

Comments for Oconee Council meeting Oct 3, 2006

By Ed Little

"Reassessment ensures that all real estate is on the tax rolls at its fair market value."

The Assessor has continued to take the position that the way to achieve that is to rely on the Appeals process to make any (supposedly minor) corrections.

Our legislators have stated publicly more than once that any appeal you make is not supposed to generate any change in your neighbor's property value.

The major problem with this assessment process is one of inequity ... e.g., "even though my valuation may be near 100% market value, it doesn't make any sense when I compare it to other like properties, I'm paying much more than my fair share".

While extending the appeals process for 3 months is not a bad idea, the owners of under-valued property are not going to ask for a review ... it just isn't gonna' happen!

Building valuation procedures are fairly well defined ... it's the land values that are badly skewed in the current process.

Of the nearly 54,000 land valuations, about 24% (13,055) did not change at all since the previous year.

You have seen example after example of the inequities. It is more than just a few that "we can live with".

Reassessment requires all property in the county be assessed in the same year (2005); however it appears two properties in our subdivision sold in 2006, and the new sales amount used for adjacent properties.

I understand that the real reason for refusing to go back to the previous year is that the county would be limited in the amount of additional borrowing it could do through bonding because of the lower total property values.

I submit to you that this is a very poor reason to proceed with these lopsided valuations of our citizen's property, and the subsequently unfairly distributed tax burden.

You should move to revert to the previous assessment data.

Susie Cornelius
170 Old Mill Lane
Mountain Rest SC 29664

October 3, 2006

Oconee County Council
Walhalla, South Carolina

Bond Attorney for OMH, Inc.

RE: Public Hearing on Resolution 2006-15 for OMH Revenue Bonds

Dear Council and bond representation,

I ask you to vote against a Resolution in support of \$52,000,000 in revenue bonds for the Oconee Memorial Hospital, Inc. project, for the following reasons:

1. The public did not have notice prior to a contract being signed in 2005 which formed an agreement to transfer the public hospital building and acreage to a private corporation.
2. Hospital association membership did not vote to change the Association by-laws until after the transfer of the property in 2005 had been consummated, if they ever did vote for such a change in the by-laws.
3. The public was never told during the process of transferring the public hospital property to a private corporation, that the taxpayer would be supporting revenue bonds for the private project.
4. The state agency issuing the Certificate of Need for the proposed building project refused to take public comments as a part of the certification process.
5. OMH, Inc. is included in a federal consent order requiring oversight of certain healthcare rates charged in this area. We have no proof that the Feds have approved the high rate increased just passed by OMH, Inc.

I do not believe that this project has been structured to be in the best interest of the public in Oconee County and support for financing should be denied at this time.

Sincerely,


Susie Cornelius

OCONEE COUNTY COUNCIL

RESOLUTION NO. 2006-15

IN SUPPORT OF THE ISSUANCE BY THE SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY OF ITS NOT EXCEEDING \$52,000,000 HOSPITAL REVENUE BONDS (OCONEE MEMORIAL HOSPITAL, INC. 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.

WHEREAS, the South Carolina Jobs-Economic Development Authority (the "Authority") is authorized and empowered under and pursuant to the provisions of Title 41, Chapter 43, of the Code of Laws of South Carolina 1976, as amended (the "Act"), to utilize any of its program funds to establish loan programs for the purpose of reducing the cost of capital to business enterprises which meet the eligibility requirements of Section 41-43-150 of the Act and for other purposes described in Section 41-43-160 of the Act and thus provide maximum opportunities for the creation and retention of jobs and improvement of the standard of living of the citizens of the State of South Carolina (the "State"); and

WHEREAS, the Authority is further authorized by Section 41-43-110 of the Act to issue revenue bonds (including refunding revenue bonds) payable by the Authority solely from a revenue producing source and secured by a pledge of said revenues in order to provide funds for any purpose authorized by the Act; and

WHEREAS, in furtherance of the purposes of the Act and in order to promote the prosperity, health, safety and welfare of the citizens of the State, the Authority on behalf of Oconee Memorial Hospital, Inc., a South Carolina nonprofit corporation (the "Borrower"), proposes to finance the acquisition, by construction and purchase, of a six-story approximately 174,000 square foot expansion of, and certain additional renovations and improvements to, the Borrower's existing hospital facility, and certain machinery, equipment and apparatus therefor (the "Project"); and

WHEREAS, the Borrower is projecting that the financing of the Project will benefit the State generally, and Oconee County, South Carolina (the "County") in particular, by assisting the Borrower in maintaining approximately 1,068 jobs and creating 31 new jobs within 12 months of completion and 31 jobs within 24 months of completion, with a resulting alleviation of unemployment and a substantial increase in payroll's and other public benefits incident to the conduct of such businesses not otherwise provided locally; and

WHEREAS, the County Council of the County (the "County Council") and the Authority have on this date jointly held a public hearing, duly noticed by publication in a newspaper having general circulation in the County, not less than 15 days prior to the date hereof, at which all interested persons have been given a reasonable opportunity to express their views;

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

SECTION 1. It is hereby found, determined and declared that the Project is anticipated to subserve the purposes of the Act and to benefit the general public welfare of the County by maintaining services, employment, recreation or other public benefits not otherwise provided locally.

SECTION 2. The County Council supports the Authority in its determination to issue the Bonds to undertake the Project.

SECTION 3. The amount of Bonds required to undertake the Project is not exceeding \$52,000,000.

SECTION 4. The Project will not give rise to a pecuniary liability of the County or a charge against its general credit or taxing power.

SECTION 5. All orders and resolutions and parts thereof in conflict herewith are to the extent of such conflict hereby repealed, and this resolution shall take effect and be in full force from and after its adoption.

Adopted this 3rd day of October 2006.

OCONEE COUNTY, SOUTH CAROLINA

(SEAL)

By: _____

Its: _____

ATTEST:

Clerk to County Council

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the South Carolina Jobs-Economic Development Authority ("JEDA") and the County Council of Oconee County, South Carolina (the "County"), will hold a public hearing with respect to a proposed issuance by JEDA of its Hospital Revenue Bonds (Oconee Memorial Hospital, Inc. Project) (the "Bonds"). The proceeds of the Bonds will be made available to Oconee Memorial Hospital, Incorporated, a South Carolina nonprofit corporation (the "Corporation") to finance the acquisition, by construction and purchase, of a six-story approximately 174,000 square foot expansion of, and certain additional renovations and improvements to, the Corporation's existing hospital facility, and certain machinery, equipment and apparatus therefor, located in Oconee County, South Carolina (the "Project"). The Project is located at or adjacent to 298 Memorial Drive, Seneca, South Carolina 29679. The maximum aggregate face amount of the Bonds will be \$82,000,000. The Corporation will be the initial owner and operator of the Project.

The Bonds will be payable by JEDA solely and exclusively out of payments to be made by the Corporation and are to be secured, *inter alia*, by a pledge of the revenues derived by JEDA from the Corporation in connection with the Project. The Bonds will not constitute an indebtedness of JEDA, the State of South Carolina or the County within the meaning of any South Carolina constitutional provision or statutory limitation (other than Article X, Section 13(9) of the State Constitution permitting indebtedness payable from a source other than revenues derived from a tax or license) nor give rise to a pecuniary liability of JEDA, the State of South Carolina or the County. The Bonds will not constitute a charge against the general credit of JEDA, the State of South Carolina or the County or the taxing powers of the State of South Carolina or the County. JEDA has no taxing powers.

