer, and the amount remitted to the State Treasurer.

(1) To the extent that records are made available in the format determined pursuant to subsection (E)(4), the supplementary schedule must include the following elements:

(a) all fines collected by the clerk of court for the court of general sessions;

(b) all assessments collected by the clerk of court for the court of general sessions;

(c) the amount of fines retained by the county treasurer;

(d) the amount of assessments retained by the county treasurer;

(e) the amount of fines and assessments remitted to the State Treasurer pursuant to this section; and

(f) the total funds, by source, allocated to victim services activities, how those funds were

expended, and any balances carried forward.

(2) The supplementary schedule must be included in the external auditor's report by an "in relation to" paragraph as required by generally accepted auditing standards when information accompanies the basic financial statements in auditor submitted documents.

(3) Within thirty days of issuance of the audited financial statement, the county must submit to the State Treasurer a copy of the audited financial statement and a statement of the actual cost associated with the preparation of the supplemental schedule required in this subsection. Upon submission to the State Treasurer, the county may retain and pay from the fines and assessments collected pursuant to this section the actual expense charged by the external auditor for the preparation of the supplemental schedule required in this subsection, not to exceed one thousand dollars each year.

(4) The clerk of court and county treasurer shall keep records of fines and assessments required to be reviewed pursuant to this subsection in the format determined by the county council and make those records available for review.

**SECTION 14-1-207.** Additional assessment, magistrate's court; remittance; disposition; annual audits. [SC ST 8bC 14-1-207]

(A) Beginning January 1, 1995, and continuously after that date, a person who is convicted of, pleads guilty or nolo contendere to, or forfeits bond for an offense tried in magistrate's court must pay an amount equal to 100 percent of the fine imposed as an assessment. This assessment must be paid to the magistrate and deposited as required by Section 22-1-70 in the county in which the criminal judgment is rendered for remittance to the State Treasurer by the county treasurer. The assessment is based upon that portion of the fine that is not suspended and assessments must not be waived, reduced, or suspended.

(B) The county treasurer must remit 12 percent of the revenue generated by the assessment imposed in subsection (A) to the county to be used for the purposes set forth in subsection (D) and remit the balance of the assessment revenue to the State Treasurer on a monthly basis by the fifteenth day of each month and make reports on a form and in a manner prescribed by the State Treasurer. Assessments paid in installments must be remitted as received.

(C) The State Treasurer shall deposit the assessments as follows:

(1) 35.12 percent for programs established pursuant to Chapter 21 of Title 24 and the Shock Incarceration Program as provided in Article 13, Chapter 13 of Title 24;

(2) 22.49 percent to the Department of Public Safety program of training in the fields of law enforcement and criminal justice;

(3) 0.5 percent to the Department of Public Safety to defray the cost of erecting and

maintaining the South Carolina Law Enforcement Officers Hall of Fame. When funds collected pursuant to this item exceed the necessary costs and expenses of the South Carolina Law Enforcement Officers Hall of Fame operation and maintenance as determined by the Department of Public Safety, the department may retain the surplus for use in its law enforcement training programs;

(4) 20.42 percent for the State Office of Victim Assistance;

(5) 8.94 percent to the general fund;

(6) 11.38 percent to the Office of Indigent Defense for the defense of indigents;

(7) 1.0 percent to the Attorney General's Office for a fund to provide support for counties involved in complex criminal litigation. For the purposes of this item, 'complex criminal litigation' means criminal cases in which the State is seeking the death penalty and has served notice as required by law upon the defendant's counsel and the county involved has expended more than two hundred fifty thousand dollars for a particular case in direct support of operating the court of general sessions and for prosecution related expenses. The Attorney General shall develop guidelines for determining what expenses are reimbursable from the fund and shall approve all disbursements from the fund. Funds must be paid to a county for all expenditures authorized for reimbursement under this item except for the first one hundred thousand dollars the county expended in satisfying the requirements for reimbursement from the fund; however, money disbursed from this fund must be disbursed on a 'first received, first paid' basis. When revenue in the fund reaches five hundred thousand dollars, all revenue in excess of five hundred thousand dollars must be credited to the general fund of the State. Unexpended revenue in the fund at the end of the fiscal year carries over and may be expended in the next fiscal year.

