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# City of Walterboro

242 Hampton Street

Walterboro, South Carolina 29488

Mailing Address:

Post Office Box 709

Walterboro, South Carolina 29488-0008

Walterboro City Council  
Regular Meeting  
November 14, 2017  
City Hall  
6:15 P.M.

## A G E N D A

### I. Call to Order:

1. Invocation.
2. Pledge of Allegiance.

### II. Public Input on Agenda Items:

### III. Public Hearing:

1. Ordinance # 2017-10, An Ordinance to Amend the Unified Development Ordinance of the City of Walterboro, South Carolina, to Provide for Changes to Chapter 6, Section 6.5, Flood Damage Control, of the Unified Development Ordinance of the City of Walterboro.
2. Ordinance # 2017-11, An Ordinance to Update the Elements of the City of Walterboro Comprehensive Plan.
3. Ordinance # 2017-12, An Ordinance to Amend the Zoning Map of the City of Walterboro, South Carolina, to Provide for Changes in the Zoning Districts of the City of Walterboro by Changing the Zoning Classification of Two Parcels of Land on Wichman Street Designated as TMS #'S 163-11-00-135 and 163-11-00-136 from General Commercial District (GCD) to Central Business District (CBD), First Reading (Ordinance attached).
4. Receipt of Public Comments on Proposed USDA Rural Development Project to acquire police vehicles, generators for public buildings, construction of handicap restrooms, handicap lift and roof and window replacement.

### IV. Presentation:

1. Palmetto Pride - Ester Wagner, Special Events Program Manager.

**V. Old Business:**

1. **Ordinance # 2017-10**, An Ordinance to Amend the Unified Development Ordinance of the City of Walterboro, South Carolina, to Provide for Changes to Chapter 6, Section 6.5, Flood Damage Control, of the Unified Development Ordinance of the City of Walterboro, **Second Reading and Adoption** (Ordinance attached).
2. **Ordinance # 2017-11**, An Ordinance to Update the Elements of the City of Walterboro Comprehensive Plan, **Second Reading and Adoption** (Ordinance attached).
3. **Ordinance # 2017-12**, An Ordinance to Amend the Zoning Map of the City of Walterboro, South Carolina, to Provide for Changes in the Zoning Districts of the City of Walterboro by Changing the Zoning Classification of Two Parcels of Land on Wichman Street Designated as TMS #'S 163-11-00-135 and 163-11-00-136 from General Commercial District (GCD) to Central Business District (CBD), **Second Reading and Adoption** (Ordinance attached).

**VI. New Business:**

1. **Resolution # 2017-R-06**, A Resolution Authorizing the City Manager and City Clerk to execute forms pursuant to USDA Rural Development Community Facilities Grant applications in an amount not to exceed \$212,225.00 for the purchase of generators, police vehicles, roof and window replacement and construction of multiple handicap accessibilities for the City of Walterboro (Resolution attached).
2. Consideration of Funding Recommendations from the Accommodations Tax Advisory Committee (Memorandum and materials attached).
3. Consideration of Recommendation to Purchase Self-Contained Breathing Apparatus (SCBA) Compressor for Fire Department (Memorandum and bid materials attached).
4. Request for Street Closing for Martin Luther King Jr. Day Parade January 14, 2018 (Permit request attached).

**VII. Committee Reports:**

**VIII. City Manager's Report:**

**IX. Executive Session:**

1. Receipt of Legal Advice:
  - a. Bailey Bill
  - b. I-95 Business Loop Project, Phase 1C and 1D.
2. Personnel Matter - Appointment of Municipal Judges

**X. Open Session:**

1. Council May Take Action on Matters Discussed in Executive Session.

**XI. ADJOURNMENT.**

# AFFIDAVIT OF PUBLICATION IN

## The Press and Standard

PERSONALLY appeared before me, William B. Moore, who being duly sworn, says that he is the publisher of The Press and Standard, published on Thursday of each week in Walterboro, County of Colleton, State of South Carolina; that the notice, of which a printed copy is hereby attached, was published in The Press and Standard for **One (1)** issues, and publication commencing on October 26, 2017 and ending on October 26, 2017.

SWORN to before me

this 27 day of OCT, 2017


Raymond McCaw (L.S.)

Notary Public for South Carolina

Commission Expires 6-4-22



William B. Moore

 **PUBLIC HEARING NOTICE**

Walterboro City Council will hold a public hearing on Tuesday, November 14, 2017 at 6:15 P.M. in City Hall, 242 Hampton Street, to receive public comments on the following proposed ordinances:

**Ordinance # 2017-10**, An Ordinance to Amend the Unified Development Ordinance of the City of Walterboro, South Carolina, to Provide for Changes to Chapter 6, Section 6.5, Flood Damage Control, of the Unified Development Ordinance of the City of Walterboro.

**Ordinance # 2017-12**, An Ordinance to Amend the Zoning Map of the City of Walterboro, South Carolina, to Provide for Changes in the Zoning Districts of the City of Walterboro by Changing the Zoning Classification of Two Parcels of Land on Wichman Street Designated as TMS #'S 163-11-00-135 and 163-11-00-136 from General Commercial District (GCD) to Central Business District (CBD).

A copy of the proposed ordinance is available in the City Manager's Office at City Hall, 242 Hampton Street. Written comments may be mailed to the City Manager, P.O. Box 709, Walterboro, SC 29488 and must be received prior to the public hearing. Please call the City Manager's Office (843-782-1011) for additional information or for disabled persons needing auxiliary aids. Please give at least 24 hours notice if auxiliary aids are required.

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**The Press and Standard**

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SWORN to before me

this 10 day of NOV, 20 17  
Raymond McCaw (L.S.)

Notary Public for South Carolina

Commission Expires 6-4-22

William B. Moore  
William B. Moore

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**Ordinance # 2017-11, An Ordinance to Update the Elements of the City of Walterboro Comprehensive Plan.**

A copy of the proposed ordinance is available in the City Manager's Office at City Hall, 242 Hampton Street. Written comments may be mailed to the City Manager, P.O. Box 709, Walterboro, SC 29488 and must be received prior to the public hearing. Please call the City Manager's Office (843-782-1011) for additional information or for disabled persons needing auxiliary aids. Please give at least 24 hours notice if auxiliary aids are required.

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SWORN to before me

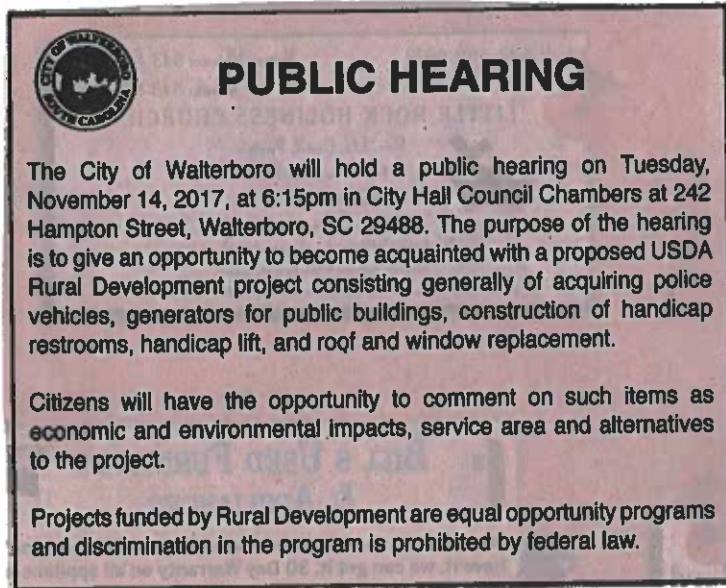
this 27 day of OCT, 2017  
Raymond McCaw (L.S.)

Notary Public for South Carolina

Commission Expires 6-4-22



William B. Moore



**PUBLIC HEARING**

The City of Walterboro will hold a public hearing on Tuesday, November 14, 2017, at 6:15pm in City Hall Council Chambers at 242 Hampton Street, Walterboro, SC 29488. The purpose of the hearing is to give an opportunity to become acquainted with a proposed USDA Rural Development project consisting generally of acquiring police vehicles, generators for public buildings, construction of handicap restrooms, handicap lift, and roof and window replacement.

Citizens will have the opportunity to comment on such items as economic and environmental impacts, service area and alternatives to the project.

Projects funded by Rural Development are equal opportunity programs and discrimination in the program is prohibited by federal law.

**ORDINANCE # 2017-10**

**AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE OF THE CITY OF WALTERBORO, SOUTH CAROLINA, TO PROVIDE FOR CHANGES TO CHAPTER 6, SECTION 6.5, FLOOD DAMAGE CONTROL, OF THE UNIFIED DEVELOPMENT ORDINANCE OF THE CITY OF WALTERBORO.**

**WHEREAS**, the Special Flood Hazard Areas of the City of Walterboro are subject to periodic inundation which results in loss of life, property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures of flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare; and

**WHEREAS**, it is the purpose of this ordinance to protect human life and health, minimize property damage, and encourage appropriate construction practices to minimize public and private losses due to flood conditions by requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction; and

**WHEREAS**, the objectives of this ordinance are to protect human life and health, to help maintain a stable tax base by providing for the sound use and development of flood-prone areas in such a manner as to minimize flood blight areas, and to insure that potential home buyers are notified that property is in a flood area; and

**WHEREAS**, the provisions of the ordinance are intended to minimize damage to public facilities and utilities such as water and gas mains, electric, telephone, and sewer lines, streets and bridges located in the floodplain, and prolonged business interruptions; and

**WHEREAS**, floodplains are an important asset to the community. They perform vital natural functions such as temporary storage of floodwaters, moderation of peak flood flows, maintenance of water quality, groundwater recharge, prevention of erosion, habitat for diverse natural wildlife populations, recreational opportunities, and aesthetic quality; and

**WHEREAS**, at the September 20, 2017, Planning Commission Meeting, the Planning Commission discussed text amendments to Chapter 6, Section 6.5, Flood Damage Control of the Unified Development Ordinance: and

**WHEREAS**, the Planning Commission unanimously recommends that Chapter 6, Section 6.5 of the Unified Development Ordinance be removed and replaced; and

**NOW, THEREFORE, BE IT ORDAINED** and ordered by the Mayor and City Council of the City of Walterboro, South Carolina, that Chapter 6, Section 6.5 of the Unified Development Ordinance of the City of Walterboro, South Carolina is hereby amended to by removing Section 6.5 in its entirety and replacing it with Chapter 6, Section 6.5 with the following language:

## **Section 6.5 Flood Damage Control**

### **6.5.1 Statutory Authorization**

The Legislature of the State of South Carolina has in SC Code of Laws, Title 5 and Title 6, and amendments thereto, delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry.

### **6.5.2 Findings of Fact**

The Special Flood Hazard Areas of the City of Walterboro are subject to periodic inundation which results in loss of life, property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures of flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.

Furthermore, these flood losses are caused by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities, and by the occupancy in flood hazard areas by uses vulnerable to floods or hazardous to other lands which are inadequately elevated, floodproofed, or otherwise unprotected from flood damages.

### **6.5.3 Statement of Purpose**

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

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

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



#### **6.5.4 Applicability of Section**

This Section shall apply to all areas of special flood hazard within the jurisdiction of \_\_\_\_\_ the City of Walterboro as identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study, dated December 21, 2017, with accompanying maps and other supporting data that are hereby adopted by reference and declared to be a part of this ordinance.

Upon annexation any special flood hazard areas identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study for the unincorporated areas of \_\_\_\_\_ Colleton County, with accompanying map and other data are adopted by reference and declared part of this ordinance.

#### **6.5.5 Establishment of Development Permit**

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

#### **6.5.6 Compliance**

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

#### **6.5.7 Interpretation**

In the interpretation and application of this Section all provisions shall be considered as minimum requirements, liberally construed in favor of the governing body, and deemed neither to limit nor repeal any other powers granted under State law. This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another conflict or overlap, whichever imposes the more stringent restrictions, shall prevail.

#### **6.5.8 Partial Invalidity and Severability**

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

#### **6.5.9 Warning and Disclaimer of Liability**

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

#### **6.5.10 Penalties for Violation**

Violation of the provisions of this ordinance or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions, shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with

any of its requirements shall, upon conviction thereof, be fined not more than \$500.00 or imprisoned for not more than 30 days, or both. Each day the violation continues shall be considered a separate offense. Nothing herein contained shall prevent the City of Walterboro from taking such other lawful action as is necessary to prevent or remedy any violation.

#### **6.5.11 Definitions (Appendix A – Flood Control Definitions)**

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance it's most reasonable application.

**Accessory Structure (Appurtenant Structure)** - structures that are located on the same parcel of property as the principal structure and the use of which is incidental to the use of the principal structure. Accessory Structures should constitute a minimal investment, may not be used for human habitation, and be designed to have minimal flood damage potential. Examples of accessory structures are detached garages, carports, storage sheds, pole barns, and hay sheds.

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

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

**Appeal** - a request for a review of the local floodplain administrator's interpretation of any provision of this ordinance.

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

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

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

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

**Building** - see structure.

**Critical Development** – development that is critical to the community's public health and safety, is essential to the orderly functioning of a community, store or produce highly volatile, toxic or water-reactive materials, or house occupants that may be insufficiently mobile to avoid loss of life or injury. Examples of critical development include jails, hospitals, schools, fire stations, nursing homes, wastewater treatment facilities, water plants, and gas/oil/propane storage facilities.

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

or storage of equipment or materials.

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

**Executive Order 11988 (Floodplain Management)** - Issued by President Carter in 1977, this order requires that no federally assisted activities be conducted in or have the potential to affect identified special flood hazard areas, unless there is no practicable alternative.

**Existing construction** - means, for the purposes of determining rates, structures for which the start of construction commenced before June 7, 1974.

**Existing manufactured home park or manufactured home subdivision** - a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before April 17, 1987.

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

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

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

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

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

**Flood-resistant material** - any building material capable of withstanding direct and prolonged contact (minimum 72 hours) with floodwaters without sustaining damage that requires more than low-cost cosmetic repair. Any material that is water-soluble or is not resistant to alkali or acid in water, including normal adhesives for above-grade use, is not flood-resistant. Pressure-treated lumber or naturally decay-resistant lumbers are acceptable flooring materials. Sheet-type flooring coverings that restrict evaporation from below and materials that are impervious, but dimensionally unstable are not acceptable. Materials that absorb or retain water excessively after submergence are not flood-resistant. Please refer to Technical Bulletin 2, *Flood Damage-Resistant Materials Requirements*, dated 8/08, and available from the Federal Emergency Management Agency. Class 4 and 5 materials, referenced therein, are acceptable flood-resistant materials.

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

**Freeboard** - a factor of safety usually expressed in feet above a flood level for purposes of flood plain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

**Functionally dependent use**- a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

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

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

**Increased Cost of Compliance (ICC)** – applies to all new and renewed flood insurance policies effective on and after June 1, 1997. The NFIP shall enable the purchase of insurance to cover the cost of compliance with land use and control measures established under Section 1361. It provides coverage for the payment of a claim to help pay for the cost to comply with State or community floodplain management laws or ordinances after a flood event in which a building has been declared substantially or repetitively damaged.

**Limited storage** - an area used for storage and intended to be limited to incidental items that can withstand exposure to the elements and have low flood damage potential. Such an area must be of flood resistant or breakaway material, void of utilities except for essential lighting and cannot be temperature controlled. If the area is located below the base flood elevation in an A, AE and A1-A30 zone it must meet the requirements of Section 6.5.15.A.4 of this ordinance.

**Lowest Adjacent Grade (LAG)** - is an elevation of the lowest ground surface that touches any deck support, exterior walls of a building or proposed building walls.

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

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

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

**Mean Sea Level** – means, for the purpose of this ordinance, the Nations Geodetic Vertical Datum (NGVD) of 1929, North American Vertical Datum (NAVD) of 1988, or other datum, to which the base flood elevations shown on a community's Flood Insurance Rate Maps (FIRM) are shown.

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

**North American Vertical Datum (NAVD) of 1988** – vertical control, as corrected in 1988, used as the reference datum on Flood Insurance Rate Maps.

**New construction** - structure for which the start of construction commenced on or after \_\_\_\_\_ April 17, 1987. The term also includes any subsequent improvements to such structure.

**New manufactured home park or subdivision** - a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete slabs) is completed on or after April 17, 1987.

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

**Repetitive Loss** – a building covered by a contract for flood insurance that has incurred flood-related damages on 2 occasions during a 10 year period ending on the date of the event for which a second claim is made, in which the cost of repairing the flood damage, on the average, equaled or exceeded 25% of the market value of the building at the time of each such flood event.

**Section 1316 of the National Flood insurance Act of 1968** - The act provides that no new flood insurance shall be provided for any property found by the Federal Emergency Management Agency to have been declared by a state or local authority to be in violation of state or local ordinances.

**Stable Natural Vegetation** - the first place on the oceanfront where plants such as sea oats hold sand in place.

**Start of construction** - for other than new construction or substantial improvements under the Coastal Barrier Resources Act (P.L. 97-348), includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, or improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or

walkways; nor does it include excavation for footings, piers or foundations, or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of the building, whether or not that alteration affects the external dimensions of the building.

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

**Substantial damage** - damage of any origin sustained by a structure whereby the cost of restoring the structure to it's before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. Such repairs may be undertaken successively and their costs counted cumulatively. Please refer to the definition of "substantial improvement".

**Substantial improvement** - any repair, reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the start of construction of the improvement. This term includes structures that have incurred repetitive loss or substantial damage, regardless of the actual repair work performed. The term does not, however, include either:

- a) any project of improvement to a structure to correct existing violations of State or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions or,
- b) any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.

Permits shall be cumulative for a period of five years. If the improvement project is conducted in phases, the total of all costs associated with each phase, beginning with the issuance of the first permit, shall be utilized to determine whether "substantial improvement" will occur.

