



7000180260 CLARENDON COUNTY
INV PROVISO 118.19, 12/13/22, \$82,500.00
Abandonment of Wells Project
FUNDING: 5180210000 82,500.00 J0404AC317
J040X0136 10050023 NOT RELEVANT

GRANT AGREEMENT

BETWEEN

SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

AND

Clarendon County, SC

This Agreement by and between the South Carolina Department of Health and Environmental Control (DHEC) and Clarendon County, SC (Recipient) a county form of government existing under the laws of South Carolina, is to provide for the distribution of funds **\$82,500** (nonrecurring funds) appropriated in 2022 Act 239, Part IB, Proviso 118.19 (83) J040 (u).

The parties agree as follows:

A. STATEMENT OF PURPOSE:

The purpose of the Agreement is to provide funding to Recipient, in support of the **Clarendon County Abandonment of Wells Project**. This Agreement furthers DHEC's statutory mission as authorized in South Carolina Code **Section 48-39-10 to 48-39-360** and serves the public purpose of **environmental protections and conservation**.

B. SCOPE OF SERVICES:

The Recipient shall utilize the funds for the activities and services ("the Clarendon County of Wells Abandonment Project") as outlined in the attached Earmarked Appropriations Disbursement Request Form (Exhibit 1) as completed with supporting documents, which will be incorporated into this Agreement upon acceptance under Paragraph D.

C. TERM:

This Agreement shall be effective upon signature, calendar year **2022** and shall terminate on June 30, **2023**. Recipient's obligations under this Agreement shall survive termination.

D. PAYMENT:

1. Recipient shall submit a written request for payment not to exceed **\$82,500**, and shall include with the request the information on the attached Earmarked appropriations

Disbursement Request Form (Exhibit I) Including the following as required by Proviso 117.21: and DHEC.

- a. An accounting of how the Funds will be spent (Planned Expenditure Summary),
 - b. Goals to be accomplished, and
 - c. Proposed measures to evaluate success in implementing and meeting the goals.
(Per Proviso 117.21 no funds shall be released until the required plan of how the state funds will be spent and how the expenditures will provide a public benefit are filed with the agency)
2. Upon acceptance by DHEC, the request for payment will be incorporated into and made a part of this Agreement.
 3. Recipient must register with SCEIS as a vendor and provide vendor information on the request for payment.
 4. Payment is contingent on DHEC receipt of Funds.
 5. Upon receipt and review and approval of the Planned Expenditure Summary, Funds Budget, and financial statements, DHEC will transmit the Funds to Recipient by check delivered to:

David W. Epperson, Esquire
County Administrator
Clarendon County Administration Building
411 Sunset Drive
Manning, SC 29102
803-433-3228
info@clarendoncountygov.org

6. Source of Funds: State funds made available in the **FY2023** Appropriations Act Proviso 118.19 as a nonrecurring distribution per legislative direction, effective July 1, 2022. DHEC's Point of Contact for financial information regarding payments made under this Agreement:

Bruce C. Busbee, Director
Budgets and Financial Planning
SCDHEC
2600 Bull Street
Columbia, South Carolina, 29201

E. REPORTING REQUIREMENTS: AUDITS:

1. By **June 30th, 2023**, Recipient shall submit to DHEC a report containing a detailed accounting of its use of the Funds, the services completed, and the outcome measures used to determine the success of the stated goals in sufficient detail for DHEC to determine Recipient's compliance with the Scope of Services set forth in Paragraph B above. See Exhibit II (Quarterly Expenditure Report) an expected completion date by which it anticipates all funds will be spend. Recipient shall also submit a final report with this information If the Project is not completed or the Funds have not been spent by **June_30, 2023**, Recipient shall include in its report an explanation why the Funds have not been spent or the Project is not complete and an expected completion date by which it anticipates all funds will have been spent. Recipient shall also submit a final report with this information within 90 days after project completion or exhaustion of Funds.
2. Recipient shall submit to DHEC by **June 30, 2023**, a detailed statement explaining the nature and function of its organization as well as a detailed statement explaining the use that was made of the Funds (using attached templates(s)).
3. Recipient will allow the State Auditor to audit or cause to be audited the Funds.