(D) The revenue retained by the county under subsection (B) must be used for the provision of services for the victims of crime including those required by law. These funds must be appropriated for the exclusive purpose of providing victim services as required by Article 15 of Title 16; specifically, those service requirements that are imposed on local law enforcement, local detention facilities, prosecutors, and the summary courts. First priority must be given to those victims' assistance programs which are required by Article 15 of Title 16 and second priority must be given to programs which expand victims' services beyond those required by Article 15 of Title 16. All unused funds must be carried forward from year to year and used exclusively for the provision of services for victims of crime. All unused funds must be separately identified in the governmental entity's adopted budget as funds unused and carried forward from previous years.

(E) To ensure that fines and assessments imposed pursuant to this section and Section 14-1-200(A) are properly collected and remitted to the State Treasurer, the annual independent external audit required to be performed for each county pursuant to Section 4-9-150 must include a review of the accounting controls over the collection, reporting, and distribution of fines and assessments from the point of collection to the point of

distribution and a supplementary schedule detailing all fines and assessments collected by the magistrate's court of that county, the amount remitted to the county treasurer, and the amount remitted to the State Treasurer.

(1) To the extent that records are made available in the format determined pursuant to subsection (E)(4), the supplementary schedule must include the following elements:

(a) all fines collected by the magistrate's court;

(b) all assessments collected by the magistrate's court;

(c) the amount of fines retained by the county treasurer;

(d) the amount of assessments retained by the county treasurer;

(e) the amount of fines and assessments remitted to the State Treasurer pursuant to this section; and

(f) the total funds, by source, allocated to victim services activities, how those funds were expended, and any balances carried forward.

(2) The supplementary schedule must be included in the external auditor's report by an "in relation to" paragraph as required by generally accepted auditing standards when information accompanies the basic financial statements in auditor submitted documents.

(3) Within thirty days of issuance of the audited financial statement, the county must submit to the State Treasurer a copy of the audited financial statement and a statement of the actual cost associated with the preparation of the supplemental schedule required in this section. Upon submission to the State Treasurer, the county may retain and pay from the fines and assessments collected pursuant to this section the actual expense charged by the external auditor for the preparation of the supplemental schedule required in this subsection, not to exceed one thousand dollars each year.

(4) The clerk of court and county treasurer shall keep records of fines and assessments required to be reviewed pursuant to this subsection in the format determined by the county council and make those records available for review.

**SECTION 14-1-208. Additional assessment, municipal court; remittance; disposition; annual audits. [SC ST SEC 14-1-208]**

(A) Beginning October 1, 2000, and continuously after that date, a person who is convicted of, or pleads guilty or *nolo contendere* to, or forfeits bond for an offense tried in municipal court must pay an amount equal to 100 percent of the fine imposed as an assessment. This assessment must be paid to the municipal clerk of court and deposited with the city treasurer for remittance to the State Treasurer. The assessment is based upon that portion of the fine that is not suspended, and assessments must not be waived.

reduced, or suspended.

(B) The city treasurer must remit 12 percent of the revenue generated by the assessment imposed in subsection (A) to the municipality to be used for the purposes set forth in subsection (D) and remit the balance of the assessment revenue to the State Treasurer on a monthly basis by the fifteenth day of each month and make reports on a form and in a manner prescribed by the State Treasurer. Assessments paid in installments must be remitted as received.

(C) The State Treasurer shall deposit the assessments received as follows:

(1) 15.34 percent for programs established pursuant to Chapter 21 of Title 24 and the Shock Incarceration Program as provided in Article 13, Chapter 13 of Title 24;

(2) 15.07 percent to the Department of Public Safety program of training in the fields of law enforcement and criminal justice;

(3) .39 percent to the Department of Public Safety to defray the cost of erecting and maintaining the South Carolina Law Enforcement Officers Hall of Fame. When funds collected pursuant to this item exceed the necessary costs and expenses of the South Carolina Law Enforcement Officers Hall of Fame operation and maintenance as determined by the Department of Public Safety, the department may retain the surplus for use in its law enforcement training programs;

(4) 11.26 percent for the State Office of Victim Assistance;

(5) 4.11 percent to the general fund;

(6) 11.46 percent to the Office of Indigent Defense for the defense of indigents;

(7) .97 percent to the Department of Mental Health to be used exclusively for the treatment and rehabilitation of drug addicts within the department's addiction center facilities;

(8) .59 percent to the Attorney General's Office for a fund to provide support for counties involved in complex criminal litigation. For the purposes of this item, "complex criminal litigation" means criminal cases in which the State is seeking the death penalty and has served notice as required by law upon the defendant's counsel and the county involved has expended more than one hundred thousand dollars for a particular case in direct support of operating the court of general sessions and for prosecution-related expenses. The Attorney General shall develop guidelines for determining what expenses are reimbursable from the fund and shall approve all disbursements from the fund. Funds must be paid to a county for all expenditures authorized for reimbursement under this item except for the first one hundred thousand dollars the county expended in satisfying the requirements for reimbursement from the fund; however, money disbursed from this fund must be disbursed on a "first received, first paid" basis. When revenue in the fund

reaches five hundred thousand dollars, all revenue in excess of five hundred thousand dollars must be credited to the general fund of the State. Unexpended revenue in the fund at the end of the fiscal year carries over and may be expended in the next fiscal year;