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

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

**Violation** – the failure of a structure or other development to be fully compliant with these regulations.

#### **6.5.12 Administration**

A. The Assistant City Manager is hereby appointed to administer and implement the provisions of this ordinance.

B. All LOMRs that are issued in the areas identified in Section 6.5.4 of this ordinance are hereby adopted.

#### **6.5.13 Development Permit and Certification Requirements**

**A. Development Permit:** - Application for a development permit shall be made to the local floodplain administrator on forms furnished by him or her prior to any development activities. The development

permit may include, but not be limited to, plans in duplicate drawn to scale showing: the nature, location, dimensions, and elevations of the area in question; existing or proposed structures; and the location of fill materials, storage areas, and drainage facilities. Specifically, the following information is required:

1. A plot plan that shows the 100-year floodplain contour or a statement that the entire lot is within the floodplain must be provided by the development permit applicant when the lot is within or appears to be within the floodplain as mapped by the Federal Emergency Management Agency or the floodplain identified pursuant to either the Duties and Responsibilities of the local floodplain administrator of Section 6.5.14.K or the Standards for Subdivision Proposals of Section 6.5.15.12.B and the Standards for streams without Estimated Base Flood Elevations and Floodways of Section 6.5.15.B.13. The plot plan must be prepared by or under the direct supervision of a registered land surveyor or professional engineer and certified by it. The plot plan must show the floodway, if any, as identified by the Federal Emergency Management Agency or the floodway identified pursuant to either the duties or responsibilities of the local floodplain administrator of Section 6.5.14.K or the standards for subdivision proposals of Section 6.5.15.B.12 and the standards for streams without estimated base flood elevations and floodways of Section 6.5.15.B.13.

2. Where base flood elevation data is provided as set forth in Section 6.5.4 or the duties and responsibilities of the local floodplain administrator of Section 6.5.14.K the application for a development permit within the flood hazard area shall show:

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

(b) if the structure will be floodproofed in accordance with the Non-Residential Construction requirements of Section 6.5.15.B.2 the elevation (in relation to mean sea level) to which the structure will be floodproofed.

(c) Where base flood elevation data is not provided as set forth in Section 6.5.4 or the duties and responsibilities of the local floodplain administrator of Section 6.5.14.K, then the provisions in the standards for streams without estimated base flood elevations and floodways of Section 6.5.15.B.13 must be met.

(d) Alteration of Watercourse: Where any watercourse will be altered or relocated as a result of proposed development, the application for a development permit shall include a description of the extent of watercourse alteration or relocation, an engineering study to demonstrate that the flood-carrying capacity of the altered or relocated watercourse is maintained and a map showing the location of the proposed watercourse alteration or relocation

## **B. Certifications**

1. Floodproofing Certification - When a structure is floodproofed, the applicant shall provide certification from a registered, professional engineer or architect that the non-residential, floodproofed structure meets the floodproofing criteria in the non-residential construction requirements of Section 6.5.15.B and Section 6.5.15.B.2.

2. Certification During Construction – A lowest floor elevation or floodproofing certification is required after the lowest floor is completed. As soon as possible after completion of the lowest floor and before any further vertical construction commences, or floodproofing by whatever construction means, whichever is applicable, it shall be the duty of the permit holder to submit to the local floodplain administrator a certification of the elevation of the lowest floor, or floodproofed elevation, whichever is applicable, as built, in relation to mean sea level. Said certification shall be prepared by or under the direct supervision of a

registered land surveyor or professional engineer and certified by it. Any work done prior to submission of the certification shall be at the permit holder's risk. The local floodplain administrator shall review the floor elevation survey data submitted. The permit holder immediately and prior to further progressive work being permitted to proceed shall correct deficiencies detected by such review. Failure to submit the survey or failure to make said corrections required hereby shall be cause to issue a stop-work order for the project.

3. As-built Certification - Upon completion of the development a registered professional engineer, land surveyor or architect, in accordance with SC law, shall certify according to the requirements of Section 6.5.13.B that the development is built in accordance with the submitted plans and previous pre-development certifications.

#### **6.5.14 Duties and Responsibilities of the Local Floodplain Manager**

**A. Permit Review** - Review all development permits to assure that the requirements of this ordinance have been satisfied.

**B. Requirement of Federal and/or state permits** - Review proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C 1334.

#### **C. Watercourse alterations –**

1. Notify adjacent communities and the South Carolina Department of Natural Resources, Land, Water, and Conservation Division, State Coordinator for the National Flood Insurance Program, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.

2. In addition to the notifications required watercourse alterations per Section 6.5.14, written reports of maintenance records must be maintained to show that maintenance has been provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is maintained. This maintenance must consist of a comprehensive program of periodic inspections, and routine channel clearing and dredging, or other related functions. The assurance shall consist of a description of maintenance activities, frequency of performance, and the local official responsible for maintenance performance. Records shall be kept on file for FEMA inspection.

3. If the proposed project will modify the configuration of the watercourse, floodway, or base flood elevation for which a detailed Flood Insurance Study has been developed, the applicant shall apply for and must receive approval for a Conditional Letter of Map Revision with the Federal Emergency Management Agency prior to the start of construction.

4. Within 60 days of completion of an alteration of a watercourse, referenced in the certification requirements of Section 6.5.13.B, the applicant shall submit as-built certification, by a registered professional engineer, to the Federal Emergency Management Agency.

**D. Floodway encroachments** - Prevent encroachments within floodways unless the certification and flood hazard reduction provisions of Section 6.5.15.B.5 are met.

**E. Adjoining Floodplains** - Cooperate with neighboring communities with respect to the management of adjoining floodplains and/or flood-related erosion areas in order to prevent aggravation of existing hazards.



**F. Notifying Adjacent Communities** – Notify adjacent communities prior to permitting substantial commercial developments and large subdivisions to be undertaken in areas of special flood hazard and/or flood-related erosion hazards.

**G. Certification requirements** –

1. Obtain and review actual elevation (in relation to mean sea level) of the lowest floor of all new or substantially improved structures, in accordance with administrative procedures outlined in Section 6.5.13.B.

2. Obtain the actual elevation (in relation to mean sea level) to which the new or substantially improved structures have been floodproofed, in accordance with the floodproofing certification outlined in Section 6.5.13.B.1.

3. When floodproofing is utilized for a particular structure, obtain certifications from a registered professional engineer or architect in accordance with the non-residential construction requirements outlined in Section 6.5.15.B.2.

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

**I. Prevailing Authority** – Where a map boundary showing an area of special flood hazard and field elevations disagree, the base flood elevations for flood protection elevations (as found on an elevation profile, floodway data table, etc.) shall prevail. The correct information should be submitted to FEMA as per the map maintenance activity requirements outlined in Section 6.5.15.B.7.b.

**J. Use Of Best Available Data** - When base flood elevation data and floodway data has not been provided in accordance with Section 6.5.4, obtain, review, and reasonably utilize best available base flood elevation data and floodway data available from a federal, state, or other source, including data developed pursuant to the standards for subdivision proposals outlined in Section 6.5.15.B.12, in order to administer the provisions of this ordinance. Data from preliminary, draft, and final Flood Insurance Studies constitutes best available data from a federal, state, or other source. Data must be developed using hydraulic models meeting the minimum requirement of NFIP approved model. If an appeal is pending on the study in accordance with 44 CFR Ch. 1, Part 67.5 and 67.6, the data does not have to be used.

**K. Special Flood hazard Area/topographic Boundaries Conflict** - When the exact location of boundaries of the areas special flood hazards conflict with the current, natural topography information at the site; the site information takes precedence when the lowest adjacent grade is at or above the BFE, the property owner may apply and be approved for a Letter of Map Amendment (LOMA) by FEMA. The local floodplain administrator in the permit file will maintain a copy of the Letter of Map Amendment issued from FEMA.

**L. On-Site inspections** - Make on-site inspections of projects in accordance with the administrative procedures outlined in Section 6.5.14.A

**M. Administrative Notices** - Serve notices of violations, issue stop-work orders, revoke permits and take corrective actions in accordance with the administrative procedures in Section 6.5.14.

**N. Records Maintenance** - Maintain all records pertaining to the administration of this ordinance and make these records available for public inspection.

**O. Annexations and Detachments** - Notify the South Carolina Department of Natural Resources Land, Water and Conservation Division, State Coordinator for the National Flood Insurance Program within six (6) months, of any annexations or detachments that include special flood hazard areas.

**P. Federally Funded Development** - The President issued *Executive Order 11988, Floodplain Management May 1977*. E.O. 11988 directs federal agencies to assert a leadership role in reducing flood losses and losses to environmental values served by floodplains. Proposed developments must go through an eight-step review process. Evidence of compliance with the executive order must be submitted as part of the permit review process.

**Q. Substantial Damage Determination** – Perform an assessment of damage from any origin to the structure using FEMA’s Residential Substantial Damage Estimator (RSDE) software to determine if the damage equals or exceeds 50 percent of the market value of the structure before the damage occurred.

**R. Substantial Improvement Determinations** – Perform an assessment of permit applications for improvements or repairs to be made to a building or structure that equals or exceeds 50 percent of the market value of the structure before the start of construction. Cost of work counted for determining if and when substantial improvement to a structure occurs shall be cumulative for a period of five years. If the improvement project is conducted in phases, the total of all costs associated with each phase, beginning with the issuance of the first permit, shall be utilized to determine whether “substantial improvement” will occur.

*The market values shall be determined by one of the following methods:*

1. The current assessed building value as determined by the county’s assessor’s office or the value of an appraisal performed by a licensed appraiser at the expense of the owner within the past 6 months.
2. One or more certified appraisals from a registered professional licensed appraiser in accordance with the laws of South Carolina. The appraisal shall indicate actual replacement value of the building or structure in its pre-improvement condition, *less the cost of site improvements and depreciation for functionality and obsolescence.*
3. Real Estate purchase contract within 6 months prior to the date of the application for a permit.

#### **6.5.14 Administrative Procedures**

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

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

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

**D. Periodic Inspections** - The local floodplain administrator and each member of his/her inspections department shall have a right, upon presentation of proper credentials, to enter on any premises within the territorial jurisdiction of the department at any reasonable hour for the purposes of inspection or other enforcement action.

**E. Violations to be Corrected** - When the local floodplain administrator finds violations of applicable state and local laws, it shall be his/her duty to notify the owner or occupant of the building of the violation. The owner or occupant shall immediately remedy each of the violations of law on the property he owns.

**F. Actions in Event of Failure to Take Corrective Action:** If the owner of a building or property shall fail to take prompt corrective action, the floodplain administrator shall give him written notice, by certified or registered mail to his last known address or by personal service, that:

1. The building or property is in violation of the Flood Damage Prevention Ordinance,
2. A hearing will be held before the local floodplain administrator at a designated place and time, not later than 10 days after the date of the notice, at which time the owner shall be entitled to be heard in person or by counsel and to present arguments and evidence pertaining to the matter; and,
3. Following the hearing, the local floodplain administrator may issue such order to alter, vacate, or demolish the building; or to remove fill as appears appropriate.

**G. Order to Take Corrective Action:** If, upon a hearing held pursuant to the notice prescribed above, the floodplain administrator shall find that the building or development is in violation of the Flood Damage Prevention Ordinance, he/she shall make an order in writing to the owner, requiring the owner to remedy the violation within such period, not less than 60 days, the floodplain administrator may prescribe; provided that where the floodplain administrator finds that there is imminent danger to life or other property, he may order that corrective action be taken in such lesser period as may be feasible.

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

**I. Failure to Comply with Order:** If the owner of a building or property fails to comply with an order to take corrective action from which no appeal has been taken, or fails to comply with an order of the governing body following an appeal, he shall be guilty of a misdemeanor and shall be punished in the discretion of the court.

**J. Denial of Flood Insurance under the NFIP:** If a structure is declared in violation of this ordinance and after all other penalties are exhausted to achieve compliance with this ordinance then the local floodplain administrator shall notify the Federal Emergency Management Agency (FEMA) to initiate a Section 1316 of the National Flood insurance Act of 1968 action against the structure upon the finding that the violator

refuses to bring the violation into compliance with the ordinance. Once a violation has been remedied the local floodplain administrator shall notify FEMA of the remedy and ask that the Section 1316 be rescinded.

**K.** The following **documents** are incorporated by reference and may be used by the local floodplain administrator to provide further guidance and interpretation of this ordinance as found on FEMA's website at [www.fema.gov](http://www.fema.gov):

1. FEMA 55 Coastal Construction Manual
2. All FEMA Technical Bulletins
3. All FEMA Floodplain Management Bulletins
4. FEMA 348 Protecting Building Utilities from Flood Damage
5. FEMA 499 Home Builder's Guide to Coastal Construction Technical Fact Sheets

#### **6.5.15 Provisions for Flood Hazard Reduction**

##### **A. General Standards**

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

1. **Reasonably Safe from Flooding** - Review all permit applications to determine whether proposed building sites will be reasonably safe from flooding
2. **Anchoring** - All new construction and substantial improvements shall be anchored to prevent flotation, collapse, and lateral movement of the structure.
3. **Flood Resistant Materials and Equipment** - All new construction and substantial improvements shall be constructed with flood resistant materials and utility equipment resistant to flood damage in accordance with Technical Bulletin 2, *Flood Damage-Resistant Materials Requirements*, dated 8/08, and available from the Federal Emergency Management Agency.
4. **Minimize Flood Damage** - All new construction and substantial improvements shall be constructed by methods and practices that minimize flood damages,
5. **Critical Development** - shall be elevated to the 500 year flood elevation or be elevated to the highest known historical flood elevation (where records are available), whichever is greater. If no data exists establishing the 500 year flood elevation or the highest known historical flood elevation, the applicant shall provide a hydrologic and hydraulic engineering analysis that generates 500 year flood elevation data,
6. **Utilities** - Electrical, ventilation, plumbing, heating and air conditioning equipment (including ductwork), and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of the base flood plus two feet (freeboard).
7. **Water Supply Systems** - All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system,

**8. Sanitary Sewage Systems** – New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into floodwaters, On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding,

**9. Gas Or Liquid Storage Tanks** – All gas or liquid storage tanks, either located above ground or buried, shall be anchored to prevent floatation and lateral movement resulting from hydrodynamic and hydrostatic loads.

**10. Alteration, Repair, Reconstruction, Or Improvements** - Any alteration, repair, reconstruction, or improvement to a structure that is in compliance with the provisions of this ordinance, shall meet the requirements of "new construction" as contained in this ordinance. This includes post-FIRM development and structures.

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

**12. American with Disabilities Act (ADA)** - A building must meet the specific standards for floodplain construction outlined in Section 6.5.15.B, as well as any applicable ADA requirements. The ADA is not justification for issuing a variance or otherwise waiving these requirements. Also, the cost of improvements required to meet the ADA provisions shall be included in the costs of the improvements for calculating substantial improvement.

## **B. Specific Standards**

In all areas of special flood hazard (Zones A, AE, AH, AO, A1-30, V, and VE) where base flood elevation data has been provided, as set forth in Section 6.5.4 or outlined in the Duties and Responsibilities of the local floodplain administrator Section 6.5.14., the following provisions are required:

**1. Residential Construction** - New construction and substantial improvement of any residential structure (including manufactured homes) shall have the lowest floor elevated no lower than three feet above the base flood elevation. No basements are permitted. Should solid foundation perimeter walls be used to elevate a structure, flood openings sufficient to automatically equalize hydrostatic flood forces, shall be provided in accordance with the elevated buildings requirements in Section 6.5.14.B.4.

### **2. Non-Residential Construction**

a. New construction and substantial improvement of any commercial, industrial, or non-residential structure (including manufactured homes) shall have the lowest floor elevated no lower than three feet above the level of the base flood elevation. Should solid foundation perimeter walls be used to elevate a structure, flood openings sufficient to automatically equalize hydrostatic flood forces, shall be provided in accordance with the elevated buildings requirements in Section 6.5.14.B.4. No basements are permitted. Structures located in A-zones may be floodproofed in lieu of elevation provided that all areas of the structure below the required elevation are watertight with walls substantially impermeable to the passage of water, using

structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy.

b. Registered, professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certifications shall be provided to the official as set forth in the floodproofing certification requirements in Section 6.5.13.B.1. A variance may be considered for wet-floodproofing agricultural structures in accordance with the criteria outlined in Section 6.5.16 of this ordinance. Agricultural structures not meeting the criteria of Section 6.5.16 must meet the non-residential construction standards and all other applicable provisions of this ordinance. Structures that are floodproofed are required to have an approved maintenance plan with an annual exercise. The local floodplain administrator must approve the maintenance plan and notification of the annual exercise shall be provided to it.

### **3. Manufactured Homes**

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

b. Manufactured homes that are to be placed or substantially improved on sites in an existing manufactured home park or subdivision that are not subject to the provisions for residential construction in Section 6.5.15.B.1 of this ordinance must be elevated so that the lowest floor of the manufactured home is elevated no lower than three feet than above the base flood elevation, and be securely anchored to an adequately anchored foundation to resist flotation, collapse, and lateral movement.

c. Manufactured homes shall be anchored to prevent flotation, collapse, and lateral movement. For the purpose of this requirement, manufactured homes must be anchored to resist flotation, collapse, and lateral movement in accordance with Section 40-29-10 of the *South Carolina Manufactured Housing Board Regulations*, as amended. Additionally, when the elevation requirement would be met by an elevation of the chassis 36 inches or less above the grade at the site, the chassis shall be supported by reinforced piers or engineered foundation. When the elevation of the chassis is above 36 inches in height an engineering certification is required.

d. An evacuation plan must be developed for evacuation of all residents of all new, substantially improved or substantially damaged manufactured home parks or subdivisions located within flood-prone areas. This plan shall be filed with and approved by the local floodplain administrator and the local Emergency Preparedness Coordinator.

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

a. Designs for complying with this requirement must either be certified by a professional engineer or architect or meet or exceed all of the following minimum criteria:

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

- ii. The bottom of each opening must be no more than 1 foot above the higher of the interior or exterior grade immediately under the opening,
- iii. Only the portions of openings that are below the base flood elevation (BFE) can be counted towards the required net open area.
- iv. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided they permit the automatic flow of floodwaters in both directions.
- v. Fill placed around foundation walls must be graded so that the grade inside the enclosed area is equal to or higher than the adjacent grade outside the building on at least one side of the building.

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

c. **Enclosures Below Lowest Floor**

- i. Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the living area (stairway or elevator).
- ii. The interior portion of such enclosed area shall not be finished or partitioned into separate rooms, must be void of utilities except for essential lighting as required for safety, and cannot be temperature controlled.
- iii. One wet location switch and/or outlet connected to a ground fault interrupt breaker may be installed below the required lowest floor elevation specified in the specific standards outlined in Sections 6.5.15.B – 1, 2 and 3.
- iv. All construction materials below the required lowest floor elevation specified in the specific standards outlined in Section 6.5.15.12.B - 1, 2, 3 and 4 should be of flood resistant materials.