F. PREVENTING AND REPORTING FRAUD, WASTE AND ABUSE:

1. DHEC has procedures and policies concerning the prevention and reporting of fraud, waste, and abuse (FWA) in agency-funded programs, including but not limited to those funded by federal grants such as Medicaid. No agency employee, agent, or Recipient shall direct, participate in, approve, or tolerate any violation of federal or State laws regarding FWA in government programs.
2. Federal law prohibits any person or company from knowingly submitting false or fraudulent claims or statements to a federally funded program, including false claims for payment or conspiracy to get such a claim approved or paid. The False Claims Act, 31 U.S.C. §3729-3733, and other "whistleblower" statutes include remedies for employees who are retaliated against in their employment for reporting violations of the Act or for reporting fraud, waste, abuse, or violations of law in connection with federal contracts or grants, or danger to public health or safety. Under State law, persons may be criminally prosecuted for false claims made for health care benefits, for Medicaid fraud, for insurance fraud, or for using a computer in a fraud scheme or to obtain money or services by false representations.
3. If Recipient or Recipient's agents or employees have reason to suspect FWA in DHEC programs, this information should be reported in confidence to DHEC. A report may be made by writing to the Office of Internal Audits, DHEC, 2600 Bull Street, Columbia, SC 29201; or by calling the DHEC Fraud, Waste and Abuse Hotline at 803-896-0650 or toll-free at 1-866-206-5202. Recipient is required to inform Recipient's employees of

the existence of DHEC's policy prohibiting FWA and the procedures for reporting FWA to the agency. Recipient must also inform recipient's employees, in writing, of their rights and remedies under 41 U.S.C. §4712 concerning reporting FWA or violations of law in connection with federal contracts or grants, or danger to public health or safety, in the predominant native language of the workforce.

- G. **USE OF FUNDS:** Recipient will not use, expend, or allow use or expenditure of the Funds for any purpose not authorized in and consistent with this Agreement. Unexpended funds distributed pursuant to this Agreement may be carried forward to succeeding fiscal years and expended for the same purposes. Recipient shall continue the reporting and monitoring required under this Agreement until all Funds are spent.
- H. **RETURN OF FUNDS:** The State of South Carolina reserves the right to all remedies available to it under law for the enforcement of this Agreement including but not limited to the right to demand repayment of any Funds that remain unused at completion of the project or that were used for purposes not authorized in this Agreement.
- I. **NON-DISCRIMINATION:** Recipient represents and agrees that it does not and will not practice discrimination, or use the Funds for purposes which discriminate, against persons by virtue of race, religion, color, sex, age, national origin, disability, veteran status, pregnancy, gender identity, sexual orientation, or any other basis prohibited by law.
- J. **RECORDKEEPING:** Recipient shall create and maintain adequate records to document all matters covered by this Agreement. Recipient shall retain all such records for six (6) years or other longer period required by law after termination, cancellation, or expiration of the Agreement or after final expenditure of Funds, whichever is later, and make records available for inspection, copying, and audit by DHEC or other authorized agent of the State. If any litigation, claim, or audit has begun but is not completed or if audit findings have not been resolved at the end of the retention period, the records shall be retained until all litigation, claims, or audit findings involving the Funds have been resolved.
- K. **REVISIONS OF LAW:** The provisions of the Agreement are subject to revision of state or federal statutes and regulations and requirements governing (name of grant, etc.).
- L. **PUBLIC INFORMATION:** All information relating to distribution and use of the Funds, including all reports and documentation submitted to DHEC under this Agreement, is subject to public disclosure under the South Carolina Freedom of Information Act and may be published on DHEC's internet web site.
- M. **ATTACHMENTS:** Attachments to this Agreement are incorporated into and made part of this Agreement.