(9) 11.36 percent for the programs established pursuant to Section 56-5-2953(F);

(10) 14.77 percent to the Governor's Task Force on Litter and in the expenditure of these funds, the provisions of Chapter 35 of Title 11 do not apply;

(11) 14.77 percent to the Department of Juvenile Justice. The Department of Juvenile Justice must apply the funds generated by this item to offset the nonstate share of allowable costs of operating juvenile detention centers so that per diem costs charged to local governments utilizing the juvenile detention centers do not exceed twenty-five dollars a day. Notwithstanding this provision of law, the director of the department may waive, reduce, defer, or reimburse the charges paid by local governments for juvenile detention placements. The department may apply the remainder of the funds generated by this item, if any, to operational or capital expenses associated with regional evaluation centers.

(D) The revenue retained by the municipality under subsection (B) must be used for the provision of services for the victims of crime including those required by law. These funds must be appropriated for the exclusive purpose of providing victim services as required by Article 15 of Title 16; specifically, those service requirements that are imposed on local law enforcement, local detention facilities, prosecutors, and the summary courts. First priority must be given to those victims' assistance programs which are required by Article 15 of Title 16 and second priority must be given to programs which expand victims' services beyond those required by Article 15 of Title 16. All unused funds must be carried forward from year to year and used exclusively for the provision of services for victims of crime. All unused funds must be separately identified in the governmental entity's adopted budget as funds unused and carried forward from previous years.

(E) To ensure that fines and assessments imposed pursuant to this section and Section 14-1-209(A) are properly collected and remitted to the State Treasurer, the annual independent external audit required to be performed for each municipality pursuant to Section 5-7-240 must include a review of the accounting controls over the collection, reporting, and distribution of fines and assessments from the point of collection to the point of distribution and a supplementary schedule detailing all fines and assessments collected at the court level, the amount remitted to the municipal treasurer, and the amount remitted to the State Treasurer.

(1) To the extent that records are made available in the format determined pursuant to subsection (E)(4), the supplementary schedule must include the following elements:

(a) all fines collected by the clerk of court for the municipal court;

- (b) all assessments collected by the clerk of court for the municipal court;
  - (c) the amount of fines retained by the municipal treasurer;
  - (d) the amount of assessments retained by the municipal treasurer;
  - (e) the amount of fines and assessments remitted to the State Treasurer pursuant to this section; and
  - (f) the total funds, by source, allocated to victim services activities, how those funds were expended, and any balances carried forward.
- (2) The supplementary schedule must be included in the external auditor's report by an "in relation to" paragraph as required by generally accepted auditing standards when information accompanies the basic financial statements in auditor submitted documents.
- (3) Within thirty days of issuance of the audited financial statement, the municipality must submit to the State Treasurer a copy of the audited financial statement and a statement of the actual cost associated with the preparation of the supplemental schedule required in this section. Upon submission to the State Treasurer, the municipality may retain and pay from the fines and assessments collected pursuant to this section the actual expense charged by the external auditor for the preparation of the supplemental schedule required in this subsection, not to exceed one thousand dollars each year.
- (4) The clerk of court and municipal treasurer shall keep records of fines and assessments required to be reviewed pursuant to this subsection in the format determined by the municipal governing body and make those records available for review.

**SECTION 14-1-211. General Sessions Court surcharge; fund retention for crime victim services; unused funds; reports; audits. [SC ST SEC 14-1-211]**

- (A)(1) In addition to all other assessments and surcharges, a one hundred dollar surcharge is imposed on all convictions obtained in general sessions court and a twenty-five dollar surcharge is imposed on all convictions obtained in magistrate's and municipal court in this State. The surcharge must not be imposed on convictions for misdemeanor traffic offenses. However, the surcharge applies to all violations of Section 56-5-2930 and Section 56-5-2933. No portion of the surcharge may be waived, reduced, or suspended.
- (2) In addition to all other assessments and surcharges, a one hundred dollar surcharge is imposed on all convictions pursuant to Section 56-5-2930 and Section 56-5-2933. No portion of the surcharges imposed pursuant to this section may be waived, reduced, or suspended.
- (B) The revenue collected pursuant to subsection (A)(1) must be retained by the jurisdiction which heard or processed the case and paid to the city or county treasurer, for the purpose of providing services for the victims of crime, including those required by