**5. Floodways** - Located within areas of special flood hazard established in Section 6.5.4, are areas designated as floodways. The floodway is an extremely hazardous area due to the velocity of floodwaters that carry debris and potential projectiles and has erosion potential. The following provisions shall apply within such areas:

- a. No encroachments, including fill, new construction, substantial improvements, additions, and other developments shall be permitted unless:
  - i. It has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in the flood levels during the occurrence of the base flood. Such certification and technical data shall be presented to the local floodplain administrator.
  - ii. A Conditional Letter of Map revision (CLOMR) has been approved by FEMA. A Letter of Map Revision must be obtained upon completion of the proposed development.

b. If Section 6.5.15.B.5.a is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Section 6.5.15.

c. No manufactured homes shall be permitted, except in an existing manufactured home park or subdivision. A replacement manufactured home may be placed on a lot in an existing manufactured home park or subdivision provided the anchoring and the elevation standards of Section 6.5.15.B.3 and the encroachment standards of Section 6.5.15.B.5.a.

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

## **6. Recreational Vehicles**

a. A recreational vehicle is ready for highway use if it is:

- i. on wheels or jacking system
- ii. attached to the site only by quick-disconnect type utilities and security devices; and
- iii. has no permanently attached additions

b. Recreational vehicles placed on sites shall either be:

- i. on site for fewer than 180 consecutive days; or
- ii. be fully licensed and ready for highway use, or *meet* the development permit and certification requirements of Section 6.5.14, general standards outlined in Section 6.5.15.A, and manufactured homes standards in Section 6.5.15.B (3) and (4).

**7. Map Maintenance Activities** – The National Flood Insurance Program (NFIP) requires flood data to be reviewed and approved by FEMA. This ensures that flood maps, studies and other data identified in Section 6.5.4 accurately represent flooding conditions so appropriate floodplain management criteria are based on current data. The following map maintenance activities are identified:

a. Requirement to Submit New Technical Data

- i. For all development proposals that impact floodway delineations or base flood elevations, the community shall ensure that technical or scientific data reflecting such changes be submitted to FEMA as soon as practicable, but no later than six months of the date such information becomes available. These development proposals include; but not limited to:
  - 1) Floodway encroachments that increase or decrease base flood elevations or alter floodway boundaries;
  - 2) Fill sites to be used for the placement of proposed structures where the applicant desires to remove the site from the special flood hazard area;



- 3) Alteration of watercourses that result in a relocation or elimination of the special flood hazard area, including the placement of culverts; and
  - 4) Subdivision or large scale development proposals requiring the establishment of base flood elevations in accordance with Section 6.5.15.B.13.1.
- ii. It is the responsibility of the applicant to have technical data, required in accordance with Section 6.5.15.B.7, prepared in a format required for a Conditional Letter of Map Revision or Letter of Map Revision, and submitted to FEMA. Submittal and processing fees for these map revisions shall also be the responsibility of the applicant.
  - iii. The local floodplain administrator shall require a Conditional Letter of Map Revision prior to the issuance of a floodplain development permit for:
    - 1) Proposed floodway encroachments that increase the base flood elevation; and
    - 2) Proposed development which increases the base flood elevation by more than one foot in areas where FEMA has provided base flood elevations but no floodway.
  - iv. Floodplain development permits issued by the local floodplain administrator shall be conditioned upon the applicant obtaining a Letter of Map Revision from FEMA for any development proposal subject to Section 6.5.15.B.7.

**b. Right to Submit New Technical Data** - The floodplain administrator may request changes to any of the information shown on an effective map that does not impact floodplain or floodway delineations or base flood elevations, such as labeling or planimetric details. Such a submission shall include appropriate supporting documentation made in writing by the local jurisdiction and may be submitted at any time.

## **8. Accessory Structures**

a. A detached accessory structure or garage, the cost of which is greater than \$3,000, must comply with the requirements as outlined in FEMA's Technical Bulletin 7-93 *Wet Floodproofing Requirements or be elevated in accordance with Section 6.5.15 B(1) and B(4) or dry floodproofed in accordance with Section 6.5.15 B(2)*.

b. If accessory structures of \$3,000 or less are to be placed in the floodplain, the following criteria shall be met:

- 1) Accessory structures shall not be used for any uses other than the parking of vehicles and storage,
- 2) Accessory structures shall be designed to have low flood damage potential,
- 3) Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters,
- 4) Accessory structures shall be firmly anchored to prevent flotation, collapse and lateral movement of the structure,
- 5) Service facilities such as electrical and heating equipment shall be installed in accordance with Section 6.5.15.A.5,

- 6) Openings to relieve hydrostatic pressure during a flood shall be provided below base flood elevation in conformance with Section 6.5.15.B.4a, and
- 7) Accessory structures shall be built with flood resistance materials in accordance with Technical Bulletin 2, *Flood Damage-Resistant Materials Requirements*, dated 8/08, and available from the Federal Emergency Management Agency. Class 4 and 5 materials, referenced therein, are acceptable flood-resistant materials.

**9. Swimming Pool Utility Equipment Rooms** - If the building cannot be built at or above the BFE, because of functionality of the equipment then a structure to house the utilities for the pool may be built below the BFE with the following provisions:

- a. Meet the requirements for accessory structures in Section 6.5.15.B.8.
- b. The utilities must be anchored to prevent flotation and shall be designed to prevent water from entering or accumulating within the components during conditions of the base flood.

**10. Elevators**

- a. Install a float switch system or another system that provides the same level of safety necessary for all elevators where there is a potential for the elevator cab to descend below the BFE during a flood per FEMA's Technical Bulletin 4-93 Elevator Installation for Buildings Located in Special Flood Hazard Areas.
- b. All equipment that may have to be installed below the BFE such as counter weight roller guides, compensation cable and pulleys, and oil buffers for traction elevators and the jack assembly for a hydraulic elevator must be constructed using flood-resistant materials where possible per FEMA's Technical Bulletin 4-93 Elevator Installation for Buildings Located in Special Flood Hazard Areas.

**11. Fill** - An applicant shall demonstrate that fill is the only alternative to raising the building to meet the residential and non-residential construction requirements of Section 6.5.15 B(1) or B(2), and that the amount of fill used will not affect the flood storage capacity or adversely affect adjacent properties. The following provisions shall apply to all fill placed in the special flood hazard area:

- a. Fill may not be placed in the floodway unless it is in accordance with the requirements in Section 6.5.15.B.5.a.
- b. Fill may not be placed in tidal or non-tidal wetlands without the required state and federal permits.
- c. Fill must consist of soil and rock materials only. A registered professional geotechnical engineer may use dredged material as fill only upon certification of suitability. Landfills, rubble fills, dumps, and sanitary fills are not permitted in the floodplain.
- d. Fill used to support structures must comply with ASTM Standard D-698, and its suitability to support structures certified by a registered, professional engineer.
- e. Fill slopes shall be no greater than two horizontal to one vertical. Flatter slopes may be required where velocities may result in erosion.
- f. The use of fill shall not increase flooding or cause drainage problems on neighboring properties.

- g. Fill may not be used for structural support in the coastal high hazard areas.
- h. Will meet the requirements of FEMA Technical Bulletin 10-01, *Ensuring That Structures Built On Fill in or Near Special Flood Hazard Areas Are Reasonable Safe from Flooding*.

## **12. Standards for Subdivision Proposals and other development**

- a. All subdivision proposals and other proposed new development shall be consistent with the need to minimize flood damage and are subject to all applicable standards in these regulations.
- b. All subdivision proposals and other proposed new development shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage.
- c. All subdivision proposals and other proposed new development shall have adequate drainage provided to reduce exposure to flood damage.
- d. The applicant shall meet the requirement to submit technical data to FEMA in Section 6.5.15.B.7 when a hydrologic and hydraulic analysis is completed that generates base flood elevations.

**13. Standards for Streams without Established Base Flood Elevations and Floodways** - Located within the areas of special flood hazard (Zones A and V) established in Section 6.5.4, are small streams where no base flood data has been provided and where no floodways have been identified. The following provisions apply within such areas:

- a. In all areas of special flood hazard where base flood elevation data are not available, the applicant shall provide a hydrologic and hydraulic engineering analysis that generates base flood elevations for all subdivision proposals and other proposed developments containing at least 50 lots or 5 acres, whichever is less.
- b. No encroachments, including fill, new construction, substantial improvements and new development shall be permitted within 100 feet of the stream bank unless certification with supporting technical data by a registered professional engineer is provided demonstrating that such encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.
- c. If Section 6.5.15.B.13.1 is satisfied and base flood elevation data is available from other sources, all new construction and substantial improvements within such areas shall comply with all applicable flood hazard ordinance provisions of Section 6.5.15 and shall be elevated or floodproofed in accordance with elevations established in accordance with Section 6.5.14.A1.
- d. Data from preliminary, draft, and final Flood Insurance Studies constitutes best available data. Refer to FEMA Floodplain Management Technical Bulletin 1-98 *Use of Flood Insurance Study (FIS) Data as Available Data*. If an appeal is pending on the study in accordance with 44 CFR Ch. 1, Part 67.5 and 67.6, the data does not have to be used.
- e. When base flood elevation (BFE) data is not available from a federal, state, or other source one of the following methods may be used to determine a BFE For further information regarding the methods for determining BFEs listed below, refer to FEMA's manual *Managing Floodplain Development in Approximate Zone A Areas*:

i. Contour Interpolation

- 1) Superimpose approximate Zone A boundaries onto a topographic map and estimate a BFE.
- 2) Add one-half of the contour interval of the topographic map that is used to the BFE.

Data Extrapolation - A BFE can be determined if a site within 500 feet upstream of a reach of a stream reach for which a 100-year profile has been computed by detailed methods, and the floodplain and channel bottom slope characteristics are relatively similar to the downstream reaches. No hydraulic structures shall be present.

Hydrologic and Hydraulic Calculations- Perform hydrologic and hydraulic calculations to determine BFEs using FEMA approved methods and software.

**13. Standards for Streams with Established Base Flood Elevations but without Floodways** - Along rivers and streams where Base Flood Elevation (BFE) data is provided but no floodway is identified for a Special Flood Hazard Area on the FIRM or in the FIS.

a. No encroachments including fill, new construction, substantial improvements, or other development shall be permitted unless certification with supporting technical data by a registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

**14. Standards for Areas of Shallow Flooding (AO Zones)** - Located within the areas of special flood hazard established in Section 6.5.4, are areas designated as shallow flooding. The following provisions shall apply within such areas:

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

b. All new construction and substantial improvements of non-residential structures shall:

- i. Have the lowest floor elevated to at least as high as the depth number specified on the Flood Insurance Rate Map, in feet, above the highest adjacent grade. If no depth number is specified, the lowest floor shall be elevated at least three (3) feet above the highest adjacent grade; or,
- ii. Be completely flood-proofed together with attendant utility and sanitary facilities to or above that level so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. Certification is required as stated in Section 6.5.14.

c. All structures on slopes must have drainage paths around them to guide water away from the structures.

#### **6.5.16 Variance Procedures, Requirements and Appeals**

A. The Board of Zoning Appeals shall hear and decide appeals and requests for variances from the requirements of this Section.

B. Any person aggrieved by the decision of the Board of Zoning Appeals may appeal such decision to Circuit Court.

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

D. Variances may be issued for development necessary for the conduct of a functionally dependent use, provided the criteria of this Section are met, no reasonable alternative exist, and the development is protected by methods that minimize flood damage and create no additional threat to public safety.

E. In passing such applications, the Board of Zoning Appeals shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this ordinance, and:

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

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

H. Upon consideration of the factors listed above and the purposes of this ordinance, the Board of Zoning Appeals may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ordinance. The following conditions shall apply to all variances:

1. Variances may not be issued when the variance will make the structure in violation of other federal, state, or local laws, regulations, or ordinances.
2. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
3. Variances shall only be issued upon a showing of good and sufficient cause, a determination that failure to grant the variance would result in exceptional hardship, and a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
4. Any applicant to whom a variance is granted shall be given written notice specifying the difference between the base flood elevation (BFE) and the elevation to which the structure is to be built and a written statement that the cost of flood insurance will be commensurate with the increased risk. Such notification shall be maintained with a record of all variance actions.
5. The local floodplain administrator shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency (FEMA) upon request.
6. Variances shall not be issued for unpermitted development or other development that is not in compliance with the provisions of this ordinance. Violations must be corrected in accordance with Section 6.5.14.5 of this ordinance.

**ADOPTED**, this \_\_\_\_ day of \_\_\_\_\_, 2017.

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William T. Young, Jr.  
Mayor

ATTEST:

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Betty J. Hudson  
City Clerk

First Reading: October 3, 2017  
Public Hearing: November 14, 2017  
Second Reading: \_\_\_\_\_

**ORDINANCE # 2017-11**

**AN ORDINANCE TO UPDATE THE ELEMENTS OF THE CITY OF WALTERBORO COMPREHENSIVE PLAN.**

**WHEREAS**, the Local Government Comprehensive Planning Enabling Act of 1994 requires municipalities to adopt a Comprehensive Plan; and

**WHEREAS**, the City of Walterboro Comprehensive Plan was adopted in 1997; and

**WHEREAS**, the Planning Commission is required to update the nine (9) elements of the Comprehensive Plan every five (5) years; and

**WHEREAS**, the nine (9) elements of the Comprehensive Plan are population, economic development, natural resources, cultural resources, community facilities, housing, land use, transportation and priority investment; and

**WHEREAS**, the Planning Commission met on September 20, 2017, to review updates to the nine (9) elements of the Comprehensive Plan; and

**WHEREAS**, the Planning Commission unanimously adopted a resolution recommending the following updates to the Comprehensive Plan.

**NOW, THEREFORE, BE IT ORDAINED** and ordered by the Mayor and City Council of the City of Walterboro, South Carolina, that the nine (9) elements of the comprehensive be updated pursuant to the recommendations from the Planning Commission.

**DONE**, this \_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
William T. Young, Jr.  
Mayor

ATTEST:

\_\_\_\_\_  
Betty J. Hudson  
City Clerk

First Reading: October 3, 2017  
Public Hearing: November 14, 2017  
Second Reading: \_\_\_\_\_

# City of Walterboro

## 2010 Comprehensive Plan

### Element Update

Comments will be done by Element/Chapter and reference page and paragraph to be amended.

#### **Element/Chapter 1 - Natural Resources**

There have been no developments or events since the 2010 plan that warrant updates.

#### **Element/Chapter 2 – Historic Resources**

This element/chapter has minor changes, but no material changes as the background, goals, and processes remain the same.

##### **Page 2** - Section 2.2

Historic Albert House Hotel – Is now partially vacant, but repaired and on market.

The Old Jail - Change last sentence to ... currently houses Colleton County's Probate Judge, Council Chambers, Finance Department, and Administration Department.

##### **Page 20**

Second Bullet Point - Final sentence should read, "Since the initial plan, the Historic Preservation Overlay has been expanded and the Ordinance was updated and expanded, as part of the Uniform Development Ordinance, to include guidelines."

#### **Element/Chapter 3 - Housing**

No major developments have occurred since the Plan was approved. Only possible update would be addition to the tables. However, nothing has happened that would affect the plan. We will change all of this in 2020.



## **Element/Chapter 4 – Economy**

There have been some developments in this section.

### **Figures to be updated:**

- Update Figure 4.1 on p.34
- Delete 4.2 on p.34

### **Page 41**

Bullet 2 - Delete “Economy hotels”, replace with “mid-scale hotels and B&B options”

Bullet 3 - Change “fast food restaurants” to, “varied hotel and restaurant options.”

Bullet 4 – Detail added. Note that first spec building is sold and operational and second is up and being marketed. Additionally, a pad has been prepared for a third building and recent road improvements/additions make the sites even more attractive and accessible.

Paragraph 3 under bullets – Now begins with The Colleton County Commerce Center is operational and with its FTZ benefits and prominent location along I-95, more development is expected. Previously read “in final development stage”.

NOTE: This is not a history, it is a plan. Do we need to include this if plan is not affected?

## **Element/Chapter 5 – Land Use**

No changes in this element/chapter but we should consider updating maps.

## **Element/Chapter 6 – Community Facilities**

No major changes in this element/chapter. Minor change options include:

### **Page 65**

- Bullet 1
  - o Update the name of the Great Swamp Sanctuary to the Walterboro Wildlife Sanctuary.
- Bullet 6
  - o Change “privately owned” to “County owned”.

### **Page 67**

- Bullet 6 under section 6.6
  - o Add that Forest Circle Middle is not operating as a school currently.

## **Element/Chapter 7 – Population**

Population has seen no movement up or down. This section should probably be left for revisiting in the 2020 Comprehensive Plan process.

## **Element/Chapter 8 – Transportation**

Transportations issues and needs remain constant. No changes recommended.

## **Element/Chapter 9 – Priority Investment**

There were no changes to this section, but for dollar amounts in Table 9.1 on page 91.

**ORDINANCE # 2017-12**

**AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF WALTERBORO, SOUTH CAROLINA, TO PROVIDE FOR CHANGES IN THE ZONING DISTRICTS OF THE CITY OF WALTERBORO BY CHANGING THE ZONING CLASSIFICATION OF TWO PARCELS OF LAND ON WICHMAN STREET DESIGNATED AS TMS #'S 163-11-00-135 AND 163-11-00-136 FROM GENERAL COMMERCIAL DISTRICT (GCD) TO CENTRAL BUSINESS DISTRICT (CBD).**

**WHEREAS**, the Planning Commission of the City of Walterboro met on September 20, 2017 to consider a change in zoning classification from General Commercial District (GCD) to Central Business District (CBD) for the above mentioned properties; and

**WHEREAS**, pursuant to said meeting, the Planning Commission has recommended that the zoning classification of the property aforesaid be changed to the Central Business District (CBD) zoning classification.

**NOW, THEREFORE, BE IT ORDAINED** and ordered by the Mayor and Coty Council of the City of Walterboro, South Carolina, that the Zoning Map of the City of Walterboro, South Carolina is hereby amended by changing the Zoning District classification of the property located on Wichman Street, designated as tax map numbers 163-11-00-135 & 163-11-00-136 from General Commercial District (GCD) to Central Business District (CBD) as shown on the attached map.