Any person may appear and be heard at the public hearing relating to the proposed issuance of the Bonds which will be held on Tuesday, October 3, 2006, at 3:00 p.m., in the Oconee County Council Chambers, 415 South Pine Street, Walhalla, South Carolina, 29691.

SOUTH CAROLINA JOBS-ECONOMIC
DEVELOPMENT AUTHORITY

Elliott M. Franks, III, Executive Director and Chief
Executive Officer

OCCONEE COUNTY, SOUTH CAROLINA

Opal Green, Clerk to County Council

**AGENDA ITEM SUMMARY
OCONEE COUNTY, SC**

COUNCIL MEETING DATE: October 3, 2006
COUNCIL MEETING TIME: 3:00 PM

ITEM TITLE OR DESCRIPTION:

Request for approval of ATAX grant request from Walhalla Civic Auditorium in the amount of \$18,000.00 for TV Advertising. Request approved in ATAX Committee on 9/27/06 by a unanimous vote.

BACKGROUND OR HISTORY:

State ATAX funds are received quarterly and 65% of those funds are Tourism Related funds that are to be disbursed as recommended by the ATAX committee and approved by County council

SPECIAL CONSIDERATIONS OR CONCERNS:

N/A

STAFF RECOMMENDATION:

Approval of ATAX grant request of \$18,000.00 to the Walhalla Civic Auditorium for TV advertising.

FINANCIAL IMPACT:

Current ATAX fund balance is \$19,489.52. If this grant is approved, the remaining balance will be \$1,489.52.

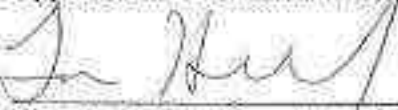
ATTACHMENTS:

Walhalla Civic Auditorium Grant Application

Submitted or Prepared By:

Phil Shirley, PRT Director
Department Head/Elected Official

Approved for Submittal to Council:


Tom Hendricks, County Administrator

Reviewed By/ Initials:

_____ County Attorney

 Finance

_____ Other

C: Clerk to Council

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

I. APPLICANT

A. Name of Organization WALHALLA CIVIC AUDITORIUM

B. Address 101 East North Broad Street, PO Box 523,

Walhalla, SC 29691

II. FUNDS REQUESTED

A. ATAX Funds Requested \$ \$18,000

B. How will ATAX Funds be used? To buy TV coverage, promotion and advertising,
for one full year on NCTV. The promotions and ads will be presented by

Northland Cable on CNN, TBS, FOX, TNT, (nine major channels) with 45 spots

in Clayton & Teocoa, GA, & 45 spots on Highlands, NC, free silent slides
on Directory, no production cost and may change two times per month.

C. Estimated percentage of costs directly attributed to attracting or serving
tourists? \$ 100%

D. Funds furnished by your organization \$ \$10,000 has been budgeted for advertising.

Matching grant \$ _____ Source _____

Other Funding \$ 5,000 Source Oconee Tourism Commission matched by WCA

E. Provide an itemized budget. **THIS IS REQUIRED**, attach on a separate sheet.

ATTACHMENT # 1

III. NARRATIVE PROJECT DESCRIPTION

A. Project Title AUDIENCE BUILDING THROUGH TICKET SALES

B. Description of project The Board of Directors is stepping up to a "higher level" of promotion and advertising in order to increase ticket sales, audience participation and increased revenues. All media in the north-east Georgia and northwest NC have been engaged, including Anderson, Fasley & surrounding areas for a total of \$11,230. The addition of TV advertising will sell tickets.

C. Who will benefit from this project? The WCA will benefit directly, but also the Greater Walhalla area and Oconee County through larger numbers of tourists visiting, spending the time in shops or the nights in motels buying gas, food and other amenities.

IV. DATES OF PROJECT

Beginning October 1, 2006

Ending September 30, 2007

V. APPLICANT CATEGORY

Government Entity

Non-profit Organization: Incorporation date February 1994

Eleemosynary Organization under IRS Code: IRS # 57-092491

Date of Determination Letter March, 1995

VI. DEMOGRAPHIC DATA

How will the project influence tourism in Oconee County? The Board of Directors have great conviction that the wide coverage of events at WCA will increase ticket sales at the auditorium and the number of tourists to the area, described as "persons beyond a 50-mile radius."

Page 2
Oconee County AT&X Grant Application (Rev. 12/2003)

Co: leteATAXApplication

application

AGENDA ITEM SUMMARY
OCONEE COUNTY, SC

COUNCIL MEETING DATE: 10/3/06
COUNCIL MEETING TIME: 3:00 pm

ITEM TITLE OR DESCRIPTION:

The Oconee County Roads Department requests approval to apply for the PalmettoPride FY 2006 Tree Grant Donation Program.

BACKGROUND OR HISTORY:

The PalmettoPride grant is administered by PalmettoPride of South Carolina, our State's anti-litter organization. This grant supports the beautification efforts of local governments.

SPECIAL CONSIDERATIONS OR CONCERNS:

This grant will be used to acquire landscaping materials. The Roads Department will be requesting a variety of trees including: Beauty Berries, Crepe Myrtles, Red Buds, River Birches, etc. These will be used to beautify the grounds at the Roads Department facility.

- **Oconee County Roads Department**
PalmettoPride Tree Grant Donation Program
Local governments are awarded the actual landscaping materials
There is **NO** local match required.

STAFF RECOMMENDATION:

Approval of PalmettoPride Tree Grant Donation Program

FINANCIAL IMPACT:

PalmettoPride Tree Grant Donation Program = Donation of material

NO local match required.

ATTACHMENTS:

Submitted or Prepared By:

Veranda Holcombe-Lewis

Reviewed By/ Initials:

 County Attorney

pet Finance

 Other

C: Clerk to Council

Approved for Submittal to Council:

Tom Hendricks
Tom Hendricks, County Administrator

AGENDA ITEM SUMMARY
OCONEE COUNTY, SC

COUNCIL MEETING DATE: 10/3/06
COUNCIL MEETING TIME: 3:00 pm

ITEM TITLE OR DESCRIPTION:

The Oconee County Information Technology (IT) Department requests approval to apply for the ESRI and Stratus Technologies ArcGIS Server Demonstration Project Grant Program.

BACKGROUND OR HISTORY:

The ESRI and Stratus Technologies grant program aims to foster and support innovative approaches to solving government problems through the combined use of geographic information system (GIS) and server technology by awarding software, hardware, and training grants to state or local governments.

SPECIAL CONSIDERATIONS OR CONCERNS:

This grant will allow various departments and remote users to access GIS maps through a web interface. It will allow data to be more centralized and prevent duplicate work in several County departments. It will ultimately give GIS access to a wider audience.

▪ **Oconee County Information Technology (IT) Department**

ESRI and Stratus Technologies ArcGIS Server Demonstration Project Grant Program = \$81,400
There is NO local match required.

STAFF RECOMMENDATION:

Approval of ESRI and Stratus Technologies ArcGIS Server Demonstration Project Grant Program

FINANCIAL IMPACT:

ESRI and Stratus Technologies ArcGIS Server Demonstration Project Grant Program = \$81,400

NO local match required.