law. Any funds retained by the county or city treasurer pursuant to subsection (A)(1) must be deposited into a separate account for the exclusive use for all activities related to the requirements contained in this provision. For the purpose of funds allocation and expenditure, these funds are a part of the general funds of the city or county. These funds must be appropriated for the exclusive purpose of providing victim services as required by Chapter 3, Article 15 of Title 16; specifically, those service requirements that are imposed on local law enforcement, local detention facilities, prosecutors, and the summary courts. First priority must be given to those victims' assistance programs which are required by Chapter 3, Article 15 of Title 16 and second priority must be given to programs which expand victims' services beyond those required by Chapter 3, Article 15 of Title 16. These funds must be used for, but are not limited to, salaries, equipment that includes computer equipment and internet access, or other expenditures necessary for providing services to crime victims. All unused funds must be carried forward from year to year and used exclusively for the provision of services to the victims of crime. All unused funds must be separately identified in the governmental entity's adopted budget as funds unused and carried forward from previous years. The revenue collected pursuant to subsection (A)(2) must be paid over to the State Treasurer monthly and placed in a separate account to be used for spinal cord research by the Medical University of South Carolina.

All one-time operating and administrative costs for municipal and county governments related to computer upgrades or programming related to these surcharges shall be deducted from the revenue collected pursuant to subsection (A)(2) by municipal and county governments before remission of these funds to the State Treasurer. All operating, personnel, and administrative costs and expenses of the Spinal Cord Injury Research Board and its programs as established in Article 3, Chapter 38 of Title 44, must be paid for through revenue collected pursuant to subsection (A)(3) and deposited in this separate account. A report detailing the use of these funds must be furnished to the General Assembly on an annual basis.

(C) The surcharged revenue retained by the general sessions court, magistrate's, or municipal courts in this State pursuant to subsection (B) must be reported by the city or county treasurer to the State Treasurer monthly. All unused funds must be carried forward from year to year and used exclusively for the provision of services to the victims of crime. All unused funds must be separately identified in the governmental entity's adopted budget as funds unused and carried forward from previous years.

(D) To ensure that surcharges imposed pursuant to this section are properly collected and remitted to the city or county treasurer, the annual independent external audit required to be performed for each municipality pursuant to Section 5-7-240 and each county pursuant to Section 4-9-150 must include a review of the accounting controls over the collection, reporting, and distribution of surcharges from the point of collection to the point of distribution and a supplementary schedule detailing all surcharges collected at the court level, and the amount remitted to the municipality or county.

(1) The supplementary schedule must include the following elements:




(a) all surcharges collected by the clerk of court for the general sessions, magistrate's, or municipal court;

(b) the amount of surcharges retained by the city or county treasurer pursuant to this section;


(c) the amount of funds allocated to victim services by fund source, and

(d) how those funds were expended, and any carry forward balances.

(2) The supplementary schedule must be included in the external auditor's report by an "in relation to" paragraph as required by generally accepted auditing standards when information accompanies the basic financial statements in auditor submitted documents.



Oconee County  
Finance Department



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TO: Oconee County Council

FROM: Ron H. Rabon, Administrator 

CC: Phyllis Lombard, CGFO Director of  
Administrative Services and Finance

DATE: March 31, 2005

RE: **Requested information regarding  
Professional Fees and Vehicle Mileage  
by Department; Finance committee  
work session**

At the request of Councilman Steve Moore, during a March 15, 2005 discussion of the supplemental budget, Staff was asked to provide detail on major consultant expenses over the last two (2) years. Accordingly, we have attached a general ledger summary report of these expenses. Fairly thick detailed supporting documentation (copies of checks and subsequent invoices) is also available in the Council Clerk's Office for your additional review.

We have defined major consultant expense categories as:

- Attorney expenses (county attorney and other attorneys)
- Engineers
- External Auditors
- Detention Center Doctor
- Construction Management (Mike Norungolo)
- Road Inventory and planning (Moreland Alfobelli)
- Courthouse deficiencies (Heery, etc.)

As a side note, cost details as to attorney invoices have been historically reviewed by the Council Clerk's Office and not the County Administrator, but will be reviewed by myself in the future.