**DONE**, this \_\_\_\_\_ day of November, 2017

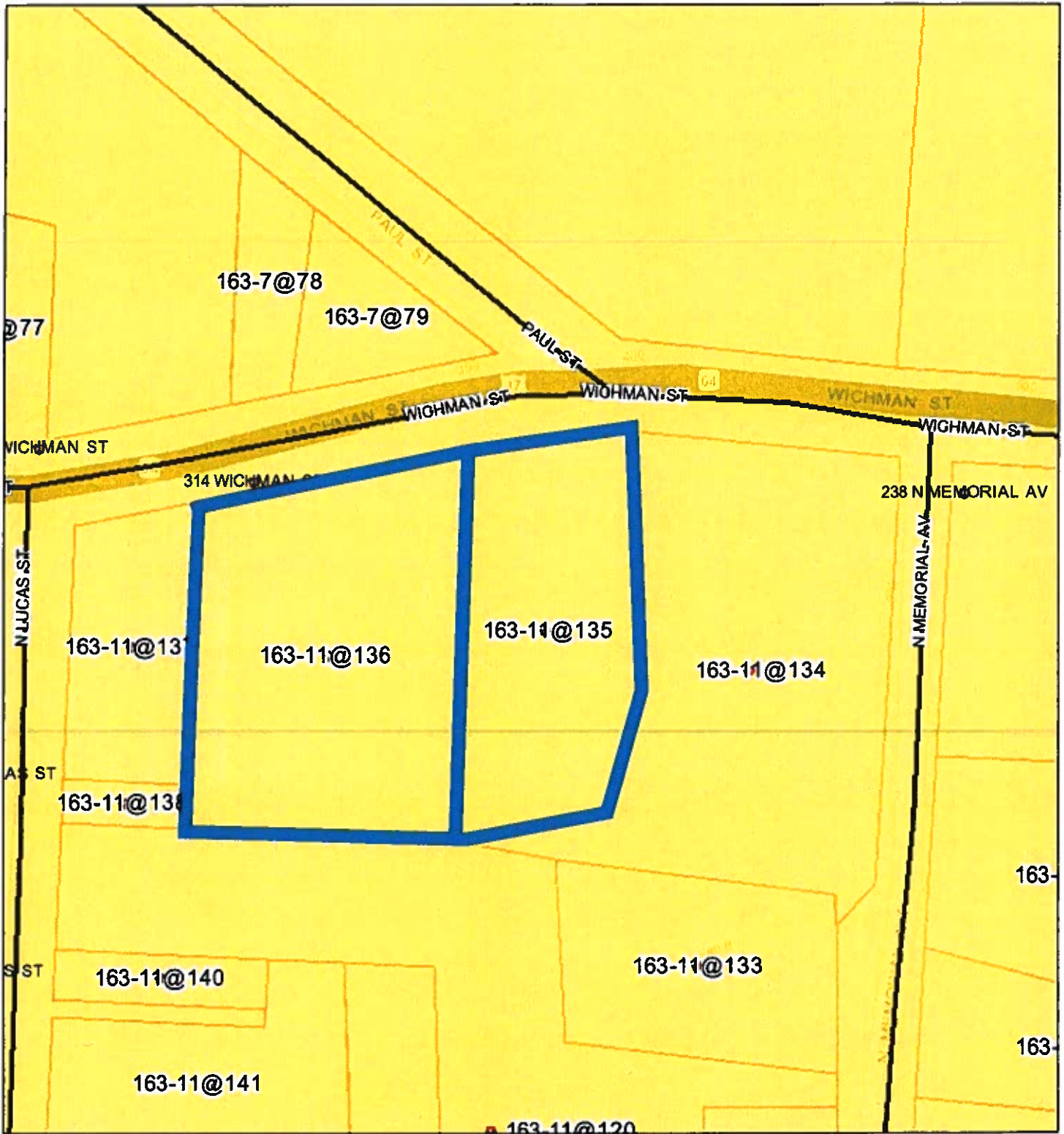
\_\_\_\_\_  
William T. Young, Jr  
Mayor

ATTEST:

\_\_\_\_\_  
Betty J. Hudson  
City Clerk

First Reading: October 3, 2017  
Public Hearing: November 14, 2017  
Second Reading: \_\_\_\_\_

# Artisan Center Lots 163-11@135&136



September 29, 2017

## Lines

 Override 1

 2016 Parcel Records (12/31/2016)

 Address Points

## Road Centerlines

 Paved

Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, Geobase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community  
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus

**RESOLUTION NO. 2017-R-06**  
**COMMUNITY FACILITY GRANT RESOLUTION**

**State of South Carolina**  
**County of Colleton**

For funding of generators, police vehicles, roof and window replacement, and construction of multiple handicap accessibilities, the City of Walterboro would like to submit multiple applications to USDA, Rural Development for Community Facility Grants in the amount of \$212,225.00 to assist in the need for essential community facilities in rural areas of Walterboro, South Carolina.

A meeting of the City of Walterboro Council, governing body, was duly called and held on November 14, 2017. The governing body is composed of 7 members of whom \_\_\_\_\_, constituting a quorum, were present at this meeting. At the meeting, the City of Walterboro Council, governing body, adopted a resolution agreeing to the responsibilities and requirement of Form RD1940-1, "Request for Obligation of Funds", with attachment and authorizing Jeffrey P. Molinari, City Manager and Betty J. Hudson, City Clerk, to execute forms RD 400-4, "Assurance Agreement", 442-7, "Operating Budget", and 1942-46, "Letter of Intent to Meet Conditions", RE3570-3, "Agreement for Administrative Requirements for Community Facilities Grants", AD-1047, "Certification Regarding Debarment, Suspension and other Responsibility Matters – Primary covered Transactions", AD-1048, "Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion – Lower Tier Covered Transaction", AD-1049, "Certification Regarding Drug-Free Workplace Requirements (Grants) Alternative I – for Grantees Other Than Individuals", RD 400-1, "Equal Opportunity Agreement", RD 1945-54 "Applicant's Feasibility Report", and Exhibit A-1 of RD Instruction 1940-Q, "Certification for Contract, Grants, and Loans".

The vote was:

Yeas \_\_\_\_\_ Nays \_\_\_\_\_ Absent \_\_\_\_\_

SEAL

\_\_\_\_\_  
William T. Young, Jr., Mayor

Attest:

\_\_\_\_\_  
Betty J. Hudson, City Clerk

**REQUEST FOR OBLIGATION OF FUNDS**

<b>INSTRUCTIONS-TYPE IN CAPITALIZED ELITE TYPE IN SPACES MARKED ( )</b> Complete Items 1 through 29 and applicable Items 30 through 34. See FMI.			
<b>1. CASE NUMBER</b> ST CO BORROWER ID 46-015-576001119		<b>LOAN NUMBER</b>	<b>FISCAL YEAR</b> 2018
<b>2. BORROWER NAME</b> Walterboro, City of		<b>3. NUMBER NAME FIELDS</b> (1, 2, or 3 from Item 2)	
		<b>4. STATE NAME</b> South Carolina	
		<b>5. COUNTY NAME</b> Colleton	
<b>GENERAL BORROWER/LOAN INFORMATION</b>			
<b>6. RACE/ETHNIC CLASSIFICATION</b> 1 - WHITE 2 - BLACK 3 - AFWN 4 - HISPANIC 5 - API	<b>7. TYPE OF APPLICANT</b> 1 - INDIVIDUAL 2 - PARTNERSHIP 3 - CORPORATION 4 - PUBLIC BODY 5 - ASSOC. OF FARMERS 6 - ORG. OF FARMERS 7 - NONPROFIT-REGULAR 8 - NONPROFIT-FAITH BASED 9 - INDIAN TRIBE 10 - PUBLIC COLLEGE/UNIVERSITY 11 - OTHER	<b>8. COLLATERAL CODE</b> 1 - REAL ESTATE SECURED 2 - REAL ESTATE AND CHATTEL 3 - NOTE ONLY OR CHATTEL ONLY 4 - MACHINERY ONLY 5 - LIVESTOCK ONLY 6 - CROPS ONLY 7 - SECURED BY BONDS 8 - RLF ACCT	<b>9. EMPLOYEE RELATIONSHIP CODE</b> 1 - EMPLOYEE 2 - MEMBER OF FAMILY 3 - CLOSE RELATIVE 4 - ASSOC.
<b>10. SEX CODE</b> 1 - MALE 2 - FEMALE 3 - FAMILY UNIT 4 - ORGAN MALE OWNED 5 - ORGAN FEMALE OWNED 6 - PUBLIC BODY	<b>11. MARITAL STATUS</b> 1 - MARRIED 2 - SEPARATED 3 - UNMARRIED (INCLUDES WIDOWED/DIVORCED)	<b>12. VETERAN CODE</b> 1 - YES 2 - NO	<b>13. CREDIT REPORT</b> 1 - YES 2 - NO
<b>14. DIRECT PAYMENT</b> (See FMI)	<b>15. TYPE OF PAYMENT</b> 1 - MONTHLY 2 - ANNUALLY 3 - SEMI-ANNUALLY 4 - QUARTERLY	<b>16. FEE INSPECTION</b> 1 - YES 2 - NO	
<b>17. COMMUNITY SIZE</b> 1 - 10,000 OR LESS (FOR SFH AND HPG ONLY) 2 - OVER 10,000		<b>18. USE OF FUNDS CODE</b> (See FMI)	
<b>COMPLETE FOR OBLIGATION OF FUNDS</b>			
<b>19. TYPE OF ASSISTANCE</b> (See FMI)	<b>20. PURPOSE CODE</b>	<b>21. SOURCE OF FUNDS</b>	<b>22. TYPE OF ACTION</b> 1 - OBLIGATION ONLY 2 - OBLIGATION/CHECK REQUEST 3 - CORRECTION OF OBLIGATION
<b>23. TYPE OF SUBMISSION</b> 1 - INITIAL 2 - SUBSEQUENT	<b>24. AMOUNT OF LOAN</b>	<b>25. AMOUNT OF GRANT</b>	
<b>26. AMOUNT OF IMMEDIATE ADVANCE</b>	<b>27. DATE OF APPROVAL</b> MO DAY YR	<b>28. INTEREST RATE</b> %	<b>29. REPAYMENT TERMS</b>
<b>COMPLETE FOR COMMUNITY PROGRAM AND CERTAIN MULTIPLE-FAMILY HOUSING LOANS</b>			
<b>30. PROFIT TYPE</b> 1 - FULL PROFIT 2 - LIMITED PROFIT 3 - NONPROFIT			
<b>COMPLETE FOR EM LOANS ONLY</b>		<b>COMPLETE FOR CREDIT SALE-ASSUMPTION</b>	
<b>31. DISASTER DESIGNATION NUMBER</b> (See FMI)	<b>32. TYPE OF SALE</b> 1 - CREDIT SALE ONLY 2 - ASSUMPTION ONLY 3 - CREDIT SALE WITH SUBSEQUENT LOAN 4 - ASSUMPTION WITH SUBSEQUENT LOAN		
<b>FINANCE OFFICE USE ONLY</b>		<b>COMPLETE FOR FP LOANS ONLY</b>	
<b>33. OBLIGATION DATE</b> MO DA YR		<b>34. BEGINNING FARMER/RANCHER</b> (See FMI)	

If the decision contained above in this form results in denial, reduction or cancellation of USDA assistance, you may appeal this decision and have a hearing or you may request a review in lieu of a hearing. Please use the form we have included for this purpose.

Position 2

ORIGINAL - Borrower's Case Folder    COPY 1 - Finance Office    COPY 2 - Applicant/Lender    COPY 3 - State Office

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0570-0061 and 0570-0062. The time required to complete this information collection is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

**CERTIFICATION APPROVAL**

For All Farmers Programs

EM, OL, FO, and SW Loans

This loan is approved subject to the availability of funds. If this loan does not close for any reason within 90 days from the date of approval on this document, the approval official will request updated eligibility information. The undersigned loan applicant agrees that the approval official will have 14 working days to review any updated information prior to submitting this document for obligation of funds. If there have been significant changes that may affect eligibility, a decision as to eligibility and feasibility will be made within 30 days from the time the applicant provides the necessary information.

If this is a loan approval for which a lien and/or title search is necessary, the undersigned applicant agrees that the 15-working-day loan closing requirement may be exceeded for the purposes of the applicant's legal representative completing title work and completing loan closing.

**35. COMMENTS AND REQUIREMENTS OF CERTIFYING OFFICIAL**

36. I HEREBY CERTIFY that I am unable to obtain sufficient credit elsewhere to finance my actual needs at reasonable rates and terms, taking into consideration prevailing private and cooperative rates and terms in or near my community for loans for similar purposes and periods of time. I agree to use the sum specified herein, subject to and in accordance with regulations applicable to the type of assistance indicated above, and request payment of such sum. I agree to report to USDA any material adverse changes, financial or otherwise, that occur prior to loan closing. I certify that no part of the sum specified herein has been received. I have reviewed the loan approval requirements and comments associated with this loan request and agree to comply with these provisions.

(For FP loans at eligible terms only) If this loan is approved, I elect the interest rate to be charged on my loan to be the lower of the interest rate in effect at the time of loan approval or loan closing. If I check "NO", the interest rate charged on my loan will be the rate specified in Item 28 of this form. \_\_\_\_\_ YES \_\_\_\_\_ NO

**WARNING:** Whoever, in any matter within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be fined under this title or imprisoned not more than five years, or both."

Date \_\_\_\_\_, 20 17 \_\_\_\_\_  
Jeffrey P. Molinari, City Manager  
*(Signature of Applicant)*

Date \_\_\_\_\_, 20 \_\_\_\_\_  
*(Signature of Co-Applicant)*

37. I HEREBY CERTIFY that all of the committee and administrative determinations and certifications required by regulations prerequisite to providing assistance of the type indicated above have been made and that evidence thereof is in the docket, and that all requirements of pertinent regulations have been complied with. I hereby approve the above-described assistance in the amount set forth above, and by this document, subject to the availability of funds, the Government agrees to advance such amount to the applicant for the purpose of and subject to the availability prescribed by regulations applicable to this type of assistance.

\_\_\_\_\_  
*(Signature of Approving Official)*

Typed or Printed Name: \_\_\_\_\_

Date Approved: \_\_\_\_\_ Title: \_\_\_\_\_

38. TO THE APPLICANT: As of this date \_\_\_\_\_, this is notice that your application for financial assistance from the USDA has been approved, as indicated above, subject to the availability of funds and other conditions required by the USDA. If you have any questions contact the appropriate USDA Servicing Office.

## ASSURANCES - CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0042), Washington, DC 20503.

**PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.**

**NOTE:** Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Awarding Agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title, or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.
4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progress reports and such other information as may be required by the assistance awarding agency or State.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
10. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681 1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.



11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
12. Will comply with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333) regarding labor standards for federally-assisted construction subagreements.
14. Will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-1 33, "Audits of States, Local Governments, and Non-Profit Organizations."
19. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

*SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	*TITLE City Manager
*APPLICANT ORGANIZATION City of Walterboro	*DATE SUBMITTED Completed on submission to Grants.gov

Name City of Walterboro		Address 242 Hampton Street Walterboro, SC 29488			
Applicant Fiscal Year From 07/01 To 06/30		County Colleton		State (Including ZIP Code) SC 29488	
	20 15	20 16	20 17	20 18	First Full Year
	(1)	(2)	(3)	(4)	(5)
<b>OPERATING INCOME</b>					
1. Operating Revenues	\$5,901,000.00	\$6,111,000.00	\$5,793,155.00	\$6,140,204.00	\$6,140,204.00
2.					
3.					
4.					
5. Miscellaneous					
6. Less: Allowances and Deductions	( )	( )	( )	( )	( )
7. Total Operating Income (Add Lines 1 through 6)	\$5,901,000.00	\$6,111,000.00	\$5,793,155.00	\$6,140,204.00	\$6,140,204.00
<b>OPERATING EXPENSES</b>					
8. Council/Finance/City Ma	\$792,546.00	\$786,229.00	\$762,633.00	\$1,099,322.00	\$1,182,460.00
9. Pub Wrk/Plan/Police/Fir	\$4,583,601.00	\$4,895,118.00	\$4,725,457.00	\$4,983,603.00	\$5,259,603.00
10. Jud/Parks/Tourism	\$711,813.00	\$750,461.00	\$770,710.00	\$1,072,286.00	\$1,163,286.00
11. Non Dept/Reserve	\$522,201.00	\$512,907.00	\$488,562.00	\$0.00	\$0.00
12. Sanitation	\$424,636.00	\$434,133.00	\$0.00	\$0.00	\$0.00
13.					
14.					
15. Interest (RD)					
16. Depreciation					
17. Total Operating Expense (Add lines 8 through 16)	\$7,034,797.00	\$7,378,848.00	\$6,747,362.00	\$7,155,211.00	\$7,605,349.00
18. NET OPERATING INCOME (LOSS) (Line 7 less 17)	(\$1,133,797.00)	(\$1,267,848.00)	(\$954,207.00)	(\$1,015,007.00)	(\$1,465,145.00)
<b>NONOPERATING INCOME</b>					
19. Transfer from Prop Fund	\$1,133,797.00	\$1,106,109.00	\$954,207.00	\$883,007.00	\$1,252,920.00
20.					
21. Total Nonoperating Income (Add Lines 19 and 20)	\$1,133,797.00	\$1,106,109.00	\$954,207.00	\$883,007.00	\$1,252,920.00
22. NET INCOME (LOSS) (Add Lines 18 and 21) (Transfer to Line A Schedule 2)	\$0.00	(\$161,739.00)	\$0.00	(\$132,000.00)	(\$212,225.00)

Budget and Projected Cash Flow Approved by Governing Body

Attest: \_\_\_\_\_  
Secretary Date  
\_\_\_\_\_  
Appropriate Official Date

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0575-0015. The time required to complete this information collection is estimated to average 5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

**PROJECTED CASH FLOW**

	20 18	20 17	20 16	20 15	First Full Year
A. Line 22 from Schedule 1 Income (Loss)	\$0	(\$161,739)	\$0	(\$132,000)	(\$212,225)
<i>Add</i>					
B. Items in Operations not Requiring Cash:					
1. Depreciation (Line 16, Schedule 1)	\$0	\$0	\$0	\$0	\$0
2. Others: _____					
C. Cash Provided from:					
1. Proceeds from RD loan/grant					\$212,225
2. Proceeds from others					
3. Increase (Decrease) in Accounts Payable, Accruals and other Current Liabilities					
4. Decrease (Increase) in Accounts Receivable, inventories and Other Current Assets (Exclude Cash)					
5. Other: _____					
6. _____					
D. Total all A, B and C Items	\$0	(\$161,739)	\$0	(\$132,000)	\$0
E. Less: Cash Expended for:					
1. All Construction, Equipment and New Capital Items (Loan and grant funds)					
2. Replacement and Additions to Existing Property, Plant and Equipment					
3. Principal Payment RD Loan					
4. Principal Payment Other Loans					
5. Other: _____					
6. Total E 1 through 5	\$0	\$0	\$0	\$0	\$0
<i>Add</i>					
F. Beginning Cash Balances					
G. Ending Cash Balances (Total of D minus E 6 plus F)	\$0	(\$161,739)	\$0	(\$132,000)	\$0
Item G Cash Balances Composed of:					
Construction Account					
Revenue Account					
Debt Payment Account					
O&M Account					
Reserve Account					
Funded Depreciation Account					
Others: _____					
_____					
Total - Agrees with Item G	\$0	\$0	\$0	\$0	\$0

**LETTER OF INTENT TO MEET CONDITIONS**

Date \_\_\_\_\_

TO: United States Department of Agriculture

USDA - Rural Development

\_\_\_\_\_  
(Name of USDA Agency)

531 Robertson Blvd.  
Suite A  
Walterboro, SC 29488

\_\_\_\_\_  
(USDA Agency Office Address)  
\_\_\_\_\_

We have reviewed and understand the conditions set forth in your letter dated \_\_\_\_\_ . It is our intent to meet all of them not later than \_\_\_\_\_ .