ATTACHMENTS:

List of Equipment to be received as part of grant program

Submitted or Prepared By:

Veronda Holcombe-Lewis

Reviewed By/ Initials:

County Attorney

pel Finance

Other

C: Clerk to Council

Approved for Submittal to Council:

Tom Hendricks
Tom Hendricks, County Administrator

ESRI and Stratus Technologies ArcGIS Server Demonstration Project Grant Program

Equipment List

- o One copy of ArcGIS 9.2 Server Advance Enterprise**
- o One fault-tolerant 4300 Stratus Server**
- o One copy of ArcGIS Explorer**
- o One copy of ArcWeb Services Explorer**
- o One copy of the ESRI Press Publication Getting to Know ArcObjects**
- o Up to Eight Hours of on-site ArcServer Installation and configuration of the ArcGIS Server system**

AGENDA ITEM SUMMARY
OCONEE COUNTY, SC

COUNCIL MEETING DATE: 10/3/06
COUNCIL MEETING TIME: 3:00 pm

ITEM TITLE OR DESCRIPTION:

The Oconee County Emergency Management Department requests approval to apply for the FY 2005 Remaining EMPG Funds grant.

BACKGROUND OR HISTORY:

Emergency Management Grants provide assistance to local emergency management departments in order to develop a comprehensive national emergency management system for disasters and emergencies that may result from natural disasters, accidental, or man-caused events.

SPECIAL CONSIDERATIONS OR CONCERNS:

This grant will allow the Oconee County Emergency Management Department to continue renovating their computerized audio-visual system in the EOC as well as enhance computer operations by upgrading the server and network infrastructure.

▪ **Oconee County Emergency Management Department**
FY 2005 Remaining EMPG Funds grant = \$27,550.56

NO local match required.

STAFF RECOMMENDATION:

Approval of FY 2005 Remaining EMPG Funds grant

FINANCIAL IMPACT:

FY 2005 Remaining EMPG Funds grant = \$27,550.56

NO local match required.

ATTACHMENTS:

List of Equipment to be received as part of grant program

Submitted or Prepared By:

Veronda Holcombe-Lewis

Reviewed By/ Initials:

_____ County Attorney

psl Finance

_____ Other

C: Clerk to Council

Approved for Submittal to Council:

Tom Hendricks
Tom Hendricks, County Administrator

FY 2005 Remaining EMPG Funds Grant

Equipment List

- o **Dell Server**
- o **Audio Visual Components**
- o **Dell Monitor**
- o **GL-SX-MM**
- o **UPS 800 va**
- o **Switch and Patch Cables**
- o **UPS 2220 va RT**

AGENDA ITEM SUMMARY
OCONEE COUNTY, SC
COUNCIL MEETING 10/3/06
COUNCIL MEETING TIME: 3:00 pm

ITEM TITLE OR DESCRIPTION:

Second Reading of Ordinance 2006-24, "AN ORDINANCE RESCINDING ORDINANCE 2004-19, OCONEE COUNTY EXPOSURE CONTROL PLAN."

BACKGROUND OR HISTORY:

The Oconee County Exposure Control Plan was adopted as an ordinance in accordance with the OSHA standard 29 CFR 1910.1030 in the 1990's and has had to be updated by ordinance since that time.

SPECIAL CONSIDERATIONS OR CONCERNS:

It is the intent of the County to continue providing an exposure control plan as a policy that is automatically updated on an annual basis or as the updates to the OSHA standard 29 CFR 1910.1030 mandate.

STAFF RECOMMENDATION FOR COMMITTEE ACTION:

Staff recommends second reading of Ordinance 2006-24, "AN ORDINANCE RESCINDING ORDINANCE 2004-19, OCONEE COUNTY EXPOSURE CONTROL PLAN"

FINANCIAL IMPACT:

N/A

ATTACHMENTS:


Proposed Ordinance 2006-24
Submitted or Prepared By:

Opal O. Green
Department Head/Elected Official

Reviewed By/Initials:

_____ n/a _____:County Attorney

Approved for Submittal to Council:


Tom Hendricks, Administrator

STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
ORDINANCE 2006-24

TITLE: "AN ORDINANCE RESCINDING ORDINANCE 2004-19, OCONEE COUNTY EXPOSURE CONTROL PLAN"

WHEREAS, the Oconee County Government is committed to providing a safe and healthful work environment for entire staff; and

WHEREAS, in pursuit of this goal the Oconee County Council adopted an exposure control plan to provide for the elimination or minimization of exposure to blood borne pathogens in accordance with OSHA standard 29 CFR 1910.1030, "Occupational Exposure to Blood Borne Pathogens"; and

WHEREAS, these OSHA standards change from time to time; and

WHEREAS, it is the intent of this ordinance to rescind Ordinance 2004-19, "OCONEE COUNTY EXPOSURE CONTROL PLAN" and formulate the exposure control plan as a policy that is automatically updated in accordance with the OSHA standard 29 CFR 1910.1030 mandates; and

WHEREAS, rescission of Ordinance 2004-19 and implementation of the exposure control plan are effective upon third and final reading of this ordinance.

AGENDA ITEM SUMMARY
OCONEE COUNTY, SC
OCONEE COUNTY COUNCIL
COUNCIL MEETING DATE: 10/3/06
COUNCIL MEETING TIME: 3:00 PM

ITEM TITLE OR DESCRIPTION:

First Reading of Ordinance 2006-25, "AN ORDINANCE EXTENDING THE TIME FOR FILING AN APPEAL ON THE 2005 REASSESSMENT OF PROPERTIES IN OCONEE COUNTY FOR AN ADDITIONAL THREE MONTHS"

BACKGROUND OR HISTORY:

SC Code Section 12-43-217 requires that Counties appraise properties every five years to be placed on the books the following tax year. This is the year reassessment is to be placed on the tax rolls in Oconee County.

SPECIAL CONSIDERATION:

Collection of 80% of the taxes on properties appealed could result in a reduction of revenue to the County.

STAFF RECOMMENDATIONS FOR COMMITTEE ACTION:

Staff recommends consideration of adoption of Ordinance 2006-25 on first reading.

FINANCIAL IMPACT:

Unknown at this time.


ATTACHMENTS:

- (1) Proposed Ordinance
- (2) SC Code Section 12-43-217
- (3) SC Code Section 59
- (4) SC Code Section 12-43-300

Submitted or Prepared By:

Opal O. Green
Department Head
Reviewed By:

Approved for Submittal to Committee


Tom Hendricks, County Administrator

_____: County Attorney

_____: Finance

STATE OF SOUTH CAROLINA

COUNTY OF OCONEE

ORDINANCE 2006-25

TITLE: "AN ORDINANCE EXTENDING THE TIME FOR FILING AN APPEAL ON THE 2005 REASSESSMENT OF PROPERTY IN OCONEE COUNTY FOR AN ADDITIONAL THREE MONTHS"

WHEREAS, in accordance with S.C. Code Section 12-43-217 Oconee County appraised properties under its jurisdiction and such appraisals are to be placed on the 2006 Oconee County tax roll; and

WHEREAS, in accordance with S.C. law, Oconee County adopted Ordinance 2006-19, "AN ORDINANCE FORMALLY ADOPTING VALUES ESTABLISHED BY THE COUNTY ASSESSOR AND SOUTH CAROLINA DEPARTMENT OF REVENUE BASED ON A DECEMBER 31, 2005 VALUATION DATE FOR TAX YEAR 2006"; and

WHEREAS, S.C. Code Section 12-43-300 gives the County governing body the authority to extend the time for filing an objection to the valuation and assessment of real property resulting from reassessment within a County.

NOW THEREFORE, BE IT ORDAINED, upon third and final reading of this ordinance that the Oconee County Council hereby extends the time for filing an appeal an additional three months giving a total of six months to file an appeal on the valuation and assessment of properties located in Oconee County.