Also, we requested that Mr. Lee Davis at Vehicle Maintenance prepare the information that Mr. Moore requested regarding vehicle mileage and MPG for all vehicles in our 400-vehicle fleet over the past two (2) years. This data unfortunately, must be generated manually and is expected to take one full day of work for one week of invoices. At this rate, many, many staff hours will be required to generate this detailed data. We recommend that council defer this request until such time as better automated reports can be generated by the Fuciman system.

Please review this detail and let us know if you have any questions.

7/1/2003-2004

PROFESSIONAL FEES BY ACCOUNT NUMBER

07/01/2003 TO 06/30/2003

510-710-100 ES 26300 PROFESSIONAL

DATE	MO	REFERENCE	BUDGET	MTS AMT	DEBIT	CREDIT	REM BAL
DATE	MO	REFERENCE	BUDGET	MTS AMT	DEBIT	CREDIT	BALANCE
12/08/02	AP	REGISTER OF DEEDS RECORDS DECS	28839	1,823.1	3,70.80		37,100
12/08/02	AP	BYERLEY & PAYNE, CPA, PA 000300-INV	29420	1,843.0	1,254.70		35,846.30
28/08/2003	AP	MGT OF AMERICA INC 11327	26434	1,853.8	2,253.00		33,592.30
13/03/2003	AP	NORTON, BALLENGER & MAHON, P.A. 2005 B.N., J.M.	26544	1,874.8	1,530.00		32,062.30
03/02/02	AP	NORTON, BALLENGER & MAHON, P.A. 2003 B.N., J.M.	26544	1,874.8	8,800.00		13,262.30
28/21/2000	AP	GOLDIE & ASSOCIATES, INC 03-07173	30551	1,888.7	20,672.00		8,589.30
08/22/2003	AP	MGT OF AMERICA INC 11371	30070	1,812.9	2,233.00		6,356.30
09/05/2003	AP	E LUCK BLACK GRANITE BENCH	30379	1,911.3	1,894.80		4,464.50
08/04/2003	AP	MORELAND ALTABELLI ASSOCIATES, INC INVA	30383	1,935.2	1,158.00		3,306.50
09/01/2003	AP	FOLDEN CORNER FAMILY PRACTICE, LLC 01-22-4	30447	1,933.1	2,113.30		1,193.20
08/01/2003	AP	NORTON, BALLENGER & MAHON, P.A. 803 SERVICES	30607	1,945.8	0,500.30		6,692.90
20/01/2003	AP	GOLDIE & ASSOCIATES, INC 03-07103	30654	1,953.1	1,213.85		5,479.05
28/01/2003	AP	BYERLEY & PAYNE, CPA, PA 0328567	30511	1,846.2	2,193.20		3,285.85
28/03/2003	AP	2-SIGN 711	30927	1,875.4	1,638.00		1,647.85
28/08/2003	AP	HAYNSWORTH BA LOWEN JOHNSON & GREAVES, LL 85813	31091	1,874.1	1,051.00		632.85
20/01/2003	AP	MGT OF AMERICA INC 11398	31182	1,973.8	1,80.00		443.85
26/03/2003	AP	ALEXANDER'S OFFICE SUPPLY 74127	31176	1,883.2	53.00		390.85
20/01/2003	AP	RALPH'S STORE & TROPHY SHOP 22020	31206	1,944.5	82.75		308.10
09/23/2003	AP	WALMART COMMUNITY TR064453	31331	1,807.3	31.19		276.91
26/25/2003	AP	GOLDIE & ASSOCIATES, INC 03-08126	31357	1,888.9	21,358.00		5,311.11
09/26/2003	AP	ALEXANDER'S OFFICE SUPPLY 4127	31176	1,850.6		63.00	5,248.11
19/02/2003	AP	ALEXANDER'S OFFICE SUPPLY 059427	30363	1,800.3		63.00	5,185.11
18/02/2003	AP	CAROLINA PRODUCE COMPANY 282420	31853	3,011.2	1,431.45		3,753.66
10/02/2003	AP	SHUGART LINDA 927MEMBERSH	31983	3,003.0	31.00		3,722.66
10/02/2003	AP	SPARMIAN TIONDA 927MEMBERSH	31680	3,021.2	37.35		3,685.31
10/02/2003	AP	WALMART COMMUNITY TR064455	31697	3,026.8	4.00		3,681.31
03/02/03	AP	NORTON, BALLENGER & MAHON, P.A. SERVICES	31016	1,913.4	1,818.00		1,863.31
04/02/03	AP	NORTON, BALLENGER & MAHON, P.A. SERVICES	31046	1,937.4	3,940.00		1,923.31
04/02/03	AP	NORTON, BALLENGER & MAHON, P.A. SERVICES	31544	1,901.4	652.30		1,271.01
04/02/03	AP	BYERLEY & PAYNE, CPA, PA 0328291	32006	1,833.7	306.25		914.76
04/02/03	AP	BYERLEY & PAYNE, CPA, PA 0320393	32511	2,010.7	1,500.00		764.76
04/02/03	AP	DODD, ANNE C. 927MEMBERSH	32311	3,037.6	0.30		764.46
04/02/03	AP	DODD, ANNE C. 927MEMBERSH	32071	3,003.8	37.00		727.46
10/02/03	AP	DODD, ANNE C. 927MEMBERSH	32011	1,853.8	56.55		670.91
10/02/03	AP	SHUGART, LINDA 7107254	12016	1,564.2	4.81		666.10
10/02/03	AP	DICKES FLOWERS SEPTMEM	32182	2,948.6	354.70		311.40