SOUTH CAROLINA DEPARTMENT OF
HEALTH AND ENVIRONMENTAL CONTROL

RECIPIENT NAME

BY: Bruce C. Busbee
Bruce C. Busbee
Director of Budgets and Financial
Planning

BY: [Signature]
[Title]
County Administrator

DATE: 12/15/2022

DATE: 12/13/22

MAILING ADDRESS:
SC DHEC - Office of Budgets and Financial
Planning
2600 Bull Street
Columbia, SC 29201
Phone: 803-898-3388
Fax: 803-253-7637

MAILING ADDRESS:
411 Sunset Dr
Manning, SC 29102

Phone: () ___-___
Fax: () ___-___
Email: _____

REMITTANCE ADDRESS: (if applicable)

TAX/EMPLOYER ID # _____

TYPE OF ENTITY (check one):
 Corporation
 LLC
 Partnership
 Nonprofit organization
 Government agency or political subdivision
- specify State if not SC:

Other Governmental body (specify)

Individual/sole proprietor
 Other (specify)

If a corporation or LLC:

State of incorporation/organization:

Registered agent and address in South
Carolina:

SCDLLR or other license #

THIS AGREEMENT IS NOT OFFICIAL AND BINDING UNTIL SIGNED BY THE DHEC CONTRACTS
MANAGER.

Francine Miller

Francine Miller
DHEC Contracts Manager

DATE: 12-15-20

Please note: Text printed in *italics*, boldface indicates sections vetoed by the Governor on June 22, 2022.

**Indicates those vetoes overridden by the General Assembly on June 28, 2022.

(83) J040 Department of Health & Environmental Control

- (a) Aynor Stormwater Project \$ 650,000;
- (b) Harleyville Sewer Projects \$ 350,000;
- (c) Ridgeway Water Tower Maintenance \$ 100,000;
- (d) Impact fees for water/sewer construction \$ 500,000;
- (e) Orangeburg - DPU Water Study \$ 10,000;
- (f) York County York Upper and Lower Reservoir Dam Remediation \$ 200,000;
- (g) York County Elevated Storage Tank \$ 400,000;
- (h) York Water Filtration Plant Environmental Remediation \$ 700,000;
- (i) York County Fishing Creek Waste Water Treatment Plant Upgrades \$ 1,500,000;
- (j) York County Water Line Replacement \$ 1,500,000;
- (k) Catawba Wateree Water Supply Master Plan \$ 500,000;
- (l) Chester Wastewater Connection to Rock Hill \$ 10,000,000;
- (m) Windemere Basin Study and Outfall Maintenance \$ 1,500,000;
- (n) Sumter County Utility System Upgrades \$ 3,700,000;
- (o) James Island Watershed Restoration - Pollution Mitigation \$ 1,000,000;
- (p) Nursing Program Expansion and Retention \$ 2,000,000;
- (q) Wachesaw Outfall Project \$ 1,200,000;
- (r) Ocean Outfalls - Myrtle Beach \$ 30,000,000;
- (s) Ocean Outfalls - North Myrtle Beach \$ 10,000,000;
- (t) Town of Honea Path - Chiquola Mills Site Remediation \$ 1,000,000;
- (u) ~~Clarendon County Abandonment of Wells~~ \$ 82,500;
- (v) SCBio \$ 200,000;
- (w) EMS Association Recruitment and Retention \$ 1,600,000;
- (x) PFAS Remediation \$ 10,000,000;
- (y) New Morning Foundation \$ 1,875,000;
- (z) Conestee Dam Emergency Mitigation \$ 3,000,000;

South Carolina

Secretary of State

(<https://sos.sc.gov/>)

Mark Hammond

Search Charities

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Clarendon County

Public Id: P75854

Mr David W Epperson Esq., CEO

411 SUNSET DR

MANNING, SC 29102-2423

Status: Exempt. This organization is not required to file annual financial reports. For information about exemptions refer to the **Solicitation of Charitable Funds Act.**

(<http://www.scstatehouse.gov/code/t33c056.php>)

Disclaimer: The South Carolina Secretary of State's Charities Search Webpage is provided as a service to customers to research charitable organizations on file with our office, or that have been the subject of an administrative action. Users are advised that the Secretary of State, the State of South Carolina, or any

agency, office, or employee of the State of South Carolina do not guarantee the accuracy, reliability, or timeliness of the information provided, as it is the responsibility of the charity to inform the Secretary of State of any updated information. Furthermore, the information provided does not constitute legal advice.