City of Walterboro

\_\_\_\_\_  
(Name of Association)

BY \_\_\_\_\_

City Manager

\_\_\_\_\_  
(Title)

*According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a persons is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0575-0015, 0570-0021, 0570-0061, 0570-0062 and 0572-0137. The time required to complete this information collection is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data. needed, and completing and reviewing the collection of information.*

**United States Department of Agriculture  
Rural Housing Service**

**COMMUNITY FACILITIES GRANT AGREEMENT**

THIS GRANT AGREEMENT (Agreement) dated \_\_\_\_\_, is a contract for receipt of grant funds under the Community Facility Grant program (7 C.F.R. part 3570, subpart B). These requirements do not supersede the applicable requirements for receipt of Federal funds stated in 7 C.F.R. parts 3015, "Uniform Federal Assistance Regulations," 3016 "Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments," or 3019, "Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and other Nonprofit Organizations." Further, 7 C.F.R. part 3570, subpart B, and all relevant regulatory requirements apply to applicants whether contained in here or not.

BETWEEN \_\_\_\_\_ City of Walterboro \_\_\_\_\_

a public body, nonprofit corporation, or Indian tribe (Grantee) and the United States of America acting through the Rural Housing Service (RHS), Department of Agriculture, (Grantor)

**WITNESSETH:**

All references herein to "Project" refer to a community facility to serve a rural community generally known as \_\_\_\_\_ The principal amount of the grant is \$ \_\_\_\_\_ (Grant Funds) which is \_\_\_\_\_ percent of Project costs.

**WHEREAS**

Grantee has determined to undertake the acquisition, construction, enlargement, capital improvement, or purchase of equipment for a project with a total estimated cost of \$ \_\_\_\_\_ Grantee is able to finance and has committed \$ \_\_\_\_\_ of Project costs.

The Grantor has agreed to give the Grantee the Grant Funds, subject to the terms and conditions established by the Grantor. Provided, however, that any Grant Funds actually advanced and not needed for grant purposes shall be returned immediately to the Grantor. The Grantor may terminate the grant in whole, or in part, at any time before the date of completion, whenever it is determined that the Grantee has failed to comply with the conditions of this Agreement or the applicable regulation.

As a condition of this Agreement, the Grantee assures and certifies that it is in compliance with and will comply in the course of the Agreement with all applicable laws, regulations, Executive Orders, and other generally applicable requirements, including those contained in 7 C.F.R. § 3015.205(b), which are incorporated into this agreement by reference, and such other statutory provisions as are specifically contained herein.

**NOW, THEREFORE,** in consideration of said grant;

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0575-0173. The time required to complete this information collection is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

Grantee agrees that Grantee will:

A. Cause said Project to be constructed within the total sums available to it, including Grant Funds, in accordance with any architectural or engineering reports, and any necessary modifications, prepared by Grantee and approved by Grantor;

B. Provide periodic reports as required by Grantor and permit periodic inspection of the Project by a representative of the Grantor. For grant-only Projects, Form SF-269, "Financial Status Report," and a project performance report will be required on a quarterly basis (due 15 working days after each of each calendar quarter). A final project performance report will be required with the last "Financial Status Report." The final report may serve as the last quarterly report. Grantees shall constantly monitor performance to ensure that time schedules are being met, projected work by time periods is being accomplished, and other performance objectives are being achieved. The project performance reports shall include, but not limited to, the following:

1. A comparison of actual accomplishments to the objectives established for that period;
2. Reasons why established objectives were not met;
3. Problems, delays, or adverse conditions which will affect attainment of overall project objectives, prevent meeting time schedules or objectives, or preclude the attainment of particular project work elements during established time periods. This disclosure shall be accomplished by a statement of the action taken or planned to resolve the situation; and
4. Objectives and timetables established for the next reporting period.

C. Manage, operate, and maintain the facility, including this Project if less than the whole of said facility, continuously in an efficient and economical manner;

D. Not use grant funds to replace any financial support previously provided or assured from any other source. The Grantee agrees that the Grantee's level of expenditure for the Project shall be maintained and not reduced as a result of Grant Funds;

E. Make the public facility or services available to all persons in Grantee's service area without discrimination as to race, color, religion, sex, national origin, age, marital status, or physical or mental disability at reasonable rates, including assessments, taxes, or fees. Grantee may make modifications as long as they are reasonable and nondiscriminatory;

F. To execute any agreements required by Grantor which Grantee is legally authorized to execute. If any such agreement has been executed by Grantee as a result of a loan being made to Grantee by Grantor contemporaneously with the making of this grant, that agreement applies equally to the grant and another identical agreement need not be executed in connection with this grant;

G. Upon any default under its representations or agreements contained in this instrument, Grantee, at the option and demand of Grantor, will immediately repay to Grantor the Grant Funds with any legally permitted interest from the date of the default. Default by the Grantee will constitute termination of the grant thereby causing cancellation of Federal assistance under the grant. The provisions of this Agreement may be enforced by Grantor, at its option and without regard to prior waivers of previous defaults by Grantee, by judicial proceedings to require specific performance of the terms of this Agreement or by such other proceedings in law or equity, in either Federal or State courts, as may be deemed necessary by Grantor to assure compliance with the provisions of this Agreement and the laws and regulations under which this grant is made;

H. Use the real property including land, improvements, structures, and appurtenances thereto, for authorized purposes of the grant as long as needed;

1. Title to real property shall vest in the Grantee subject to the condition that the Grantee shall use the real property for the authorized purpose of the original grant as long as needed.

2. The Grantee shall obtain Grantor's approval to use the real property in other projects when the Grantee determines that the property is no longer needed for the original grant purposes. Use in other projects shall be limited to those under other Federal grant programs or programs that have purposes consistent with those authorized for support by the Grantor.

3. When the real property is no longer needed, as provided in paragraphs 1 and 2 above, the Grantee shall request disposition instructions from the Grantor. The Grantor will observe the following rules in the disposition instructions:

(a) The Grantee may be permitted to retain title after it compensates the Federal government in an amount computed by applying the Federal percentage of participation in the cost of the original Project to the fair market value of the property;

(b) The Grantee may be directed to sell the property under guidelines provided by the Grantor and pay the Federal government an amount computed by applying the Federal percentage of participation in the cost of the original Project to the proceeds from sale (after deducting actual and reasonable selling and fix-up expenses, if any, from the sales proceeds). When the Grantee is authorized or required to sell the property, proper sales procedures shall be established that provide for competition to the extent practicable and result in the highest possible return;

(c) The Grantee may be directed to transfer title to the property to the Federal government provided that in such cases the Grantee shall be entitled to compensation computed by applying the Grantee's percentage of participation in the cost of the program or Project to the current fair market value of the property;

**This Grant Agreement covers the following described real property (use continuation sheets as necessary).**

300 Hampton Street, Walterboro, SC 29488  
Colleton County tax map number 163-11-00-047

I. Abide by the following conditions pertaining to equipment which is furnished by the Grantor or acquired wholly or in part with Grant Funds. Equipment means tangible, non-expendable personal property having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit. A Grantee may use its own definition of equipment provided that such definition would at least include all equipment as defined below:

1. Use of equipment.

(a) The Grantee shall use the equipment in the Project for which it was acquired as long as needed. When no longer needed for the original project, the Grantee shall use the equipment in connection with its other federally sponsored activities, if any, in the following order of priority:

(i) Activities sponsored by the Grantor.

(ii) Activities sponsored by other Federal agencies.

(b) During the time that equipment is held for use on the project for which it was acquired, the Grantee shall make it available for use on other projects if such other use will not interfere with the work on the project for which the property was originally acquired. First preference for such other use shall be given to Grantor sponsored projects. Second preference will be given to other federally sponsored projects.

2. Disposition of equipment. When the Grantee no longer needs the property as provided in paragraph 1 (a) and (b) above, the equipment may be sold or used for other activities in accordance with the following standards:

(a) Equipment with a current fair market value of less than \$5,000. The Grantee may use the property for other activities without reimbursement to the Federal government or sell the property and retain the proceeds.

(b) Equipment with a current fair market value of \$5,000 or more. The Grantee may retain the property for other uses provided that compensation is made to the Grantor. The amount of compensation shall be computed by applying the percentage of Federal participation in the cost of the original Project to the current fair market value of the property. If the Grantee has no need for the equipment and the equipment has further use value, the Grantee shall request disposition instructions from the Grantor.

(c) The Grantor shall determine whether the equipment can be used to meet RHS or its successor agency's requirements. If no such requirements exist, the availability of the property shall be reported, in accordance with the guidelines of the Federal Property Management Regulations (FPMR), to the General Services Administration by the Grantor to determine whether a requirement for the equipment exists in other Federal agencies. The Grantor shall issue instructions to the Grantee no later than 120 days after the Grantee's request and the following procedures shall govern:

(i) If so instructed or if disposition instructions are not issued within 120 calendar days after the Grantee's request, the Grantee shall sell the equipment and reimburse the Grantor an amount computed by applying to the sales proceeds the percentage of Federal participation in the cost of the original project or program. However, the Grantee shall be permitted to deduct and retain from the Federal share 10 percent of the proceeds or \$500, whichever is less, for the Grantee's selling and handling expenses.

(ii) If the Grantee is instructed to ship the property elsewhere, the Grantee shall be reimbursed by the benefiting Federal agency with an amount which is computed by applying the percentage of the Grantee participation in the cost of the original grant Project or program to the current fair market value of the equipment plus any reasonable shipping or interim storage costs incurred.

(iii) If the Grantee is instructed to otherwise dispose of the equipment, the Grantee shall be reimbursed by the Grantor for such costs incurred in its disposition.

3. The Grantee's property management standards for equipment shall include:

(a) Property records which accurately provide for: a description of the equipment; manufacturer's serial number or other identification number; acquisition date and cost; source of the equipment; percentage (at the end of budget year) of Federal participation in the cost of the Project for which the equipment was acquired; location, use, and condition of the equipment and the date the information was reported; and ultimate disposition data including sales price or the method used to determine current fair market value if the Grantee reimburses the Grantor for its share.



(b) A physical inventory of equipment shall be taken and the results reconciled with the equipment records at least once every two years to verify the existence, current utilization, and continued need for the equipment.

(c) A control system shall be in effect to ensure adequate safeguards to prevent loss, damage, or theft of the equipment. Any loss, damage, or theft of equipment shall be investigated and fully documented.

(d) Adequate maintenance procedures shall be implemented to keep the equipment in good condition.

(e) Proper sales procedures shall be established for unneeded equipment which would provide for competition to the extent practicable and result in the highest possible return;

**This Grant Agreement covers the following described equipment (use continuation sheets as necessary).**

Opal platform lift  
Kohler gaseous powered generator

**J. Provide Financial Management Systems which will include:**

1. Accurate, current, and complete disclosure of the financial results of each grant. Financial reporting will be on an accrual basis.
2. Records which identify adequately the source and application of funds for grant-supported activities. Those records shall contain information pertaining to grant awards and authorizations, obligations, unobligated balances, assets, liabilities, outlays, and income.
3. Effective control over and accountability for all funds, property, and other assets. Grantees shall adequately safeguard all such assets and shall ensure that they are used solely for authorized purposes.
4. Accounting records supported by source documentation.

**K. Retain financial records, supporting documents, statistical records, and all other records pertinent to the grant for a period of at least three years after grant closing except that the records shall be retained beyond the three-year period if audit findings have not been resolved. Microfilm or photo copies or similar methods may be substituted in lieu of original records. The Grantor and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access to any books, documents, papers, and records of the Grantee's which are pertinent to the specific grant program for the purpose of making audits, examinations, excerpts, and transcripts;**

**L. Provide either an audit report, annual financial statements, or other documentation prepared in accordance with Grantor regulations to allow the Grantor to determine that funds have been used in compliance with the proposal, any applicable laws and regulations, and this Agreement;**

**M. Agree to account for and to return to Grantor interest earned on grant funds pending their disbursement for program purposes when the Grantee is a unit of local government. States and agencies or an instrumentality of a State shall not be held accountable for interest earned on Grant Funds pending their disbursement;**

N. Not encumber, transfer or dispose of the property or any part thereof, furnished by the Grantor or acquired wholly or in part with Grantor funds without the written consent of the Grantor except as provided in item H and I; and

O. Not duplicate other Project purposes for which monies have been received, are committed, or are applied to from other sources (public or private).

**Grantor Agrees That It:**

A. Will make available to Grantee for the purpose of this Agreement not to exceed \$ \_\_\_\_\_ which it will advance to Grantee to meet not to exceed \_\_\_\_\_ percent of the Project development costs in accordance with the actual needs of Grantee as determined by Grantor.

B. Will assist Grantee, within available appropriations, with such technical assistance as Grantor deems appropriate in planning the Project and coordinating the plan with local official comprehensive plans for essential community facilities and with any State or area plans for the area in which the project is located.

C. At its sole discretion and at any time may give any consent, deferment, subordination, release, satisfaction, or termination of any or all of Grantee's grant obligations, with or without valuable consideration, upon such terms and conditions as Grantor may determine to be (1) advisable to further the purpose of the grant or to protect Grantor's financial interest therein and (2) consistent with both the statutory purposes of the grant and the limitations of the statutory authority under which it is made.

**Termination of This Agreement**

This Agreement may be terminated for cause in the event of default on the part of the Grantee or for convenience of the Grantor and Grantee prior to the date of completion of the grant purpose. Termination for convenience will occur when both the Grantee and Grantor agree that the continuation of the Project will not produce beneficial results commensurate with the further expenditure of funds.

IN WITNESS WHEREOF, Grantee has this day authorized and caused this Agreement to be executed

By \_\_\_\_\_  
Jeffrey P. Molinari, City Manager

and attested with its corporate seal affixed (if applicable) by  
\_\_\_\_\_  
\_\_\_\_\_

Attest:  
\_\_\_\_\_  
\_\_\_\_\_

By \_\_\_\_\_  
Betty J. Hudson  
(Title) City Clerk

UNITED STATES OF AMERICA  
RURAL HOUSING SERVICE  
By \_\_\_\_\_

(Name)

(Title)

### Certification Regarding Debarment, Suspension, and Other Responsibility Matters - Primary Covered Transactions

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 7 CFR Part 3017, Section 3017.510, Participants' responsibilities. The regulations were published as Part IV of the January 30, 1989, Federal Register (Pages 4722-4733). Copies of the regulations may be obtained by contacting the Department of Agriculture agency offering the proposed covered transaction.

(Before completing certification, read instructions on Page 2)

- (1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
  - (a) are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
  - (b) have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (*Federal, State or Local*) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
  - (c) are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (*Federal, State or Local*) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
  - (d) have not within a three-year period preceding this application/proposal had one or more public transactions (*Federal, State or Local*) terminated for cause or default.
- (2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

ORGANIZATION NAME City of Walterboro	PR/AWARD NUMBER OR PROJECT NAME
NAME AND TITLE OF AUTHORIZED REPRESENTATIVE Jeffrey P. Molinari, City Manager	
SIGNATURE	DATE (MM-DD-YYYY)

## INSTRUCTIONS FOR CERTIFICATION

1. By signing and submitting this form, the prospective primary participant is providing the certification set out on the Page 1 in accordance with these instructions.
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out on this form. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.
4. The prospective primary participant shall provide immediate written notice to the department or agency to whom this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
6. The prospective primary participant agrees by submitting this form that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.
7. The prospective primary participant further agrees by submitting this form that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List.
9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

**U.S. DEPARTMENT OF AGRICULTURE**

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**Certification Regarding Debarment, Suspension, Ineligibility  
and Voluntary Exclusion - Lower Tier Covered Transactions**

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This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 7 CFR part 3017, Section 3017.510, Participants' responsibilities. The regulations were published as Part IV of the January 30, 1989, Federal Register (pages 4722-4733). Copies of the regulations may be obtained by contacting the Department of Agriculture agency with which this transaction originated.

**(BEFORE COMPLETING CERTIFICATION, READ INSTRUCTIONS ON REVERSE)**

- (1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
- (2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

City of Waltherboro

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Organization Name

PR/Award Number or Project Name

Jeffrey P. Molinari

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Name(s) and Title(s) of Authorized Representative(s)

---

Signature(s)

Date

Instructions for Certification

1. By signing and submitting this form, the prospective lower tier participant is providing the certification set out on the reverse side in accordance with these instructions.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this form that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this form that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transaction," without modification, in all lower tier covered transaction and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

## U.S. DEPARTMENT OF AGRICULTURE

**CERTIFICATION REGARDING  
DRUG-FREE WORKPLACE REQUIREMENTS (GRANTS)  
ALTERNATIVE I - FOR GRANTEEES OTHER THAN INDIVIDUALS**

This certification is required by the regulations implementing Sections 5151-5160, of the Drug-Free Workplace Act of 1988 (Pub. L. 100-690, Title V, Subtitle D; 41 U.S.C. 701 et seq.), 7 CFR Part 3017, Subpart F, Section 3017.600, Purpose. The January 31, 1989, regulations were amended and published as Part II of the MAY 25, 1990, Federal Register (pages 21681-21691). Copies of the regulations may be obtained by contacting the Department of Agriculture agency offering the grant.