DATE	DESCRIPTION	AMOUNT	BALANCE
01/01/2015	COLDEN CORNER FAMILY PRACTICE, LLC 11-25-14	3100	3100
01/01/2015	COMPSONS BUILDING GROUP INC. ADA RENEW	3247	6347
01/01/2015	GOLDBIE ASSOCIATES, INC 11-09-14	3200	9547
01/01/2015	GOLDBIE ASSOCIATES, INC 02-09-14	3200	12747
01/01/2015	MORIELAND ALTOBELLI ASSOCIATES, INC 11	3220	15967
01/01/2015	ALEXANDERS OFFICE SUPPLY 11-13-14	3250	19217
01/01/2015	GOLDBIE ASSOCIATES, INC 12-09-14	3257	22474
01/01/2015	BANKS ROBERT DAVID 11-27-14	3274	25748
01/01/2015	MORIELAND ALTOBELLI ASSOCIATES, INC 11	3282	29030
01/01/2015	GOVERNMENT INFORMATION SERVICE 5-10-14	3289	32319
01/01/2015	BERVET INTERNATIONAL INC. 11-13-14	328	32647
01/01/2015	D.A.C. LLP 11-11-14	3288	35935
01/01/2015	CUSTOM CORNEAS FRAME SHOP 1-14-15	3292	39227
01/01/2015	GOLDBIE ASSOCIATES, INC 11-09-14	3299	42526
01/01/2015	NORTON, BALLENGER & MAHON, P.A. SERVICES	3299	45825
01/01/2015	NORTON, BALLENGER & MAHON, P.A. SERVICES	3299	49124
01/01/2015	NORTON, BALLENGER & MAHON, P.A. SERVICES	3299	52423
01/01/2015	NORTON, BALLENGER & MAHON, P.A. SERVICES	3299	55722
01/01/2015	BYERLEY & PAYNE, CPA, P.A. 1-10-15	3299	59021
01/01/2015	GOLDEN CORNER FAMILY PRACTICE, LLC 11-19-14	3378	62399
01/01/2015	MGT OF AMERIC 1-1-15	3392	65791
01/01/2015	BOWEN LEGAL TRANSCRIPTIONS 1-17-15	3406	69197
01/01/2015	MAYNWORTH BALDWIN JOHNSON & GREAVES, L.L.P. 11-05-14	3474	72671
01/01/2015	GOLDBIE ASSOCIATES, INC 11-10-14	3489	76160
01/01/2015	GOLDBIE ASSOCIATES, INC 11-10-14	3489	79649
01/01/2015	MAYNWORTH BALDWIN JOHNSON & GREAVES, L.L.P. 11-19-14	3498	83147
01/01/2015	DELLARCO, MARGARET A. A BAHIA 1-16-15	3536	86683
01/01/2015	NORTON, BALLENGER & MAHON, P.A. SERVICES	3553	90236
01/01/2015	NORTON, BALLENGER & MAHON, P.A. SERVICES	3553	93789
01/01/2015	NORTON, BALLENGER & MAHON, P.A. SERVICES	3553	97342
01/01/2015	MAYNWORTH BALDWIN JOHNSON & GREAVES, L.L.P. 11-19-14	3553	100895
01/01/2015	GOLDBIE ASSOCIATES, INC 11-10-14	3426	104321
01/01/2015	BYERLEY & PAYNE, CPA, P.A. 11-11-14	3431	107752
01/01/2015	BYERLEY & PAYNE, CPA, P.A. 11-11-14	3449	111201
01/01/2015	BYERLEY & PAYNE, CPA, P.A. 11-11-14	3449	114650
01/01/2015	GOLDEN CORNER FAMILY PRACTICE, LLC LEICINAMATES	3449	118099
01/01/2015	MGT OF AM-RIKA INC 1-18-15	3448	121547
01/01/2015	BYERLEY & PAYNE, CPA, P.A. 11-11-14	3464	125011
01/01/2015	MORIELAND ALTOBELLI ASSOCIATES, INC 11	3464	128475
01/01/2015	DELLARCO, MARGARET A. BAHIA 1-16-15	3464	131939
01/01/2015	GOLDBIE ASSOCIATES, INC 11-10-14	3467	135406
01/01/2015	BYERLEY & PAYNE, CPA, P.A. 11-11-14	3467	138873
01/01/2015	GOLDEN CORNER FAMILY PRACTICE, LLC 11-19-14	3467	142340
01/01/2015	NORTON, BALLENGER & MAHON, P.A. 11-19-14	3467	145807
01/01/2015	BYERLEY & PAYNE, CPA, P.A. 11-11-14	3467	149274
01/01/2015	BYERLEY & PAYNE, CPA, P.A. 11-11-14	3467	152741
01/01/2015	BYERLEY & PAYNE, CPA, P.A. 11-11-14	3467	156208
01/01/2015	BYERLEY & PAYNE, CPA, P.A. 11-11-14	3467	159675
01/01/2015	BYERLEY & PAYNE, CPA, P.A. 11-11-14	3467	163142
01/01/2015	BYERLEY & PAYNE, CPA, P.A. 11-11-14	3467	166609
01/01/2015	BYERLEY & PAYNE, CPA, P.A. 11-11-14	3467	170076
01/01/2015	BYERLEY & PAYNE, CPA, P.A. 11-11-14	3467	173543
01/01/2015	BYERLEY & PAYNE, CPA, P.A. 11-11-14	3467	177010
01/01/2015	BYERLEY & PAYNE, CPA, P.A. 11-11-14	3467	180477
01/01/2015	BYERLEY & PAYNE, CPA, P.A. 11-11-14	3467	183944
01/01/2015	BYERLEY & PAYNE, CPA, P.A. 11-11-14	3467	187411
01/01/2015	BYERLEY & PAYNE, CPA, P.A. 11-11-14	3467	190878
01/01/2015	BYERLEY & PAYNE, CPA, P.A. 11-11-14	3467	194345
01/01/2015	BYERLEY & PAYNE, CPA, P.A. 11-11-14	3467	197812
01/01/2015	BYERLEY & PAYNE, CPA, P.A. 11-11-14	3467	201279
01/01/2015	BYERLEY & PAYNE, CPA, P.A. 11-11-14	3467	204746
01/01/2015	BYERLEY & PAYNE, CPA, P.A. 11-11-14	3467	208213
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01/01/2015	BYERLEY & PAYNE, CPA, P.A. 11-11-14	3467	520243
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01/01/2015	BYERLEY & PAYNE, CPA, P.A. 11-11-14	3467	579182
01/01/2015	BYERLEY & PAYNE, CPA		

