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State of South Carolina Request for Contribution Distribution

This form is designed to collect the information required by South Carolina in accordance with Proviso 117.21 of the appropriations act of 2022 and Executive Order 2022-19. This form must be submitted to the state agency that is providing the contribution for the designated organization. The state agency providing the contribution should use this form to collect information from the designated organization. The information must be collected from the designated organization before the funds can be disbursed.

Contribution Information

Amount	State Agency Providing the Contribution	Purpose
	J040 - Department of Health and Environmental Control	The Abandonment Wells Project

Organization Information

Entity Name	Clarendon County
Address	411 Sunset Drive
City/State/Zip	Manning, SC 29102
Website	www.clarendoncountygov.org
Tax ID#	57-6000337
Entity Type	County

Organization Contact Information

Contact Name	Vickie Williams
Position/Title	Grants Administrator
Telephone	803-433-4004
Email	grants@clarendoncountygov.org

Plan/Accounting of how these funds will be spent:

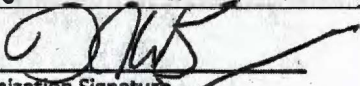
Description	Budget	Explanation
Contractor Mobilization	\$2,500.00	Contractor moves equipment onto project sites
Abandon 3 wells at Quail Ridge subdivision	\$15,000.00	Contractor provides the abandonment work and sealing on 4 wells
Abandon 4 wells at Wyboo Plantation Subdivision	\$20,000.00	Contractor provides the abandonment work and sealing on 4 wells
Abandon 2 wells at Eagle Pointe Subdivision	\$10,000.00	Contractor provides the abandonment work and sealing on 2 wells
Abandon 4 wells at Lake Marion Shores	\$20,000.00	Contractor provides the abandonment work and sealing on 4 wells
Misc. demolition	\$7,500.00	Demolition work involved in the removal of cement, piping etc.
Contingency 10%	\$7,500.00	
Grand Total	\$82,500.00	

Please explain how these funds will be used to provide a public benefit:

Funds for this project will provide the work involved in the abandonment of 13 wells in order to comply with SCDHEC regulations for decommissioning wells no longer in use. All work must be done under the supervision of a licensed well driller. Clarendon County's water and sewer department has terminated use of the wells located at 4 smaller water systems that have been integrated into the Clarendon County Rural Water System. The public health benefit is that now residents in these areas will have a safe, sanitary and quality potable source of water.

Organization Certifications

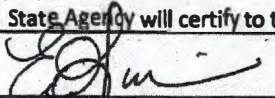

- 1) Organization hereby gives assurance that no person shall, upon the grounds of race, creed, color, or national origin, be excluded from participation in, be denied the benefit of, or be otherwise subjected to discrimination under any program or activity for which this organization is responsible.
- 2) Organization certifies that it will provide quarterly spending reports to the Agency Providing Contribution listed above.
- 3) Organization certifies that it will provide an accounting at the end of the fiscal year to the Agency Providing Contribution listed above.
- 4) Organization certifies that it will allow the State Auditor to audit or cause to be audited the contributed funds.


 Organization Signature
 David W. Epperson, Esq
 Printed Name

County Administrator
 Title
 11/17/2022
 Date

Certifications of State Agency Providing Contribution

- 1) State Agency certifies that the planned expenditure allgns with the Agency's mission and/or the purpose specified in the appropriations act of 2022.
- 2) State Agency certifies that the Organization has set forth a public purpose to be served through receipt of the expenditure.
- 3) State Agency certifies that it will make distributions directly to the organization.
- 4) State Agency certifies that it will provide the quarterly spending reports and accounting received from the organization to the Senate Finance Committee, House Ways and Means Committee, and the Executive Budget Office by June 30, 2023.
- 5) State Agency certifies that it will publish on their website any and all reports, accountings, forms, updates, communications, or other materials required by Proviso 117.21 of the appropriations act of 2022.
- 6) State Agency will certify to the Office of the Governor that it has complied with the requirements of Executive Order 2022-19 by June 30, 2023.


 Agency Head Signature

 Printed Name

5 JAN 2023
 Date

IO 404AC 317 10050023 Not Relevant
 5180210000 (BY) \$42,500.00
 Request Dated 11/17/2022