Opal Green

From: Leslie N. Smith
Sent: Tuesday, September 25, 2006 3:24 PM
To: Opal Green
Subject: FW: reassessment

From: Leslie N. Smith
Sent: Tuesday, September 25, 2006 11:29 AM
To: Opal Green
Subject: reassessment

Opal: this was and still is the law regarding reassessment-the next law I will send as I understand it applies to only 2006.

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.

County-owned property in industrial development park

SECTION 58. Section 4-29-67(B)(1) of the 1976 Code, as last amended by Act 69 of 2003, is further amended to read:

"(1) Title to the property must be held by the county. In the case of a project located in an industrial development park, as defined in Section 4-1-170, title may be held by more than one county, if each county is a member of the industrial development park. Real property transferred to the county through a lease agreement must include a legal description and plat of the real property. Property titled in the name of a county pursuant to this section is considered privately-owned for purposes of Section 58-3-240."

Implementation of countywide assessment

SECTION 59. Notwithstanding any other provision of law, implementation of values in a countywide assessment and equalization plan scheduled for the current tax year may not be implemented until property tax year 2007, provided, however, that a county council may adopt an ordinance affirmatively implementing the values during the current property tax year. The provisions of this section do not alter the index of taxpaying ability as defined in Section 59-20-20(3).

Postponement of countywide assessment

SECTION 60. A. Notwithstanding any other provision of law, a county that postponed the implementation of values determined in a countywide assessment and equalization program, conducted in 2004, may not implement the values until property tax year 2007, unless the county's county council adopts an ordinance affirmatively implementing the values.

B. R. 227 of 2006 is hereby repealed.

Time effective

SECTION 61. Except as otherwise provided elsewhere in this act, this act takes effect upon approval of the Governor:

Ratified the 7th day of June, 2006.

Vetted by the Governor -- 6/13/06.

Veto overridden by Senate -- 6/14/06.

Veto overridden by House -- 6/14/06.

reasonable positive general fund balances from fiscal year to fiscal year including, but not limited to, those years in which property within a political subdivision or school district is subject to reassessment.

SECTION 12-43-300. Extension of time for filing of objection to valuation and assessment; standard reassessment form.

The governing body of the county may by ordinance extend the time for filing an objection to the valuation and assessment of real property resulting from reassessment within a county.

The Department of Revenue shall prescribe a standard reassessment form designed to contain the information required in Section 12-60-2510(A)(1) in a manner that may be understood easily.

SECTION 12-43-310. Article shall not affect certain contracts.

In those counties which have a redevelopment contracts, those contracts which have been executed as of June 3, 1975 shall be valid for the period for which they were executed.

SECTION 12-43-320. Legislative repeal of certain rules and regulations.

Any or all rules and regulations promulgated by the South Carolina Department of Revenue for the implementation of the provisions of Act 208 of 1975 [Sections 12-37-90 to 12-37-110, 12-39-340, 12-39-350, 12-43-210 to 12-43-310, 12-37-970] may be declared null and void by passage of a joint resolution expressing such intention. Such rules and regulations declared null and void will be considered repealed on and after the date of passage of the joint resolution.

SECTION 12-43-330. Property exempt from taxation is also exempt from assessment.

Property exempted from ad valorem taxation by Section 12-37-220 is also exempt from assessment.

SECTION 12-43-335. Classification of assessed property of merchants and related businesses; classification of assessed property of manufacturers; classification of assessed property of railroads, private airlines, airlines, water, power, telephone, cable television, sewer and pipeline companies.

(A) For the purpose of assessing property of merchants and related businesses, as provided by Section 12-37-970, the department shall follow the classifications of the most recent North American Classification System Manual, as follows:

(1) Sector 23;

(2) Sector 48, except subsectors 48551 and 48541;

Sector 484, except subsectors 48412 and 48423;

Sector 483, except subsector 483211;

Sector 481, except subsector 481112;

Sector 56;

Sector 51, except subsectors 517, 5152, 51511, and 51513;

Sector 22, except subsectors 221 and 2212;

(3) Sector 42;

(4) Sectors 44 and 45;

(5) Sectors 71 and 81;

(6) Sector 453;

(B) For the purpose of assessing property of manufacturers as provided in Section 12-4-54(A), the department shall follow the classifications set out in Sectors 21, 31 to 33 of the most recent North American Industry Classification System Manual; however, establishments which publish newspapers, books, and periodicals which do not have facilities for printing or which do not actually print their

AGENDA ITEM SUMMARY
OCONEE COUNTY, SC

COUNCIL MEETING DATE: October 3, 2006
COUNCIL MEETING TIME: 3 p.m.

ITEM TITLE OR DESCRIPTION:

Presentation of proposed Ordinance 2006-26 "REGULATING FALSE FIRE ALARMS TO WHICH OCONEE COUNTY RURAL FIRE DEPARTMENTS RESPOND". RESCINDING ORDINANCE 2006-09

BACKGROUND OR HISTORY:

This Ordinance replaces and strengthens the current False Fire Alarm Ordinance (2006-09). The Ordinance was referred to the Oconee County Council after being reviewed and approved by the Planning Commission and County Magistrate.

SPECIAL CONSIDERATIONS OR CONCERNS:

This Ordinance changes the penalty from a Civil offense to a Criminal offense. The Rural Fire Chief, Deputy Fire Chief, and Code Enforcement Officers will be responsible for issuing citations.

STAFF RECOMMENDATION:

Staff recommends adoption of Ordinance 2006-26 upon Council approval.

FINANCIAL IMPACT:

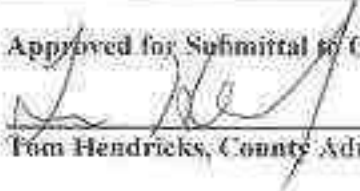
No adverse impact on County. Fines should help Rural Fire Departments recover for some expenses in responding to false alarms.

ATTACHMENTS:

Submitted or Prepared By:

Bradley A. Norton
Department Head/Elected Official

Approved for Submittal to Council:


Tom Hendricks, County Administrator

Reviewed By/ Initials:

_____ County Attorney

_____ Finance

_____ Other

C: Clerk to Council

STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
ORDINANCE 2006-26

AN ORDINANCE REGULATING FALSE FIRE ALARMS TO WHICH OCONEE COUNTY RURAL FIRE DEPARTMENTS RESPOND, RESCINDING ORDINANCE 2006-09

Section 1. - PURPOSE

WHEREAS, Oconee County Rural Fire Departments respond on a regular basis to false fire alarms; and

WHEREAS, responding to false fire alarms requires Rural Fire Departments to expend considerable money and manpower unnecessarily; and

WHEREAS, the legitimacy of a fire alarm typically cannot be determined until emergency responders arrive on the scene, consequently responders must regard all alarms as true emergencies; and

WHEREAS, responses to fire alarms require quick action, entailing risk to individual firefighters, other emergency personnel and the general public; and

WHEREAS, false fire alarms expose individual firefighters, other emergency personnel and the general public to needless risks; and

WHEREAS, it is the responsibility of the owner of every establishment or residence to purchase and maintain a reliable fire alarm system;

It is the purpose of this ordinance to establish regulations to minimize the potential risks and costs associated with false fire alarms by establishing a system of monitoring the frequency of such false alarms, and to impose penalties on those owners of fire alarm systems that issue false alarms on a frequent or chronic basis. Additionally, it is the intent of these regulations to provide for a method of compensation for costs incurred by rural fire departments in the course of responding to false fire alarms.