# American Red Cross

Oconee County Chapter  
224 E. Main Street  
Walhalla, SC 29691  
(864) 638-5619  
Fax (864) 638-9242

## Board Officers & Members

Chair: Gene E. Williams  
Vice Chair: David McWilliams  
Secretary: Carol Baumgardner  
Executive Director: Kathy Rogers

Board Members:  
Cheryl Bright, Jerry Edwards, Faith Havick,  
Bob Manca, John Murray, Jim Padgett,  
Roddy Stodumire

March 21, 2005

Oconee County Council  
Frank Ables, Chairman  
Steve Moore  
Tommy Crumpton  
Bill Richard  
Marion Lyles

County Administrator  
Ron Rabun

Dear County Leaders,

Oconee Red Cross provides volunteers and free emergency lodging and meals to Oconee families who lose their homes to fire and storm damage, conducts training in emergency response and safety for individuals and groups, and provides other valuable volunteer and emergency services to county residents. We are also an integral part of the emergency response team in Oconee. We support 17 county fire departments, 8 rescue squads, the dive team, special rescue team, and haz mat team. In the county disaster plan we share responsibility with DSS for setting up emergency shelters, and we participate in all county preparedness drills. Our readiness and services are funded strictly from voluntary contributions.

Last fall, we discovered major structural damage to our local chapter building in Walhalla due to its age, water damage and termite infestations. We began a major repair project to save the building and at the same time included some long needed interior renovations. As of March 17, we have raised \$26,780 and had over \$5,000 in materials and labor donated for this work. This has been a major accomplishment since it has been done in competition with our own regular fund raising efforts for local operations and fund raising for international tsunami relief, and also in competition with all the other worthy organizations seeking funds.