**(BEFORE COMPLETING CERTIFICATION, READ INSTRUCTIONS ON REVERSE)**

**Alternative I**

A. The grantee certifies that it will or will continue to provide a drug-free workplace by:

- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- (b) Establishing an ongoing drug-free awareness program to inform employees about --
  - (1) The dangers of drug abuse in the workplace;
  - (2) The grantee's policy of maintaining a drug-free workplace;
  - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
  - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will --
  - (1) Abide by the terms of the statement; and
  - (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
- (e) Notify the agency in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position, title, to every grant officer on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
  - (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
  - (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- (g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, State, zip code)

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Check  if there are workplaces on file that are not identified here.

City of Walterboro

Organization Name

Award Number or Project Name

Jeffrey P. Molinari, City Manager

Name and Title of Authorized Representative

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Signature \_\_\_\_\_ Date \_\_\_\_\_

**Instructions for Certification**

1. By signing and submitting this form, the grantee is providing the certification set out on pages 1 and 2.
2. The certification set out on pages 1 and 2 is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, the agency, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.
3. Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.
4. Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio studios).
5. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph three).
6. Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules:

"Controlled substance" means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15);

"Conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;

"Criminal drug statute" means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;

"Employee" means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) all "direct charge" employees; (ii) all "indirect charge" employees unless their impact or involvement is insignificant to the performance of the grant; and, (iii) temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if sued to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplaces).



EQUAL OPPORTUNITY AGREEMENT

This agreement, dated \_\_\_\_\_ between  
City of Waltherboro \_\_\_\_\_

(herein called "Recipient" whether one or more) and United States Department of Agriculture (USDA), pursuant to the rules and regulations of the Secretary of Labor (herein called the 'Secretary') issued under the authority of Executive Order 11246 as amended, witnesseth:

In consideration of financial assistance (whether by a loan, grant, loan guaranty, or other form of financial assistance) made or to be made by the USDA to Recipient, Recipient hereby agrees, if the cash cost of construction work performed by Recipient or a construction contract financed with such financial assistance exceeds \$10,000 - unless exempted by rules, regulations or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order 11246 of September 24, 1965.

1. To incorporate or cause to be incorporated into any contract for construction work, or modification thereof, subject to the relevant rules, regulations, and orders of the Secretary or of any prior authority that remain in effect, which is paid for in whole or in part with the aid of such financial assistance, the following "Equal Opportunity Clause":

During the performance of this contract, the contractor agrees as follows:

- (a) The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex or national origin. Such action shall include, but not be limited, to the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the USDA setting forth the provisions of this nondiscrimination clause.
- (b) The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex or national origin.
- (c) The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the USDA, advising the said labor union or workers' representative of the contractor's commitments under this agreement and shall post copies of the notice in conspicuous places available to employees and applicants for employment.
- (d) The contractor will comply with all provisions of Executive Order 11246 of September 24, 1965, and of all rules, regulations and relevant orders of the Secretary of Labor.
- (e) The contractor will furnish all information and reports required by Executive Order 11246 of September 24, 1965, rules, regulations, and orders, or pursuant thereto, and will permit access to his books, records, and accounts by the USDA Civil Rights Office, and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.
- (f) In the event of the contractor's noncompliance with the nondiscrimination clauses of this contract or with any of the said rules, regulations, or orders, this contract may be cancelled, terminated, or suspended in whole or in part and the contractor may be declared ineligible for further Government contracts or federally assisted construction contracts in accordance with procedures authorized in Executive Order No. 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order No. 11246 of September 24, 1965, or by rule, regulation or order of the Secretary of Labor, or as otherwise provided by Law.
- (g) The contractor will include the provisions of paragraph 1 and paragraph (a) through (f) in every subcontract or purchase order, unless exempted by the rules, regulations, or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order No. 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as the USDA may direct as a means of enforcing such provisions, including sanctions for noncompliance: Provided, however, that in the event the contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the USDA, the contractor may request the United States to enter into such litigation to protect the interest of the United States.

*According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0575-0018. The time required to complete this information collection is estimated to average 10 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.*

2. To be bound by the above equal opportunity clause with respect to its own employment practices when it participates in federally assisted construction work: Provided, that if the organization so participating is a State or local government, the above equal opportunity clause is not applicable to any agency, instrumentality or subdivision of such government which does not participate in work on or under the contract.
3. To notify all prospective contractors to file the required 'Compliance Statement', Form RD 400-6, with their bids.
4. Form AD-425, Instructions to Contractors, will accompany the notice of award of the contract. Bid conditions for all nonexempt federal and federally assisted construction contracts require inclusion of the appropriate "Hometown" or "Imposed" plan affirmative action and equal employment opportunity requirements. All bidders must comply with the bid conditions contained in the invitation to be considered responsible bidders and hence eligible for the award.
5. To assist and cooperate actively with USDA and the Secretary in obtaining the compliance of contractors and subcontractors with the equal opportunity clause and rules, regulations, and relevant orders of the Secretary, that will furnish USDA and the Secretary such information such as , but not limited to, Form AD-560, Certification of Nonsegregated Facilities, to submit the Monthly Employment Utilization Report, Form CC-257, as they may require for the supervision of such compliance, and that it will otherwise assist USDA in the discharge of USDA's primary responsibility for securing compliance.
6. To refrain from entering into any contract or contract modification subject to such Executive Order 11246 of September 24, 1965, with a contractor debarred from, or who has not demonstrated eligibility for, Government contracts and Federally assisted construction contracts pursuant to the Executive Order and will carry out such sanctions and penalties for violation of the equal opportunity clause as may be imposed upon contractors and subcontractors by USDA or the Secretary of Labor pursuant to Part II, Subpart D, of the Executive Order.
7. That if the recipient fails or refuses to comply with these undertakings, the USDA may take any or all of the following actions: Cancel, terminate, or suspend in whole or in part this grant (contract, loan, insurance, guarantee); refrain from extending any further assistance to the organization under the program with respect to which the failure or refund occurred until satisfactory assurance of future compliance has been received from such organization; and refer the case to the Department of Justice for appropriate legal proceedings.

Signed by the Recipient on the date first written above.

\_\_\_\_\_  
Recipient

\_\_\_\_\_  
Recipient

(CORPORATE SEAL)

City of Waltherboro  
\_\_\_\_\_  
Name of Corporate Recipient

Attest:

\_\_\_\_\_  
Secretary

By \_\_\_\_\_  
President

### APPLICANT'S FEASIBILITY REPORT

**1. Existing Facility.** Briefly describe what facilities you currently have or how service is currently provided.

**2. Proposed Facility.** Describe what you want to purchase or construct. Indicate what the facility will be used for, approximate size, and expected method of procurement. For buildings indicate location, basic materials or type of construction, and attach a sketch or working drawings. For items of major equipment, indicate new or used, existing or custom-built, and any special features.

**3. Need for the Facility.** Indicate why the proposed facility is needed.

**4. Service Area.** Indicate what area the proposed facility will serve and, if known, the population or number of families served.

Public reporting burden for this collection of information is estimated to average 3 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to U.S. Department of Agriculture, Clearance Officer, OIRM AG Box 7630, Washington, D. C. 20250, and to the Office Management and Budget, Paperwork Reduction Project (OMB No. 0575-0120), Washington, D. C. 20503. Please DO NOT RETURN this form to this address. Forward to the local USDA office only.

**5. Cost Estimate.**

Development and construction.....	\$ _____
Land and rights.....	_____
Legal fees.....	_____
Architect and Engineer.....	_____
Equipment.....	_____
Refinancing.....	_____
Other (describe) .....	_____
Total.....	_____

**6. Income.** List the sources and estimate the amount of expected revenue for a typical year.

**7. Other Funds.** List the sources and amount of funds that may be available other than from USDA, to fund part of the project (such as applicant's contributions, commercial loans, or loans or grants from other government agencies).

**8. Operating History.** If you have operated a similar facility, attach audits, financial statements, or lists of income and expenses for the past five years.

9. Signature and Title of Applicant Official	Date
--	------

CERTIFICATION FOR CONTRACTS, GRANTS AND LOANS

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant or Federal loan, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant or loan.

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant or loan, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.

3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including contracts, subcontracts, and subgrants under grants and loans) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

\_\_\_\_\_  
(name)

\_\_\_\_\_  
(date)

\_\_\_\_\_  
(title)

oOo



## Accommodations Tax Advisory Committee

To: Walterboro City Council  
Cc: Jeffrey P. Molinari, City Manager  
From: Accommodations Tax Advisory Committee  
Date: October 19, 2017  
Re: Approvals at October 19<sup>th</sup>, 2017 meeting

At its regularly scheduled meeting held on October 19, 2017, the Accommodations Tax Advisory Committee approved the following requests:

<u>Requests for 65% Tourism Fund</u>	<u>Requested</u>	<u>Approved</u>
Tuskegee Airmen Inc – brochure	\$ 1,028	\$ 1,028
Walterboro Criterium 2018	\$ 4,500	\$ 4,500
Colleton Cntr – Smoke in the ‘Boro	\$10,000	\$ 9,500
Lowcountry & Resort Island- guidebooks and promotions	\$15,800	\$ 9,000

Should these requests be approved as submitted, the projected remaining balance for 2017-2018 will be approximately **\$41,199**. The remaining funds will be for consideration at the next scheduled meeting. Therefore, the Atax Advisory Committee respectfully requests City Council approve these items.

## City of Walterboro Accommodations Tax Funding Application

### I. Basic Information

A. Project Name: The Face of Courage – reprint of Tuskegee Memorial brochure project

B. Requested Amount: \$1,028.20

C. Total Project Cost: \$1,028.20

#### D. Application Information:

1. Hiram E. Mann Chapter, Tuskegee Airmen, Inc. – Federal ID: 27-310833
2. Johnnie Thompson - Contact person
3. PO Box 1091 Walterboro, SC 29488
4. 843-908-4094

### II Narrative

In spite of adversity and limited opportunities, African Americans have played a significant role in U.S. military history over the past 300 years. They were denied military leadership roles and skilled training because many believed they lacked qualifications for combat duty. Before 1940, African Americans were barred from flying for the U.S. military. Civil rights organizations and the black press exerted pressure that resulted in the formation of an all African American pursuit squadron based in Tuskegee, Alabama, in 1941. They became known as the Tuskegee Airmen.

“Tuskegee Airmen” refers to all who were involved in the so-called “Tuskegee Experience,” the Army Air Corps program to train African Americans to fly and maintain combat aircraft. The Tuskegee Airmen included pilots, navigators, bombardiers, maintenance and support staff, instructors, and all the personnel who kept the planes in the air.

The military selected Tuskegee Institute to train pilots because of its commitment to aeronautical training. Tuskegee had the facilities, and engineering and technical instructors, as well as a climate for year round flying. The first Civilian Pilot Training Program students completed their instruction in May 1940. The Tuskegee program was then expanded and became the center for African American aviation during World War II. African American navigators, bombardiers, and gunnery crews received combat training at selected military bases elsewhere in the United States. Walterboro Army Airfield was one of those selected combat training facilities.

The Tuskegee Airmen overcame segregation and prejudice to become one of the most highly respected fighter groups of World War II. They proved conclusively that African Americans could fly and maintain sophisticated combat aircraft. The Tuskegee Airmen’s achievements, together with the men and women who supported them, paved the way for full integration of the U.S. military.

Through the efforts of the “Tuskegee Airmen” and the distribution of The Face of Courage brochure, we are honoring the accomplishments and perpetuating the history of African Americans who participated in air crews, ground crews and operations support training in the Army Air Corps during WWII while educating young people and adults on the history and significance of the Walterboro Army Airfield training site to their success. That alone is a tremendous benefit to the diversity of our community and its impact on tourism.

Tracking: There is a visitor sign-in sheet (see attachment) located at the Lowcountry Regional Airport for the Tuskegee Memorial. This gives us a snapshot of where our

visitors are located. They have traveled from all over the United States mostly the east coast and from several countries abroad. The comments expressed by our visitors are all very favorable and all enjoyed learning about the experiences of the Tuskegee Airmen and its relationship to Walterboro. This brochure will be placed at visitor welcome centers, hotels and military bases. We are working with the SC Parks Recreation and Tourism Commission to have the brochure approved for placement in the state's welcome centers.

Duration of Project: The printing of the brochure would start in December 2017. There is no official end date.

No special permit will be needed for this grant request.

III. Budget

Project funding:

A-tax funds (brochures) \$1,028.20

Expenses:

Printing \$1,028.20

Total Project: \$1,028.20

IV. Required Attachments

A. Letter from the Secretary of State (IRS letter recognized as a 501 (c) 3 entity)

B. Financial Statement – August 2017 YTD (see attachment)

C. List of Board Members (see attachment)

V. No request for billboard funding



# City of Walterboro

## 65% Accommodations Tax Funding Request 2017-2018

**Project Name:** **Walterboro Criterium 2018**  
"USA CRITS Championship Criterium Series" (sixteenth annual)

**Amount requested from A-tax:** **\$4,500**

**Organization Name:** **Walterboro Tourism Commission**

**Tax ID Number:** **27-0473097**

**Contact Name:** **Michelle Strickland**  
**Tourism Director**  
**(Walterboro Criterium Committee)**

**Address:** **Walterboro Tourism Commission**  
**1273 Sniders Highway**  
**Walterboro, SC 29488**

**Phone & fax:** **843-538-4353 office**  
**843-909-4325 cell**  
**843-538-4356 (fax)**

**Email:** [mstrickland@walterborosc.org](mailto:mstrickland@walterborosc.org)

### **Project/Event Description (narrative)**

Olympians and professional cycling champions will compete in the **sixteenth annual Walterboro Criterium on April 25,2018.**

The series is made up of four person teams, competing in multi-lap races in a closed circuit of about half a mile long. This racing discipline requires a unique type of rider, one who must demonstrate top speed and bike handling skills traveling at 30 plus mph. Because of the circular track, criteriums are the equivalent to NASCAR and are known as America's contribution to the

sport. To establish the track needed for the riders, we will obtain permission to close several streets in the downtown area for the race.

The Walterboro Criterium is coordinated by a group of local volunteers that represent several of the local organizations, local businesses, and interested citizens. This year there were several new members to the committee and several changes made, which gave us positive results. We shortened the track at the request of the event organizers, which made the event more exciting and fast paced. This year we also changed the start finish line to Hampton Street and expanded the VIP section to include live music.

Our VIP section served more than 275 guests with the addition of a Local Chef Showcase and Lowcountry cuisine, and 68 children from ages 3-10 participated in our children's race.

### **Benefit to Tourism and/or the Community**

The popularity of cycling has been on the rise in recent years. Races are now staged all over the country and fans are more than willing to travel to watch them.

Walterboro is no exception, giving Walterboro international visibility, as well as additional press coverage. The races are filmed and with an internet hot spot connection we live stream broadcast all over the world so friends and families can witness the progress of their team. The numbers of tourists participating in this series increases significantly each year due to the additional advertising, extended stay hotel discount packages and the continuation of the amateur and women races.

Tourists and racers stay in the local hotels, eat in our various restaurants, and shop in several of the retail outlets. Visitors are charmed by the quaint atmosphere and are encouraged to return. Many of our downtown merchants stay open because of the extra business.

The 2017 USC CRITS Cycling Series brought a total of 204 amateur, pro and master riders to Colleton County. We estimate that approximately 75 hotel room nights were utilized by the riders, event staff and visitors. This event also contributes to Walterboro's busiest coffee service and restaurant service of the year.

## ACCOMMODATIONS TAX APPLICATION

September 26, 2017

The Colleton Center and the Coastal Electric Trust, Inc.'s Operation RoundUp

### I. Basic Information

- A. Project Name: *Smoke in the 'Boro*, 5<sup>th</sup> Annual SCBA  
(SC Barbeque Association) Cook-Off  
March 16 & 17, 2018
- B. Requesting Amount: \$10,000
- C. Total Project Cost: \$24,340.00
- D. Application Information:
1. Name: The Colleton Center
  2. Federal Tax ID: 20-4536007
  3. Contact: Jean Harrigal, Executive Director
  4. Address: 494 Hampton Street, (P.O. Box 468, mailing)  
Walterboro, SC 29488
  5. Phone/Fax: 843-549-8360  
E-Mail: [colletonctr@lowcountry.com](mailto:colletonctr@lowcountry.com)

### II. Narrative

The Colleton Center and Coastal Electric Cooperative's community assistance program, the Coastal Electric Trust Incorporated (both 501(c)(3) organizations), are again planning to co-host *Smoke in the 'Boro*, a South Carolina Barbeque Association (SCBA) Cook-Off during the weekend of Friday, March 16<sup>th</sup>, and Saturday, March 17<sup>th</sup>, 2018. As in the four preceding years, the event will be held at Coastal Electric's Outback facility located on Jefferies Boulevard. Power, water, parking, and the use of the Outback building for the competition judging have consistently made this the ideal location for our two day event. *Smoke in the 'Boro* has grown steadily in popularity, attracting more and more attendees, cooks, and judges from inside and outside of our area each year. We are fortunate and pleased to be part of this partnership event.

Wayne Keith is an SCBA-Certified Senior Barbeque Judge, and actively participates, both as a judge and as a member of a cooking team, in a number of cook-offs throughout the year. Mr. Keith brought this event to Walterboro, knowing it would be well-received. He and his family owned and operated Keith's Barbeque in Walterboro from 1949 until 1992 in various locations. His reputation and position make him uniquely qualified to recruit cooks, judges, and sponsors, and to spread the word about our events.

This will once again be a family weekend event, offering live music on both days. The bands that have performed for us in the past have donated their time, and we are hoping to establish the same arrangement this year. There will again be a separate area on Saturday for local churches and the WIRE (Women in Rural Electrification) group to sell baked goods for their benefit. There will also be a Cruise-In car show on Saturday, which was a popular addition starting in 2015. This feature attracts an additional and diverse audience population.

We have found that attendees enjoy our format of two separate cook-offs: "Anything Butt" on Friday night, and BBQ only on Saturday. In 2018, we plan to add a Rib Throwdown, where cookers will supply their own ribs for an additional internal competition on Saturday. On Friday night, cooking teams will supply and prepare entries of their choice - from chicken wings to gumbos to seafood to desserts. As last year, we will have 20-25 local citizens serving as judges, evaluating and ranking the entries in a blind tasting. The winners will be announced and prizes awarded on Saturday afternoon.

On Saturday, the main cook-off for the best barbequed Boston Butt will take place. The cookers will prepare their pork throughout the night, and submit their (blind) entries to the judges on Saturday morning. Based on the number of cook-off participants, 35-50 judges, SCBA-Certified and novice level, will assess the entries. The judges will be under the direction of Grand Marshal, Dawn Verbarq of Hanahan, SC. Both days will be conducted in accordance with SCBA requirements and guidelines, and all participant cookers will be informed of these requirements in advance. Also on Saturday, attendees will have a chance to purchase BBQ in pound and half pound containers from the cookers of their choice. They will also be able to purchase extra whole butts while supplies last.