Section 2. - AUTHORITY

This Ordinance is adopted pursuant to the provisions of S.C. Code 1976 §4-9-38. Personnel employed by the Oconee County as Rural Fire Chief, and Deputy Rural Fire Chief, and Code Enforcement Officers shall be vested with the authority to enforce and administer this ordinance within the unincorporated areas of Oconee County, and within the boundaries of any municipality contracting with the governing body of Oconee County for enforcement of these provisions.

Section 3. - DEFINITIONS

For the purposes of these regulations, the following definitions shall apply:

EMERGENCY PERSONNEL- any individual duly registered as a member (whether employed or volunteer) of an organization recognized by Oconee County and the State of South Carolina (or any other jurisdiction honoring a mutual aid agreement with either Oconee County or the State of South Carolina) to perform duties related to emergency response. Such emergency responders include, but shall not be limited to, fire departments, law enforcement agencies, paramedics, medical transport units, and search and rescue units.

FALSE FIRE ALARM- any activation of a fire alarm system that is not the result of a fire-related cause.

FIRE ALARM SYSTEM- any device designed for the detection of a fire and/or for alerting the owner, general public, or emergency responders to the existence of a fire by audible, visible, or transmitted signal, tone, or message intended to summon assistance. This definition shall include all fire alarm devices, either purchased, leased, or homemade; and shall include all fire alarm devices installed and/or maintained either by the owner, an alarm monitoring business, or any other individual or entity.

OWNER- any individual, business, corporation, or other entity, public or private, that has responsibility for daily oversight of a fire alarm system. In the event that such a party cannot be determined by Oconee County, the individual or entity possessing title to the property upon which the fire alarm system is located shall be held liable for any and all violations of the provisions of this ordinance.

Section 4. - APPLICATION

(1) Any individual, business, corporation, or other entity, public or private, owning a fire alarm system in the unincorporated areas of Oconee County shall install and maintain said system in such a manner as to prevent false alarms. All false fire alarms resulting in a response by members of one or more Oconee County Rural Fire Departments and/or other emergency personnel shall:

- a) be reported as soon as practicable to the Rural Fire Chief by the Chief of the rural fire department within whose fire district the false alarm originates;
- b) be duly recorded in a manner deemed appropriate by the Rural Fire Chief to provide sufficient documentation for the enforcement of the regulations in this ordinance; and
- c) be subject to investigation by the Rural Fire Chief and Code Enforcement Officers.

(2) Owners of fire alarm systems found by the Rural Fire Chief to have emitted a false alarm shall be subject to the following:

- a) If no false alarm has been emitted by the same fire alarm system within the previous twelve (12) months, a verbal warning shall be issued to the owner by the Rural Fire Chief or Code Enforcement Officer
- b) If one (1) false alarm has been emitted by the same fire alarm system during the previous twelve (12) months, the owner shall be issued a written warning by the Rural Fire Chief or Code Enforcement Officer
- c) If two (2) or more false alarms have been emitted by the same fire alarm system during the previous twelve (12) months, the owner shall be issued a uniform summons by the Rural Fire Chief or Code Enforcement Officer to appear before the Magistrate's Court. All persons found by the Magistrate's Court, or Court of Competent Jurisdiction, to have violated the provisions of this ordinance shall be subject to the penalties established in these regulations, plus any additional court costs and penalties deemed appropriate by the Court.

Section 5. - EXEMPTIONS

Owners of fire alarm systems emitting false alarms due to the following causes shall be exempt from any penalties imposed by this ordinance:

- a) damage from natural forces, which include, but shall not be limited to, high winds, floods, hail, lightning, and earthquakes;
- b) temporary interruption of utility service for reasons beyond the control of alarm system owner;
- c) unexpected failures of plumbing, electrical, HVAC or other structural and mechanical components of the building within which the alarm system is located; or
- d) utilization of the fire alarm system to summon assistance for non-fire emergencies, which include, but shall not be limited to, health-related crises, crimes, and rescues.

Section 6. - PENALTIES

Any owner violating the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction shall be subject to up to thirty (30) days in jail and/or the fines established in the following schedule:

PENALTIES	
Number of Prior False Alarms During Previous Twelve (12) Months	Fine Amount (Dollars)
Two (2)	250.00
Three (3)	375.00
Four (4) or more	500.00

All fines collected under the provisions of this ordinance shall be paid to Oconee County. Court costs, assessments, and other fees imposed by the Court shall be in addition to the fine amount.

Section 7. - COMPENSATION FOR EXPENSES INCURRED BY FIRE DEPARTMENT

In the event the Court imposes a fine under the provisions of this ordinance on an owner of a fire alarm system, the rural fire department located in the fire district within which the false alarm originated may submit a claim to Oconee County for compensation for costs incurred in responding to said false alarm. Claims for compensation shall:

- a) be made in writing by the Chief of the rural fire department on a form provided by Oconee County, and shall be submitted to the Rural Fire Chief;
- b) be submitted when appropriate on a regular schedule established by resolution of County Council; and
- c) not exceed the total amount of fine monies, less an appropriate percentage for administrative costs incurred by the County (to be set by resolution of County Council), collected by Oconee County for false alarms in the individual fire district since any previous compensation claims.

ADOPTED & APPROVED on third and final reading this _____ day of _____ 2008 by a vote of:

_____ YES _____ NO

H. Frank Ables, Jr.
Chairman
Oconee County Council

Attest:

Opal O. Green, Clerk to Council

1st Reading: _____

2nd Reading: _____

3rd Reading: _____

Administrator's Report
October 3, 2006

1. Animal Control
2. Walhalla Rescue Squad
3. DSS Upgrade at Brown Square
4. New DSS building
5. Impact of Reassessment Delay
6. Impact of Quarterly payment of property tax