However, we still need \$12,000 to complete the repair and renovation work, and our traditional sources of donations are drying up. For this reason, I am asking on behalf of our Board for a one-time donation of \$10,000 from Oconee County. We believe we deserve your consideration based on our long record of service to the citizens of Oconee County, our role in county emergency preparedness, and the special one-time nature of our request. If you need additional information regarding our service record or the repair and renovation project, please contact our Director, Kathy Rogers, myself, or any other member of our board.

Sincerely,

Bob Manca, Board Member & Member - Finance Committee  
cc: Red Cross Board Members

Oconee County, South Carolina  
Supplemental Budget Ordinance  
March 24, 2005

**Additional Information Related to Proposed Manned Convenience Center #12**

Following are summaries of the two reports which have been prepared regarding questions by Council Member Steve Moore about the Tamassee Manned Convenience Center Project and possibly constructing this facility early.

**Report #1 - Manned Convenience Center Survey Results and Projections**

This report provides graphic representations of the five-mile radius coverage areas related to the existing eleven (11) manned convenience centers, with the same coverage area for the potential new center super-imposed. The resulting picture shows that the majority of the geographic area covered by the five-mile radius of the proposed center is included in areas also served by other convenience centers. The significant findings included in this report are as follows:

According to the "Convenience Center Survey Results and Projections" of 2002, approximately 12% of the residents currently utilizing the Ebenezer Convenience Center would use a new Tamassee center if built, and would use it more than once a week. Census figures indicate that the population in the Tamassee, Salem and Ebenezer areas will grow by approximately 20% by the year 2010. According to the survey, an estimated

22% of the total population of Tamassee and Salem areas would use the new center if built.

## **Report #2 - Tamassee Manned Convenience Center Project Report**

Oconee County Planning Department (December 2003)

This report documents the Planning Commission's findings regarding its evaluation of the proposed project with the purpose of determining "if the financial costs to the taxpayers were currently justifiable."

The report describes the location, expected cost, factors relating to need, apparent and actual size of geographic coverage, and seeks to estimate the number of potential users.

Included in the report's conclusion in Dec. 2003 is the recommendation from the planning commission that, "The proposed Tamassee Manned Convenience Center Project should be deferred for now, with population levels periodically reviewed to determine future need for additional service in the area." The County Council also concurred with the recommendation to not build the proposed Tamassee convenience center during the 2004-05 budget process.

April 14, 2005

The following seven (7) fire departments are applying for Federal Assistance from FEMA:

Fire Department	Grant Amount	% Match	Total for Match
Walhalla Fire Department	\$174,600	5%	\$6,730
Fair Play Fire Department	\$107,647	5%	\$5,383
Friendship Fire Department	\$98,474	5%	\$4,924
Long Creek Fire Department	\$79,040	5%	\$3,952
Pickett Post Fire Department	\$153,046	5%	\$7,653
Corinth-Shiloh Fire Department	\$276,919	5%	\$13,846
West Union Fire Department	\$155,000	5%	\$7,750
Total Grant Amount	\$1,004,726		
Total 5% Match	\$50,236		

Note:

The basic average operational assistance provided to each rural fire department by the County Council during the current fiscal year is \$4,236 for a total annual allocation for all 17 departments of \$72,012.

DRAFT

AGENDA ITEM SUMMARY  
OCONEE COUNTY, SC

COUNCIL MEETING DATE: April 19, 2005  
COUNCIL MEETING TIME: 3:00 pm

ITEM TITLE OR DESCRIPTION:

Probate Court Judge Sandra Orr is requesting funds from the Contingency line-item to cover shortages in her Court Expenses, Maintenance on Equipment, and Travel line-items through the end of Fiscal Year 2004-2005.

BACKGROUND OR HISTORY:

SPECIAL CONSIDERATIONS OR CONCERNS:

Requesting \$3,600 for Court Expense line-item (010-502-30026), \$2,300 for Maintenance on Equipment (010-502-30024), and \$440 for Travel (010-502-30018).

STAFF RECOMMENDATION:

Transfer of \$6,340 from Contingency to the specified line-items.

FINANCIAL IMPACT:

ATTACHMENTS:

None.

Submitted or Prepared By:

Approved for Submittal to Council:

City Manager, Finance Manager

Ron H. Rabun, County Administrator

Reviewed By/ Initials:

N/A County Attorney

Director of Administrative Services

N/A Other

C: Clerk to Council

Attachment 8