In March of 2017, thirty two certified teams from all areas of the state (e.g. Lexington, Aiken, Trenton, Lake City, Scranton, and Columbia) entered. Many local county cookers also competed. For our first BBQ in 2014, we had 16 entries; in 2017, 32 entries, thus doubling our number of cookers in 4 years! This year we expect to see many of the same teams returning and to sign up some new entrants as well. Each team pays an entry fee of \$150 to \$200, depending on the date of sign-up. Prizes for the top five will consist of a trophy (modeled after the Red Rocker logo) and cash ranging from \$150 to \$1,000. We again look for participation from all over South Carolina and the region, and encourage and welcome local entrants.

For both the Friday and Saturday events, the public will purchase tickets for \$1.00 each to taste the food of their choice. Soft drinks, water, beer and wine will be available each day with payment based on the \$1.00 tickets. Permits for the sale of beer and wine will be obtained as required. Pepsi has delivered a party wagon with donated soft drinks and water each year, and Southern Eagle has given us donations in the past as well. We hope to be as fortunate with those vendors again in 2018.

A budget, included as an attachment to this application, is based on experience from the last four years. The Colleton Center and Coastal Electric are requesting \$10,000 from ATAX funds to cover out of town advertising costs, portolets, printing and distribution of information. Printing will cover such items as posters and postcards to promote the event at out-of-county locations. Advertising, which has already begun on the SCBA website, will continue through local print media, additional websites, and, with funding from ATAX, through newspapers in Greenville, Columbia, Orangeburg, Aiken, Savannah, Beaufort, and the Charleston, Monck's Corner and Summerville areas - as many publications with as wide a range as possible. The date has already been announced in the *BBQ Times*, a national magazine, where we will also place the full ad.

It is expected that attendees this year will again be equally divided between locals and cook-off fans from a fifty to sixty mile radius around Walterboro, including some from out of state. The SCBA events have a loyal following from all over the state and the southeast region.

### III. Benefit to Tourism

Our cook-offs have attracted people from around the State and the region. The barbeque world is highly competitive, with a seriously dedicated and enthusiastic following. Because this is a two day event, visitors, judges, and some participants will stay in local hotels and B&Bs. For the previous four events, attendees, judges and participants and their families spent the night in local accommodations, in order to attend both days' events. The I-95 Travel Writers advertised our event on their blog each year and have in the past, produced a video of the event. As previously mentioned, with ATAX funds, each year we have been able to advertise in the national magazine, *BBQ Times*. Our 2018 BBQ will be another opportunity to attract people to Colleton County for a positive and popular event, provide them with two days of fun, food, and festivities, and entice them to come back for other occasions. Our first four *Smoke in the 'Boro* events have shed a positive light on Walterboro, and we always receive feedback from cooks and attendees alike who feel that Walterboro's BBQ event is one of the best in the state. Our Grand Marshals have also declared our venue as the best in the state of all of the SCBA events. SCBA volunteers, judges and cooks are helpful and valuable visitors to our area, and they are helpful in spreading the good news about our community and events.

### IV. Benefit to the Community

Our community benefits from this event in a number of ways: 1) economic benefit for local businesses - hotels/motels, B&B's, restaurants, gas stations, etc, - benefiting from sales to participants and attendees; 2) supplies for the event, from paper goods to meat for the cooks, are almost exclusively purchased from local businesses; 3) local residents who want to try their hand at competitive cooking have the opportunity to do so here at home; and 4) the event gives everyone an opportunity to enjoy a family-friendly weekend with great variety. This will be a positive, neighborly event, featuring good food, good music, and good spirited competition, typical of life in Colleton County.

### V. Tracking

The cooks will provide their addresses, as will the judges. This year, with the help of our tourism director, we will conduct formal surveys with a written document for each judge and cook to learn more about them, where they are from and where they stayed. We always canvas the general public attendees to learn where they are from and how they heard about the event. For our planning purposes, we are estimating that at least 700-800 people will attend the Colleton Cook-Off during the two-day event. We will track attendance numbers through head count estimates, ticket sales and collection, and food and drink consumption. The numbers for our 2017 event were impressive. We hosted 32 competitive cooks and 39 SCBA judges. General attendance for Friday was

approximately 400, and for Saturday, 450. Canvassing at both days' events indicate approximately 250 visitors from areas outside of Colleton County and several from outside of South Carolina (North Carolina, Connecticut and Florida) who attended with family members and friends to enjoy and learn about the event.

VI Duration of Project

*Smoke in the 'Boro* Barbeque Cook-Off will take place on Friday, March 16<sup>th</sup>, 5:30 p.m. – 8 p.m., through Saturday, March 17<sup>th</sup>, 11 a.m. - 2 p.m., 2018.

VII Permits

Beer/wine permits, any required DHEC permits, and any permissions for banner display or signage will be obtained prior to the event. Event insurance for the 2 days will also be purchased.

VIII Additional Comments

Our barbeque cook-off has gained momentum through success and by word of mouth. Thanks to our successful partnerships and encouragement from our community, cooks and judges, *Smoke in the 'Boro* has become an annual event for Colleton County, with each year showing an increase in competitors and visitors. This year our goal is to attract 40 cooks.

The Colleton Center is a 501(c)(3) organization whose mission is to provide for the renovation and restoration of the historic Hampton Street Elementary School building and for the development of a premiere arts and civic center, serving the interests and talents of the diverse Lowcountry residents and visitors.

Operation Round Up® is a Coastal Electric Cooperative community service assistance program governed and executed by Coastal Electric Trust, Inc., a 501(c)(3) corporation. Contributions to Coastal Electric Trust are used to assist local individuals or families with special needs or requests. These needs include but are not limited to food, shelter, clothing, healthcare, education and accessibility needs. Funds, once approved, are used to pay bills or for services directly and are never given to the individual or family making the request. Coastal Electric Trust has been an active service provider in the community for over 20 years.

IX Budget

Please see attached.

X Required Attachments

- A. Secretary of State Letter
- B. Organization's latest Financial Statement/Budget of Project

*Thank you!*



*South Carolina*  
**LOWCOUNTRY**  
**AND RESORT ISLANDS**  
-----  
TOURISM COMMISSION

City of Walterboro Accommodations Tax Funds  
Application for FY 2017-2018

**PROMOTION OF WALTERBORO AND THE LOWCOUNTRY**

Amount requested from City of Walterboro ATAX funds: \$15,800

Total cost of project: \$538,075

**LOWCOUNTRY**  
**& Resort Islands**  
**TOURISM COMMISSION**

Federal ID# 57-0941807

Contact:  
Peach Morrison,  
Executive Director

Post Office Box 615  
Yemassee, SC 29945

(843) 717-3090

Fax 717-2888

Email: [peach@southcarolinalowcountry.com](mailto:peach@southcarolinalowcountry.com)

September 28, 2017

ACCOMMODATION TAX FUNDS REQUEST APPLICATION

DATE: 9/28/2017

**I BASIC INFORMATION:**

A. Project Name: Promotion of Walterboro and the Lowcountry

B. Total Amount Requested: \$15,800

C. Total Cost of Project: \$538,075

D. Applicant Information

Organization: Lowcountry & Resort Islands Tourism Commission

Federal ID #: 57-0941807

Contact Name: Peach Morrison Title: Executive Director

Address: Post Office Box 615 Yemassee, South Carolina 29945

Contact Phone: (843) 717-3090 Fax: (843) 717-2888

Email: peach@southcarolinalowcountry.com

**II PROJECT NARRATIVE:**

A. General Description:

The Lowcountry Tourism Commission is one of eleven similar programs across the State designated by SC-PRT and created by the General Assembly. The Commission's primary mission is the stimulation of economic growth and the development of the area's tourism industry through regional tourism promotional activities. We have implemented an award-winning, professional tourism promotion program for Walterboro and the surrounding area for over 26 years.

B. Benefit to Tourism:

The Commission benefits tourism in Walterboro and the surrounding region through an integrated marketing campaign which includes our website, social media outlets, national & regional advertising, personal contact and international distribution of promotional literature which lists Walterboro hotels, restaurants, historic sites, etc. The Commission also serves as a local fulfillment agency - responding to requests generated by advertising placed by PRT and the Commission for travel & tourism information. The Lowcountry Visitors Center &



Museum located on I-95 at Exit 33 (Point South) provides assistance and information to travelers and vacationers, and encourages tourists to visit Walterboro and its attractions.

C. Benefit to Community:

A growing industry in Walterboro is tourism and service related employment. Benefits include: wider exposure, attraction of more visitors needing accommodations and services - thereby creating more jobs, increased sales and revenues. We send visitors to Walterboro 7-days-per-week from our visitors center on I-95.

D. Tracking:

From our most recent Conversion Study, the numbers Survey Monkey reported was an average spend of our study was \$1,022 (slightly higher than the PRT reported average spend of \$864). In calculating the information provided by those who returned the survey, we had an overall conversion rate of 46% (55% through web leads). By using the number of Guidebooks requested from our office in the last fiscal year, we can conclude from the results of this study that our Commission produces a direct expenditure of \$14,902,804 from the trips taken by those who receive our Lowcountry Guidebook:

31,701 Guidebooks X 46% visits to the SC Lowcountry = 14,582

14,582 visits X \$1,022 average spend during vacation = \$14,902,804

With respect to the City of Walterboro's piece of the economic impact of our results, we calculate that we will have brought 6,998 room nights to Walterboro during the last fiscal year. Walterboro was reported as the destination of the traveler in 10% of those completing the survey. With 31,701 Guidebooks dispersed and 46% actually making a trip to the Lowcountry, that gives us 14,582 visiting parties. Of that, 10% reported Walterboro as their destination – 1,458 visiting parties staying an average of 4.8 nights = 6,998 room nights. This does NOT include those receiving our information via our web site, events newsletter, attractions brochure or social media outlets. Also, these figures are direct impact only. They do not include indirect revenue created by our local citizens who are employed by the tourism industry, by the vendors who supply goods to the industry or sales tax or hospitality taxes which are collected from those visiting guests.

The 2014 Hilton Head Island Visitor Profile, conducted by the University of South Carolina Beaufort through the research team at the Lowcountry and Resort Islands Tourism Institute under the direction of Dr. John Salazar, reported an economic spend of \$1,303 with an average stay of 4.8 night in the Hotel Lodging Segment. Therefore, we feel that our research is appropriate with respect to average spend and length of stay. We will again conduct our own Conversion Study in the Spring of 2018.

In FY 2016/2017, we were in direct contact with 54,727 guests and visitors who have requested our printed materials: 31,701 Guidebooks distributed + 5,450 Attractions Brochures distributed + 17,576 Guests at Visitors Center. This is about a 2% increase in this set of numbers over last year. We saw 21% more foot traffic in the center but sent out fewer Guidebooks, which is a common trend in our industry with the vast majority of visitors getting their information online.

Our online presence touched 106,813 viewers (at least once): 88,624 unique Web users (down 0.8% from the previous year, but we encountered a drastic drop for a couple months during a change in platform due to 301 redirects) + 11,121 vetted and active Constant Contact email recipients (up 23.6% from the previous year) + 5,781 Facebook likes (up 75% from the previous year) + 1,123 Twitter followers (up 19% from the previous year) + 164 Instagram followers (we did not have a presence on Instagram last fiscal year). This does not include our followers on Pinterest because we have not been as active there in concert with industry trends. However, Pinterest analytics report that we have 15,872 average monthly views.

$54,727 + 106,813 = 161,540$ . This is 2.8% higher than the total "attendance" from last year, predominately seen in our increased foot traffic in the center and on social media. Our goal is to persist in our efforts optimizing each of our platforms in the marketing mix to increase visitation particularly through our website SEO and digital marketing during FY 2017/2018.

We continue to measure our effectiveness through ongoing conversion studies, our monthly reports which determine ROI respective to media outlets, through collaboration with regional Chambers and City Tourism offices in guest profile studies and in conjunction with the Lowcountry & Resort Islands Tourism Institute and USCB. Our monthly reports track response to advertising across all platforms, guests that stop at the Frampton Plantation House, website traffic through Google Analytics and other tracking reports in Facebook, Constant, Pinterest and Twitter. We also use the tools provided through SC Parks, Recreation and Tourism and the Southeastern Tourism Society to keep abreast of the newest technology, upcoming trends and ever-changing ways to better reach our target market and influence travelers to choose Walterboro as their next destination.

E. Duration of Project: Starting Date July 1, 2017 Completion June 30, 2018

F. Permits Required: (if any) Does not apply. The Commission is the only statutorily established regional tourism entity serving Beaufort, Colleton, Hampton and Jasper counties.

G. Additional Comments:

A large portion of ATAX funds will be used to match 50/50 with Tourism Advertising Grant Funds (TAG) grants from PRT, thereby doubling the effectiveness of local accommodations tax funds used for advertising and promotion. Please also see our approved Marketing Plan in your packet.

### III. BUDGET

Approved by Commission Board of Directors, June 21, 2017



**MEMORANDUM**

**TO:** Mayor and City Council  
**FROM:** City Manager  
**DATE:** October 23, 2017  
**SUBJECT:** Request to Purchase Self-Contained Breathing Apparatus Compressor

The current Self-Contained Breathing Apparatus (SCBA) Compressor was purchased in 1989 and is in need of replacement. The FY 2017-18 Fire Department budget allocated \$50,000.00 toward the purchase of a new SCBA Compressor. The Fire Department received the following quotes:

<u>Vendor</u>	<u>Type</u>	<u>Model</u>	<u>Cost</u>
Safe Air Systems	Bauer Compressor	UNIII/13H-E1	\$45,333.48
Rhinehart Fire Service	Scott	AC0301361110	\$48,931.56
NAFCO	Eagleair	B4A10M Baron	\$49,210.02

City staff recommends purchasing the SCBA Compressor from Safe Air Systems in the amount of \$45,333.48. If you have any questions, comments or concerns, please do not hesitate to contact me or come by City Hall at your convenience.

Sincerely,

Jeffrey P. Molinari  
City Manager

Attachments

**EMW-2016-FO-03494 Turndown Notification**

From: firegrants@dhs.gov

Sent: Fri, Oct 6, 2017 at 12:04 pm

To: wlake@walterborosc.org

October 6th, 2017

Donald Wayne Lake Jr  
Walterboro Fire Department  
213 Cam Street  
Walterboro, South Carolina 29488

EMW-2016-FO-03494 Turndown Notification

Activity: Equipment

Dear Assistance to Firefighters Grant Program Applicant:

On behalf of the Federal Emergency Management Agency (FEMA) Grant Programs Directorate, I wish to thank you for applying for assistance under the Fiscal Year (FY) 2016 Assistance to Firefighters Grant (AFG) Program. Unfortunately, after careful consideration and review, we are unable to fund your application. We regret that the news could not be more positive.

As you are aware, the AFG Program is among the Department of Homeland Security's (DHS) and FEMA's most competitive grant programs. In FY 2016, FEMA received over 9,770 AFG applications, requesting more than \$2.1 billion in federal assistance. The large number of applications received and the finite amount of available funding resulted in many worthy applicants not being funded and underscores the highly competitive nature of this program.

Under the AFG program, each activity within an application receives a detailed, multi-level review. First, each activity receives a preliminary score based on the applicant's answers to the application questions. The application questions are developed based on the AFG program priorities, which are explained in the FY 2016 AFG Notice of Funding Opportunity (NOFO), previously known as the Funding Opportunity Announcement or Program Guidance. The second phase was a review by a panel of fire service peers. Using the information that you provided throughout your application, the panelists assigned scores to four elements of your application narrative: (1) clarity of the project description, (2) impact on daily operations, (3) demonstration of financial need, and (4) realization of cost benefit. Each of the two phases of the review carried equal weight, i.e., each phase was worth 50 percent of the activity's overall score. Please note that if you applied for multiple activities, you may receive a separate notice for each activity.

Given the high number of applications received, the Assistance to Firefighters Grants Program is unable to provide a detailed account of how each individual application was rated in the competitive process. However, we can tell you that the peer review panel scores indicate that in order to help you obtain a higher score in a future AFG grant request, it is recommended that you review the portion of your application in which you addressed your department's need for financial assistance and the inability to address the need without Federal assistance.

There are several tools and resources available to help fire departments and volunteer interest organizations develop effective AFG grant applications. I encourage you to make use of these resources as you prepare your next grant request.

**1. AFG Website ( [www.fema.gov/firegrants](http://www.fema.gov/firegrants) ).** The AFG Website offers a wealth of resources, such as the following:

- The AFG Notice of Funding Opportunity, which explains funding priorities and criteria
- Frequently Asked Questions (FAQs)
- Narrative Self-Evaluation Tool
- AFG Application Checklist
- Get Ready Guides
- Online tutorials with key information about preparing grant requests
- AFG E-Mail Alerts, biweekly e-mail messages to the AFG mailing list, which provides important announcements about new application periods, upcoming workshops, and other AFG program updates (to receive the AFG E-Mail Alerts, sign up on the AFG website)

&nbsp; &nbsp; &nbsp; &nbsp; • Grantee success stories

**2. &nbsp; &nbsp; Toll-Free Help Desk (1-866-274-0960 or [firegrants@dhs.gov](mailto:firegrants@dhs.gov)).** The AFG Help Desk staff members answer questions from applicants by telephone and by e-mail. Between application periods, they field general questions about AFG programs. During application periods, they provide technical assistance with the online application and answer questions about the AFG guidance. If additional assistance is needed, the Help Desk staff can refer questions directly to subject matter specialists.

Thank you again for your dedication and commitment to the U.S. fire service.

Regards,  
&nbsp;  
&nbsp;  
C. Gary Rogers  
Division Director  
Preparedness Grant Division  
Grant Programs Directorate



DATE: OCTOBER 23, 2017  
TO: JEFF MOLINARI - CITY MANAGER, MAYOR YOUNG AND CITY COUNCIL  
FROM: WAYNE LAKE - FIRE CHIEF  
SUBJECT: SELF CONTAINED BREATHING COMPRESSOR QUOTES

**SPECIFICATIONS**

- THREE POSITION CONTAINMENT FILL STATION.
- (4) BANK AIR CONTROL PANEL.
- (2) 6000 PSI STORAGE CYLINDERS.
- 10 HP MOTOR SINGLE-PHASE MOTOR.
- 4 - STAGE COMPRESSOR.
- MUST MEET NFPA REQUIREMENTS.
- PRICE MUST INCLUDE TAX, DELIVERY & INSTALLATION.