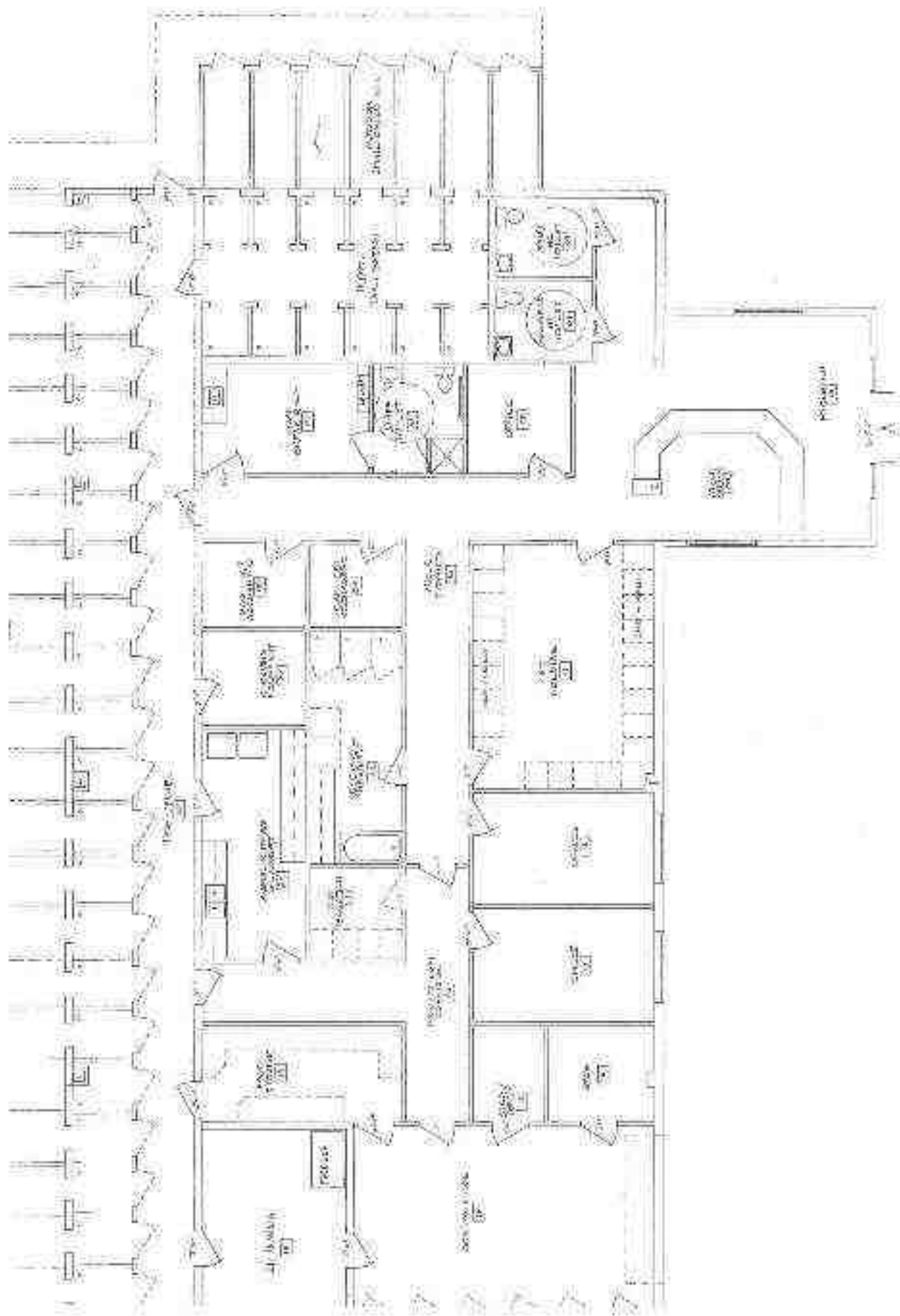
Walhalla Rescue SquadBuilding Costs Analysis

- 1) Cost of completion of building per Trehal Inc. on 9-28-06 = \$ 195,300.00
- 2) Payment to me made from Walhalla Rescue Squad = \$ 22,300.00
- 3) Amount needed to complete project = \$ 173,000.00 * from Oconee County

* This amount will be paid back to Oconee County at 3% interest over 15 years with a yearly lump sum payable on Jan 1 of every year beginning Jan 1, 2008. Lump payment would be in the amount of \$ 14, 493.00**

** This amount given to Wayne Garland on 9-28-2006 by Phil Phillips of Community First Bank.

Total paid back to Oconee County at retirement of loan would = \$ 217, 395.00



ADMINISTRATOR'S REPORT

OCONEE COUNTY, SC

COUNCIL MEETING DATE: October 3, 2006

COUNCIL MEETING TIME: 3PM

ITEM TITLE OR DESCRIPTION:

Discussion and/or action relating to Ordinance 2006-19, an Ordinance formally adopting values established by the County Assessor and the South Carolina Department of Revenue based on a December 31, 2005 valuation date for tax year 2006.

BACKGROUND OR HISTORY:

Section 12-43-217 of the Code of laws of South Carolina (1976), as amended, requires each county in the State of South Carolina to implement a countywide reassessment program every 5 years to ensure uniformity and equality in property assessments. Senate Bill S. 1245 was passed June 1, 2006 automatically postponing Oconee County's implementation of reassessment until 2007, unless the local governing body adopts an ordinance affirmatively implementing the values during the current property tax year. Oconee County adopted Ordinance 2006-19, an Ordinance formally adopting values established by the County Assessor and South Carolina Department of Revenue based on a December 31, 2005 valuation date for tax year 2006, on third reading on June 27, 2006.

During the budget and finance committee meeting on September 27, 2006, Council discussed the numerous complaints they had received regarding what they felt were inequitable property values resulting from reassessment and permitted several taxpayers to speak in this regard. The Assessor was also permitted to speak and made the following points:

- The primary purpose of the appeals process is to cure inequities which mean refinements will be taking place for several more months.
- Even before the appeal process began, ratio studies indicated the new values are considerably more equitable than the old values.
- A constitutional amendment will be on the ballot in November 2006 placing a 15% cap on values between reassessment programs (5 years) unless the property sells or is improved. Failure to implement reassessment this year will result in the December 31, 2000 values being used through 2010 and then most value

increases being limited to 15%. In other words, we would in essence be locking in values which are only 50% as equitable as required by the South Carolina Department of Revenue guidelines and by now at less than 70% of value. Inequitable values of course hurt taxpayers since it means many are paying more than their share of the tax burden. In addition, lower values mean a smaller tax base which negatively affects the credit rating and bonding capacity of the county.

- Taxpayers unhappy with the resolution of their appeal with the Assessor may appeal that decision to the Oconee County Board of Assessment Appeals and their decision to the South Carolina Administrative Law Judge Division.
- Even though the South Carolina Department of Revenue has already reviewed the reassessment program earlier in the year and issued their approval for implementation, they have been asked to make a second review and to identify any corrective action they deem necessary.
- Contributing to the reason values increased so dramatically since the December 31, 2000 valuation date of the previous reassessment was the fact that values were only set at 86% of value at that time.

At the conclusion of the meeting the Committee voted to include on the October 3, 2006 Council meeting agenda a discussion and possible action regarding the extension of the appeal deadline to six (6) months and the feasibility of using 2005 appraisal valuations and adjusting the millage to meet the 2006-2007 budget ordinance if they so desired. The Committee also expressed a desire to have the results of the South Carolina Department of Revenue available by that date if possible.

SPECIAL CONSIDERATIONS OR CONCERNS:

In response to the request by the finance committee we have compiled information regarding two possible options for dealing with the reassessment issue should Council decide some type of action is needed. The following will be a summary of the more detailed information included as attachments.

Extending Appeal Deadline

South Carolina tax laws governing the billing, collection, and delinquent tax processes contain dates which must be adhered to for both legal and administrative reasons. Extending the appeal deadline past the first penalty date of January 16, 2007 would make adherence to these laws very difficult and of limited benefit to taxpayers. Most taxpayers with an outstanding appeal or planning to file an appeal will do so before the end of the calendar year or at the latest prior to the first penalty date which is January 16, 2007 for this tax year. Taxpayers have the option of paying taxes based on 80% of value pending resolution of the appeal.

Reverting to Tax Year 2005 Assessments

Rescind Oconee County Ordinance 2006-19, an Ordinance formally adopting values established by the County Assessor and South Carolina Department of Revenue based on December 31, 2005 valuation date for tax year 2006. This would result in a one year delay of reassessment until the 2007 tax year. The property tax values would rollback to the 2001 tax year based on December 31, 2000 valuations. However, this would involve a delay based on the fact that considerable administrative computer related work would be required. In addition, all new buildings and new parcels added in 2005 would have to be valued based on the December 31, 2000 valuations. There are some options as how to handle this. They are listed below.

1. Delay printing of all property tax notices for 2006 until all the new parcels and new growth are valued. This would take approximately 3 months assuming the resources were made available to accomplish the tasks involved. With this option, Oconee County would have to ask for another extension to mail out the property tax notices late, and also ask for the penalties dates to be adjusted. This option could also result in the county being short revenue and may require the county to take out a tax anticipation note.
2. Split Billing is another option we have discussed with our Data Processing Company. This option would allow us to calculate taxes based on the parcels that we do have prior year values on. This would enable us to send out tax notices on all personal property, utilities, MFG, businesses as well as the majority of the real estate parcels. This option would allow revenue to be generated for the county and school and it may help avoid a tax anticipation note.