**RESULTS**

<u>VENDOR</u>	<u>TYPE</u>	<u>MODEL</u>	<u>COST</u>
SAFEAIR SYSTEMS	BAUER COMPRESSOR	UNIII/13H-E1	\$45,333.48
RHINEHART FIRE SERVICE	SCOTT	AC0301361110	\$48,931.56
NAFCO	EAGLEAIR	B4A10M BARON	\$49,210.02

RECOMMENDATION FROM STAFF: PURCHASE SELF CONTAINED BREATHING APPARTUS COMPRESSOR FROM SAFEAIR SYSTEM FOR \$45,333.48.

210 Labrador Drive  
 Randleman, NC 27317  
 toll free 800.424.8633



info@safeairsystems.com  
 phone 336.674.0749  
 fax 336.674.3688

**Quote**

**BILL TO:**  
 WALTERBORO FIRE DEPT  
 213 CARN STREET  
 WALTERBORO, SC 29488

**SHIP TO:**  
 WALTERBORO FIRE DEPT  
 213 CARN STREET  
 WALTERBORO, SC 29488

ORDER NUMBER: 0183339      ORDER DATE: 10/23/2017      CUSTOMER NUMBER      0001697

<b>Customer P.O.</b>	<b>Ship VIA</b>	<b>Terms</b>	<b>Attn:</b>	<b>Salesperson:</b>
	BESTWAY	NET 30 DAYS	WAYNE LAKE, CHIEF	RSL

ITEM NUMBER	DESCRIPTION	UNIT	ORDERED	B/O	PRICE	AMOUNT
	5 YEAR BAUER WARRANTY ON COMPRESSOR BLOCK AND 2 YEAR WARRANTY ON REST OF UNIT.					
UNIII/13H-E1	UNICUS III 13CFM 6KPSI 10HP	EACH	1.00	0	39,481.00	39,481.00
CYL-0069	UN STORAGE CYLINDER W/ VALVE	EACH	2.00	0	0.00	0.00
GT/CO/III	ELECTRIC CO MONITOR:	EACH	1.00	0	0.00	0.00
/AIRTEST-N11989	AIRTEST SINGLE GRADE 1989 (08)		1.00	0	105.00	105.00
/FREIGHT	ES-FREIGHT	EACH	1.00	0	800.00	800.00
/SHOP LABOR	ES-SHOP LABOR	HOUR	2.00	0	75.00	150.00
/MILEAGE	ES-MILEAGE	MILE	500.00	0	1.35	675.00
/FIELD LABOR	ES-FIELD SERVICE LABOR	HOUR	12.00	0	75.00	900.00

**Quote is valid for 30 days.**



Past Due Invoices Subject to 1.5% Monthly Finance Charge.  
 Final billing may include sales tax if applicable.

Net Order:	42,111.00
Less Discount:	0.00
Freight:	0.00
Sales Tax:	3,222.48
<b>Order Total:</b>	<b>\$48,333.48</b>

210 Labrador Drive  
 Randleman, NC 27317  
 www.safeairsystems.com  
 toll free 800.424.8633



info@safeairsystems.com  
 phone 336.674.0749  
 fax 336.674.3688

**Quote**

QUOTE # 0163339  
 Date: 10/23/2017  
 Customer Number: 0001697

**BILL TO:**  
 WALTERBORO FIRE DEPT  
 213 CARN STREET  
 WALTERBORO, SC 29488

**SHIP TO:**  
 WALTERBORO FIRE DEPT  
 213 CARN STREET  
 WALTERBORO, SC 29488

Confirm To: WAYNE LAKE, CHIEF

PO #:

Salesperson:

Qty.	Item	RSL	Amount
	5 YEAR BAUER WARRANTY ON COMPRESSOR BLOCK AND 2 YEAR WARRANTY ON REST OF UNIT.		
1.00	UNIII/13H-E1 UNICUS III 13CFM 6KPSI 10HP		
	UNICUS III 13CFM 6KPSI 10HP Bauer Unicus III All-in-One SCBA Recharging System configured for 13.0 scfm, 6000 psig, 4-stage compressor, 10 hp, single-phase motor, 67k scf purification system, integrated purification system that meets NFPA 1989 requirements for firefighting and CGA Grade E air for SCUBA, purifier includes steel mechanical separator chamber, Securus purifier monitor to signal "safe/high moisture/cartridges expired" status as well as purifier safety vent port to prevent operating system w/o cartridge. Standard with Bauer long-life, well-cooled, oil-pressure lubricated compressor block with stainless steel intercoolers, high-temperature low oil pressure shutdowns as well as front-mounted full gauge panel for compressor stages & oil pressure. Automatic condensate drain system with muffler, reservoir, reservoir "full" indicator and disposal container. Built-in 3-position, NFPA-compliant containment fill station, easy-open door with safety interlock, Independently certified to contain a 5500 psi (110 cf, 75 min) cylinder rupture, exceeding the strict requirements of NFPA 1901. cylinder scuff guards and 3 fill hoses with bleed valves & fill adapters. Well-lighted system control panel with embossed air flow schematic, including PLC & corresponding digital readout, Smart Pad operator interface console, emergency stop button, 4-bank cascade controls with gauge & valve for each bank, "from compressor/from storage" selector valve, 3 scba/scuba fill valves and respective gauges. Also included are safety over-time timer, motor controls/protection, and UL-rated electrics. Storage system standard with 2 ASME code vessels and integral rack to accommodate up to 4 total.		
2.00	CYL-0069 UN STORAGE CYLINDER W/ VALVE		
1.00	GT/CO/III ELECTRIC CO MONITOR:		
	ELECTRIC CO MONITOR: Electronic carbon monoxide monitor complete with calibration kit wired for alarm and shutdown. (Calibration gas included)		
1.00	/AIRTEST-N11989 AIRTEST SINGLE GRADE 1989 (08)		
1.00	/FREIGHT ES-FREIGHT		
2.00	/SHOP LABOR ES-SHOP LABOR		

Safe Air Systems is a Master Distributor for

Continued







500.00 /MILEAGE	ES-MILEAGE
12.00 /FIELD LABOR	ES-FIELD SERVICE LABOR

5 YEAR BAUER COMPRESSOR BLOCK WARRANTY AND 2 YEAR BAUER SYSTEM WARRANTY.

THIS QUOTE IS FOR A BAUER UNICUS III COMPRESSOR SYSTEM WHICH INCLUDES: 13 CFM, 6000 PSI, 10HP SINGLE PHASE ELECTRIC MOTOR AND INTERSTAGE GAUGES, AUTO CONDENSATE DRAIN, ELECTRIC MOISTURE MONITOR AND CO MONITOR.

THREE POSITION CONTAINMENT FILL STATION WITH 4 BANK AIR CONTROL PANEL. FILL STATION WILL HANDLE THE NEW 5500 PSI SCBA'S. MEETS NFPA REQUIRMENTS.

(2) 6000 PSI UN STORAGE CYLINDERS. TWO MOUNTED ON BACK OF MACHINE. ROOM FOR (2) ADDITIONAL CYLINDERS IN THE RACK.

1 TIME AIR TEST THAT MEETS NFPA 1989 REQUIRMENTS FOR FIREFIGHTING AND CGA GRADE E AIR FOR SCUBA WILL BE TAKEN AT TIME OF INSTALLATION.

PRICE INCLUDES DELIVERY & INSTALLATION OF UNIT.

\*\*\* CUSTOMER TO PROVIDE SUITABLE ELECTRICAL SUPPLY INCLUDING DISCONNECT AND PIGTAIL. PIGTAIL CONSIST OF 10 FT FLEX CONDUIT AND 12 FT WIRE. SAFE AIR WILL MAKE FINAL CONNECTION TO UNIT.

\*\*\*\*\* ADDITIONAL ITEMS MAY BE NEEDED TO MAKE FINAL CONNECTION TO THE SYSTEM, HOSE'S, FITTINGS, ETC. THEY WOULD BE AT ADDITIONAL COST.

Includes: \* Estimated Freight \* \* Delivery \* \* Setup, Installation and piping \* \* Startup and System Verification \* \* Comprehensive User Training \*

Customer to provide suitable electrical wiring/disconnect for Safe Air Systems to make final connections per Safe Air Systems' Customer Requirements document

Terms: NET 30 DAYS	Deliverv: 30 - 60 days after receipt of order
FOB: Randleman, NC	Ship Via: BESTWAY

*Quote is valid for 30 days, unless otherwise stated.*      *Final billing may include sales tax if applicable.*  
**1.5% Monthly Finance Charge will apply to any unpaid balance after payment due date.**

Net Order:	\$42,111.00
Sales Tax:	\$3,222.48
<b>Order Total:</b>	<b>\$45,333.48</b>



# UNICUS III™

## 4 AND 5-STAGE HIGH PRESSURE BREATHING AIR COMPRESSORS

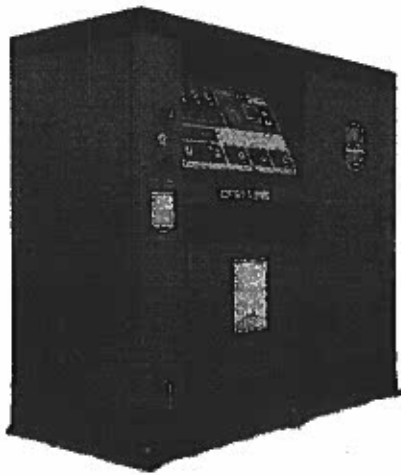
UNICUS III cylinder recharging station is the TOTAL SYSTEM for refilling high or low pressure SCBA or SCUBA cylinders. The integrated system design combines a BAUER high pressure compressor, BAUER breathing air purification system, air storage system, cascade fill panel and containment fill station into one user friendly workstation. Independently tested for safety, a **UL®** listed electrical assembly and the proven reputation for superior performance makes the UNICUS III the most advanced fill station available!

**FIRE**

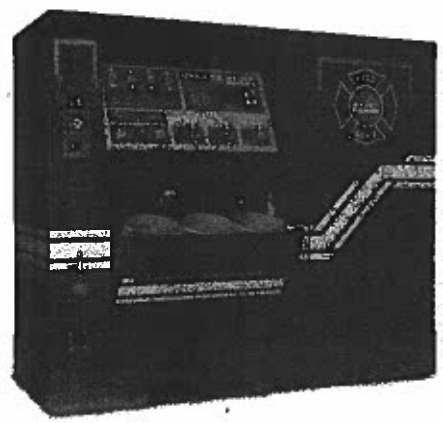
- › **PRESSURE:**  
Up to 6000 PSIG  
(414 BAR)
  
- › **CHARGING RATE:**  
13 to 42 SCFM  
(368 to 1190 L/MIN)
  
- › **POWER:**  
10 to 30 HP  
(7.5 to 22 kW)



› UNICUS III  
↗



› UNICUS III



› UNICUS III FIRE EDITION  
(OPTIONAL FIRE EDITION PAINT SCHEME SHOWN)

## STANDARD SCOPE OF SUPPLY

- › BAUER breathing air purification system with SECURUS
- › BAUER PLC base controller with multicolor touchpad display
- › NEMA 4 rated electrical enclosure with **UL**® listed control panel
- › Compressor low oil pressure and high temperature safety shutdowns
- › Emergency stop push button
- › Hinged cascade fill control panel with Lexan laminate air flow/fill schematic
- › Audible alarm on safety shutdowns
- › Inlet filter maintenance indicator
- › Automatic condensate drain system with non-corrosive condensate reservoir and integrated float sensor and automatic "Full" indication and compressor shutdown
- › Two (2) ASME code stamped air cylinders installed in an integral rack designed to hold four cylinders
- › Sound attenuating enclosure with slam-action latches and lift-off type hinges
- › NFPA 1901 2016 edition compliant 3 position containment fill station accommodates SCBA or SCUBA cylinders up to 31" overall length

## SYSTEM FOOTPRINT

### UN III/13H-E1/E3 - UN III/26-E3:

**DIMENSIONS L X W X H inches (mm)**

› 90" x 37" x 77" (2286mm x 940mm x 1956mm)

**WEIGHT pounds (kg)**

› 4150 - 4300 lb (1882.4 - 1950.4 kg)

### UN III/42-E3 and UN III/35H-E3:

**DIMENSIONS L X W X H inches (mm)**

› 102" x 50" x 77" (2591mm x 1270mm x 1956mm)

**WEIGHT pounds (kg)**

› 5500 lb (2495 kg)

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## AVAILABLE ACCESSORIES (FACTORY INSTALLED)

- › CO monitoring system
- › 100 ft high pressure cabinet enclosed hose reel
- › Additional air storage cylinders
- › Panel mounted remote fill hose connection
- › Dual Fill/3 position
- › Tri Fill/3 position

## TECHNICAL DATA

Model	Charging Rate <sup>1)</sup>		Number of Stages	Motor		FAD <sup>2)</sup>	RPM	Purification System
	SCF/HR	L/HR		HP	kW			
<b>5000 PSIG (345 BAR)</b>								
UN III/20-E3	21	595	4	15	11	17.5	1300	P5 SECURUS
UN III/26-E3	26.5	758	4	20	15	22	1300	P5 SECURUS
UN III/42-E3	42	1190	4	30	22	35	1300	P10 SECURUS
<b>6000 PSIG (414 BAR)</b>								
UN III/13H-E1/E3	13	368	4	10	7.5	10.8	1420	P2 SECURUS
UN III/21H-E3	21	610	4	15	11	15	1300	P5 SECURUS
UN III/25H-E3	25.2	714	5	20	15	21	1300	P5 SECURUS
UN III/35H-E3	35.4	1017	4	30	22	29.8	1200	P10 SECURUS

1) Based on recharging an 80 cubic foot tank from 500 to 3000 psig.

2) Compressor capacity referenced to standard inlet conditions.

E1=Single phase electric, 230 VAC/60 Hz. E3=Three phase electric, 208/230/460 VAC/60 Hz. Other voltages available on request. Dimensions and weight are approximate and are subject to change.

# QUOTE

## RHINEHART FIRE SERVICES

10/23/2017

DATE

22 Piney Park Rd., Asheville NC 28806  
 Office 828-273-1789  
 Cell Phone 704-604-2492  
 jody@rhinehartfire.com

EXPIRATION DATE 1/31/2018

TO Wayne Lake  
 Fire Chief  
 Walterboro Fire Department  
 843-908-5171

SALESPERSON	JOB	PAYMENT TERMS	DUE DATE
	Compressor Quote	NET 10	

QTY	DESCRIPTION	UNIT PRICE	LINE TOTAL
1	SCOTT Breathing Air System with 10hp 6000 PSI Compressor 208V/1 Phase/60 Hz with CO & Dew Point Monitor with Calibration Kit, Revolvair Charge Station with 4 Bank Control Panel, , 4- UN6000 Cylinders Mounted to back of Charge Station	45307.00	45307.00
	Price Includes shipping, Set up, training. Does not include any Electrical wiring or permits that may be required		

OTHERLESS NOTED ABOVE PRICES DO NOT INCLUDE ANY APPLICABLE TAX	<b>SUBTOTAL</b>	45307.00
OR SHIPPING CHARGES	<b>8% SALES TAX</b>	3624.56
	<b>TOTAL</b>	\$48931.56

Quotation prepared by: JODY BROWN REGIONAL SALE PERSON RHINEHART FIRE SERVICES, INC. \_\_\_\_\_

This is a quotation on the goods named, subject to the conditions noted below: (Describe any conditions pertaining to these prices and



Date: October 20, 2017

To: Chief Lake  
Walterboro FD

From: Brandon Oaks  
NAFECO, Inc

Re: Quote #9726-1 – Walterboro F.D., SC.

Dear Chief:

Below is the Baron proposal for the Walterboro Fire Department:

**Proposal #1:**

One - Eagle model B4A10M Baron Integrated breathing air compressor system including a 14.0 cfm, 6000 psi compressor driven by a 10 HP, 208/230V, three phase, electric motor as per the attached specifications:

- Three position containment fill stations (capable of filling three SCBA cylinders or two SCUBA cylinders at a time)
- Integrated rack for up to four ISO air storage cylinders
- Four (4) 6000 psi ISO storage cylinders (509 cf. each)
- Four (4) bank cascade control with "To" and "FROM" valves and gauge per bank
- Digital CO monitor panel with actual content display in parts per million (PPM) and prompter software keypad for calibration. A flow panel with factory plumbed calibration gases shall be included.
- Weight: 4300 lbs.

**Price = \$44,990.00**  
**8% Tax = \$3,599.20**  
**Total = \$48,589.20**

**Options:**

- *Single phase electric motor*

**Price = \$575.00**  
**8% Tax = \$46.00**  
**Total = \$621.00**

- *Integrated 50 ft. AirReel mounted on center compartment including panel mounted inlet and fill pressure gauges and a reel control valve*

**Price = \$1,585.00**  
**Tax = \$126.80**  
**Total = \$1,711.80**

**CITY OF WALTERBORO**  
**PARADE/PROCESSION PERMIT REQUEST**

**(PLEASE PRINT INFORMATION REQUESTED)**

Application Date: 11-8-17

1. Person submitting application: Herman G. Bright  
Address: 538 St. Peters Rd. Walterboro, SC  
Telephone: 843-217-5000
  
2. Name of Organization: Walterboro Shrine Club of Arabian Temple #139  
Chairperson/President: Willie White  
Address: 755 Henry St. Walterboro, SC 29488  
Telephone: 843-599-1923
  
3. Parade Chairman: Herman G. Bright  
Address: 538 St. Peters Rd. Walterboro, SC 29488  
Telephone: 843-217-5000
  
4. Date/Time of Parade: 1-14-2018      2:30
  
5. Parade Route requested (Attach Sketch) - Attach
  
6. Number of Vehicles/Floats: 90      Number of Animals: 5
  
7. Portion (width) of street parade will occupy: Full Street
  
8. Additional Information (Upon Request): .

Herman G. Bright  
Signature/Parade Chairman

Willie White  
Signature/Organization Chairperson

\_\_\_\_\_ Approval

\_\_\_\_\_ Disapproval

\_\_\_\_\_  
Police Chief

\_\_\_\_\_  
City Manager

**NOTE:** >>> Call Police Chief (782-1032) to confirm Parade/Procession Route three days prior to parade.

# MLK Parade Route