In order to accomplish the Split Billing option, the parcels that are not valued would have to be coded by the Assessor's Office on the computer system. This would allow the data processing company to skip those parcels and create a list of all properties that need valuing. The parcels that are valued at a later date would be an additional added to the tax roll. If an additional is added after the first penalty date, the taxpayer would be given an additional thirty days to pay without penalty.

Assessment

A tremendous amount of technical and administrative work would be involved in this process and outside assistance from our software vendor would also be required. A chart (Attachment #1) will follow with a brief explanation of each task required and an estimated cost. When viewing the chart please note that the labor cost under item # 5 is actual additional cost since these tasks must be accomplished either through overtime or by the hiring of additional employees. Much of our existing staff will be focusing on maintenance related activities for tax year 2007 beginning around December 1st which is necessary in order to be prepared for the mailing of assessment notices by July 1, 2007 as required by law. Also included on this chart will be an estimate of cost already incurred in the reassessment process which would be lost if implementation of the project were

postponed until 2007. Finally, a chart (Attachment #2) will be included which provides the impact the decision would have on taxpayers.

FINANCIAL IMPACT:

As indicated by the attached chart the estimated additional cost for postponing implementation of reassessment would be \$398,720. The cost of extending the deadline for appeals would not be significant.

STAFF RECOMMENDATION:

It is our recommendation that implementation of the reassessment program not be postponed unless recommended by the South Carolina Department of Revenue but that the deadline for filing an appeal for tax year 2006 be extended through January 16, 2007.

ATTACHMENTS:

1. Impact List
2. Tax Dollar Comparison

Submitted or Prepared by:

Approved By:

(Department Head/Elected Official)

Tom Hendricks,

Oconee County Administrator

Reviewed By/ Initials:

County

Attorney

Finance

Other

C: Clerk to Council

Rescinded ordinance 2006-15 and use 2005 assessments Money lost because process would have to be repeated in 2007	Cost	Rescinded Ordinance 2006-15 and use 2005 assessments Actual additional cost	Cost
Funds already spent on the printing of reassessment notices by Smith Data Processing	\$ 7,000	Mass appraisal file for 2005 would need to be downloaded as the current active file. This would have to be done with the help of either Smith Data Processing and/or an independent programmer since this file no longer exists in our system. Cost for Smith Data to convert.	\$26,000
Funds already spent on postage for the mailing of reassessment notices	\$ 20,100	Once mass appraisal file is downloaded the following steps will need to be performed. 1) Run edit reports to adjust any discrepancies from the mass appraisal file and the NTAS file (assessor tax roll file). All discrepancies would need corrected in order for all parcel data to convert to NTAS. (Discrepancies would include any changes made to NTAS since 2005 such as: applied residence, applied farm use, etc.)	
Funds already spent on postage processing appeals Man hours already spent on the processing of appeals - 472.5 hours or 63 days. (Employment of 4 temporary staff members and assignment of 10 permanent staff members)	\$ 103,000	2) All parcels in relation to 2005 split sales (parent parcels and new parcels) will need to be identified, revalued based on pre-assessment values, and data entry performed. Also, all new subdivisions will need to be identified, revalued, and data entry. This involves approximately 3000 parcels. 3) All mobile homes registered for the 2006ity would need to be identified, revalued based on pre-reassessment values, and data entry performed. This involves approximately 700 mobile homes. 4) All new construction will need to be identified, revalued based on pre-reassessment values, and data entry performed. This involves approximately 1300 building permits. 5) During the appeals process, physical changes to parcels were identified. This involves approximately 500 parcels that would need these changes revalued with pre-reassessment values. Man hours to be spent on edit reports once Smith Data Processing converts files - 675 hours or 90 days. (per clerical staff member assigned) Man hours to be spent on identifying, revaluing, and data entry to revert to pre-reassessment data - 4,875 hours or 650 days. (per appraisal and clerical staff member assigned) Cost for the mailing of assessment notices to new properties, mobile homes, and any increases of \$1,000 or more in value - 9,000 indices x 0.39 Total incurred thus far	\$13,410
Total incurred thus far	\$ 128,250	Total to rescind Ordinance 2006-19 and use 2005 assessments and implement in the 2007 tax year.	\$396,720

8/26/2009

TAX ANALYSIS

2006 w/o reassessment 2006 values			2005 w/reassessment 20% increase			2005 w/reassessment 20% increase			2006 w/reassessment 40% increase		
Market Value	Millage	Taxes	Market Value	Millage	Taxes	Market Value	Millage	Taxes	Market Value	Millage	Taxes
75,000	0.2812	\$21,120	90,000	0.28	n/a	97,500	n/a	n/a	100,000	0.204	\$20,400
Use Value			Use Value			Use Value			Use Value		
2,590		\$23.96	2,590	0.204	\$52.85	2,590	0.204	\$52.85	2,590	0.204	\$52.85

AGRICULTURAL

2006 w/o reassessment 2006 values			2006 w/o reassessment 20% increase			2005 w/reassessment 30% increase			2006 w/reassessment 40% increase		
Market Value	Millage	Taxes	Market Value	Millage	Taxes	Market Value	Millage	Taxes	Market Value	Millage	Taxes
75,000	0.2812	\$21,120	90,000	0.284	\$25,620	97,500	0.276	\$26,910	100,000	0.204	\$20,400
Use Value			Use Value			Use Value			Use Value		
2,590		\$23.96	2,590	0.204	\$52.85	2,590	0.204	\$52.85	2,590	0.204	\$52.85

8% RAOTD

2006 w/o reassessment 2006 values			2006 w/o reassessment 20% increase			2006 w/o reassessment 20% increase			2006 w/reassessment 40% increase		
Market Value	Millage	Taxes	Market Value	Millage	Taxes	Market Value	Millage	Taxes	Market Value	Millage	Taxes
75,000	0.2812	\$21,120	90,000	0.284	\$25,620	97,500	0.276	\$26,910	100,000	0.204	\$20,400
Use Value			Use Value			Use Value			Use Value		
2,590		\$23.96	2,590	0.204	\$52.85	2,590	0.204	\$52.85	2,590	0.204	\$52.85

4% RAOTD

2006 w/o reassessment 2006 values			2006 w/o reassessment 20% increase			2006 w/o reassessment 20% increase			2006 w/reassessment 40% increase		
Market Value	Millage	Taxes	Market Value	Millage	Taxes	Market Value	Millage	Taxes	Market Value	Millage	Taxes
75,000	0.2812	\$21,120	90,000	0.284	\$25,620	97,500	0.276	\$26,910	100,000	0.204	\$20,400
Use Value			Use Value			Use Value			Use Value		
2,590		\$23.96	2,590	0.204	\$52.85	2,590	0.204	\$52.85	2,590	0.204	\$52.85

Tax Dollar Comparisons

2006 With Reassessment

	Millage	Value of Property	Tax \$
Parcel A	204	\$203,380	\$1,354.56
Parcel B	204	\$109,250	\$555.48
Parcel C	204	\$137,620	\$525.04
Parcel D	204	\$559,310	\$4,675.45
Parcel E	204	\$224,510	\$1,544.05
Parcel F	204	\$190,230	\$1,256.44

2006 Without Reassessment

	Millage	Value of Property	Tax \$
	231.2	\$153,330	\$1,077.26
	231.2	\$77,980	\$456.15
	231.2	\$96,610	\$564.34
	231.2	\$457,370	\$3,500.21
	231.2	\$165,440	\$1,190.55
	231.2	\$170,880	\$1,241.41

2005 Facts

	Millage	Value of Property	Taxes Paid
	216.6	\$153,330	\$987.76
	216.6	\$77,980	\$410.59
	216.6	\$96,610	\$507.98
	216.6	\$457,370	\$3,199.24
	216.6	\$165,440	\$1,093.69
	216.6	\$170,880	\$1,141.54

Motor Vehicle Taxes

(Vehicle taxes are based on calendar year)

2007 With reassessment

Vehicle Value	Millage	Ratio	Tax \$
\$10,000	204	6.0	\$122.40
\$15,000	204	6.0	\$183.60
\$20,000	204	6.0	\$244.80
\$25,000	204	6.0	\$306.00
\$30,000	204	6.0	\$367.20

2007 Without Reassessment

	Millage	Ratio	Tax \$
	231.2	6.0	\$138.72
	231.2	6.0	\$206.08
	231.2	6.0	\$277.44
	231.2	6.0	\$346.80
	231.2	6.0	\$416.16

2006

	Millage	Ratio	Tax \$
	216.6	6.75	\$147.29
	216.6	6.75	\$218.77
	216.6	6.75	\$292.41
	216.6	6.75	\$366.05
	216.6	6.75	\$439.70

**ADMINISTRATOR'S REPORT
OCONEE COUNTY, SC**

**COUNCIL MEETING DATE: October 3, 2006
COUNCIL MEETING TIME: 3:00 PM**

ITEM TITLE OR DESCRIPTION:

Installment payments for ad valorem taxes on real property

BACKGROUND OR HISTORY:

Section 12-45-75 of the Code of Laws of South Carolina allows the following:

(A) (1) The governing body of a county may by ordinance allow a taxpayer to elect to pay all ad valorem taxes on real property located in the county in quarterly or monthly installments. An installment election is not allowed for taxes paid through an escrow account.

(2) The ordinance must specify the installment due dates and it may provide for installments due and payable before January fifteenth, but the final installment due date must be January fifteenth. The ordinance may provide for a service charge of not more than two dollars (\$2.00) on installment payments. For purpose of payment and collection, these service charges are deemed property taxes. The ordinance may not provide penalties for late installments.

(B) The governing body of a county may by ordinance provide a discount on all ad valorem taxes on real property located in the county paid in advance of the January fifteenth due date. The ordinance may provide a range of discounts that vary according to the length of the prepayment period.

SPECIAL CONSIDERATIONS OR CONCERNS:

Implementation of this program will require:

- **Cash Flow** will be affected depending on the number of taxpayers that elect to make installment payments. Currently our cash flow peaks in January with bond payments (county and school debt) following in March and April. This practice has allowed Oconee County to remain financially stable and we have not had to apply for Tax Anticipation Notes.
- **Implementation Time Frame** – The ordinance would require three readings and a public hearing. It would then be the responsibility of the taxpayer to notify the Treasurer in writing that they elect to pay their taxes on the installment plan no later than January 15th of the tax year for which the installments are applicable and no earlier than December 31st of the preceding tax year.
- **Workload** - Additional receipts, deposits, tracking, and refunds will increase the workload of all Tax Offices and the Finance Department. Additional staff will be needed to monitor this program. Manual tracking will be required. Each tax notice is allocated approximately ten (10) different ways when received and then again when refunded.
- **New Software** - Currently Smith Data Processing (tax software programmer) does not offer a program to process installment payments. A cost of implementation is not available at this time.

- **Estimate Payments** - Installment payments will be calculated based on an estimated amount. This is due to the fact that millage is not set until September. Therefore, all installment payments will most likely require a refund or additional payment.
- **Interest Allocation** - Allocation of interest will be necessary for any over payment.
- **Participation** - Even if one percent of the taxpayers request the installment option that would equate to 700 taxpayers.

STAFF RECOMMENDATION:

We understand that the implementation of this program would certainly lessen the financial strain on some taxpayers. Staff would like to spend time researching the feasibility of this type program with counties that currently collect taxes in this manner. The Treasurer conducted an informal poll of SC counties and found that of the eighteen that responded only three have adopted the ordinance to implement this program.

The implementation time frame will not allow installment payments for the 2006 tax roll. In order to implement for the 2007 tax roll, the ordinance must be adopted and taxpayers must notify the Treasurer by January 15, 2007.

FINANCIAL IMPACT:

Cash flow will be affected as stated in Special Considerations. We can not determine the affect until we have implemented the program and have the number of participants along with the amounts of their tax notices.

ATTACHMENTS:

1. Copy of South Carolina Code of Laws Section 12-45-75
2. Memo from Anne Dodd, Treasurer

Approved for Submittal to Council:

Tom Hendricks, County Administrator

CHAPTER 45:

COUNTY TREASURERS AND COLLECTION OF TAXES

SECTION 12-45-75. Installments; discounts authorized.

(A)(1) The governing body of a county may by ordinance allow a taxpayer to elect to pay all ad valorem taxes on real property located in the county in quarterly or monthly installments. An installment election is not allowed for taxes paid through an escrow account.

(2) The ordinance must specify the installment due dates and it may provide for installments due and payable before January fifteenth, but the final installment due date must be January fifteenth. The ordinance may provide for a service charge of not more than two dollars on installment payments. For purposes of payment and collection, these service charges are deemed property taxes. The ordinance may not provide penalties for late installments.

(B) The governing body of a county may by ordinance provide a discount in all ad valorem taxes on real property located in the county paid in advance of the January fifteenth due date. The ordinance may provide a range of discounts that vary according to the length of the prepayment period.

OCONEE COUNTY, SOUTH CAROLINA

ANNE C. DODD
TREASURER

TO: Phyllis Lombard, Director of Administrative Services & Finance
FROM: Anne C. Dodd, Treasurer
DATE: September 29, 2006
SUBJECT: Installation payment of property taxes

INSTALLMENT PAYMENT OF PROPERTY TAX SECTION 12-45-75 OF THE 1976 CODE AS AMENDED BY ACT 136 OF 2005

County Council would need to pass an ordinance that must follow the above referenced code. Installment payments would then take effect for 2007 taxes.

Even if only one percent of the taxpayers request to make installment payment, this is approximately 700 taxpayers. Additional receipts, deposits, documentation and possibly refunds must be completed for each request then forwarded to each of the Tax Offices as well as Finance.

At this point in time, Smith Data Processing does not offer a program to process installment payments. Smith Data advised it would be very costly.

Installment payment would greatly impact the entire Tax Center including The Assessor, Auditor, Treasurer, Tax Collector and Finance.

The taxpayer must notify, in writing, the Treasurer no later than January 15th of the tax year for which the installments are applicable and no earlier than December 1st of the preceding tax year.

Taxpayer will be paying estimated taxes in advance however taxes will not be apportioned until final installment has been made.

There is no way to estimate the percentage of taxpayers who may choose to utilize this service.

Out of 18 counties surveyed only 3 accept installment payments at this time

Additional staff and software would be needed.

FROM THE DESK OF: ANNE C. DODD, OCONEE COUNTY TREASURER

415 SOUTH PINE STREET

WALHALLA, SOUTH CAROLINA 29681

TELEPHONE: (864) 638-4162

FAX: (864) 718-1013

EMAIL: TREASURER@OCONEESC.COM WEBSITE: [HTTP://WWW.OCONEESC.COM/](http://WWW.OCONEESC.COM/)