

Business **START-UP** **Guide**

Oconee County
SOUTH CAROLINA



COMPILED AND PROVIDED BY THE
Oconee Economic Alliance

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WELCOME

Our economic system is based upon free enterprise and the rights of each person to take the chance to follow the dream and open a business. The information enclosed in this document has been compiled to answer many of the questions that arise when a person begins to think about opening a business.

Owning and operating a business is hard work. It takes dedication, patience, and an assortment of skills and money. The individuals who have worked to gather this information are supportive of your desire to follow your dream. Take time to read the material. Knowing how to handle the many details of going into business and knowing yourself is very instrumental in the success of your business.

This information may lead to additional questions. Do not hesitate to find an answer, no matter what the question. There are resources available to help find the answers. Please call the Oconee Economic Alliance (OEA) office and our staff can help identify the best resource to assist you.

We ask your help in identifying additional topics that should be included in this guide. The more information we can provide, the better we can assist you and the others who will follow.

We hope this booklet will be of assistance to you. In order to receive the maximum benefits of the information contained in this booklet, we suggest you treat this booklet as you would a workbook. Start at the beginning and work through to the end, making notes along the way.

We commend you and look forward to working with you. Please give us a call if you have additional questions.

Best wishes,

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NOTICE: The contents of this publication are presented for informational purposes only and should not be considered in any way legal or professional assistance. We encourage you to seek the advice and counsel of a licensed professional when dealing with legal and financial matters.

While care has been taken to provide accurate, up-to-date information, the information presented has been collected from numerous sources and is subject to errors and changes and should be further researched for updates and accuracy.

What is an Entrepreneur?

- *Someone who organizes and maintains a business venture*
- *Someone who takes on the risk and does what he/she wants in order to make a profit*
- *Someone who can coordinate the resources available to meet a need*

How can you become an entrepreneur? How can you start your own business? The Oconee Economic Alliance (OEA) has designed this booklet to simplify the transition into the role of an entrepreneur. This guide will make establishing your own business easier by giving you “one stop shopping” for the information you will need. The Oconee Economic Alliance is determined to promote economic growth and development. We believe this begins with you. By giving you the proper tools, we can help build a strong economic foundation in Oconee County.

Is Entrepreneurship for You?

There is no way to eliminate all the risks associated with starting a small business. You can improve your chances of success with **good planning** and **preparation**. A good starting place is to evaluate your strengths and weaknesses as the owner and manager of a small business. Carefully consider each of the following questions.

- Are you a self-starter? It will be up to you - not someone else telling you to develop projects, organize your time, and follow through on details.
- How well do you get along with different personalities? Business owners need to develop working relationships with a variety of people including customers, vendors, staff, bankers, and professionals such as lawyers, accountants or consultants. Can you deal with a demanding client, an unreliable vendor, or unreliable staff person?
- How good are you at making decisions? Small business owners are required to make decisions constantly, often quickly, under pressure, and independently.
- Do you have the physical and emotional stamina to run a business? Business ownership can be challenging, fun and exciting. But it's also a lot of work. Can you face 12-hour work days six or seven days a week if necessary?
- How well do you plan and organize? Research indicates that many business failures could have been avoided through better planning. Good organization of financials, inventory, schedules, and production can help avoid many pitfalls.
- Is your drive strong enough to maintain your motivation? Running a business can wear you down. Some business owners feel burned out by having to carry all the responsibility on their shoulders. Strong motivation can make the business succeed and will help you survive slowdowns as well as periods of burnout.
- How will the business affect your family? The first few years of business startup can be hard on family life. The strain of an unsupportive spouse may be hard to balance against the demands of starting a business. There also may be financial difficulties until the business becomes profitable, which could take months or years. You may have to adjust to a lower standard of living or put family assets at risk.

Self-BizQuiz

*Are you the type of person who should open their own business?
Take this short quiz and see how your score adds up.*

MOTIVATION		Disagree					Strongly Agree				
1	I constantly see business opportunities or ideas with potential commercial value.	1	2	3	4	5	6	7	8	9	10
2	I like growing or building businesses or taking ideas and making something of them.	1	2	3	4	5	6	7	8	9	10
3	I regularly come up with new ideas on doing things better or more efficiently.	1	2	3	4	5	6	7	8	9	10
4	I am able to find solutions to challenges or problems.	1	2	3	4	5	6	7	8	9	10
5	I am able to find the help, assistance or resources I need to be successful.	1	2	3	4	5	6	7	8	9	10
6	I am a dynamic person providing vision, hope and energy to those with whom I work and partner.	1	2	3	4	5	6	7	8	9	10
7	I am a hard working person. I do what it takes to succeed.	1	2	3	4	5	6	7	8	9	10
8	I am able to adapt to changes & surprises quickly and successfully.	1	2	3	4	5	6	7	8	9	10
9	I am able to successfully manage risk associated with creating and growing a business.	1	2	3	4	5	6	7	8	9	10
10	I thrive on learning. I am constantly seeking new information that can help me with my business.	1	2	3	4	5	6	7	8	9	10
11	I am motivated by success and driven to do well.	1	2	3	4	5	6	7	8	9	10
12	I believe in working with others who can help me make my dream a reality.	1	2	3	4	5	6	7	8	9	10
CAPACITY RELATED TO BUSINESS SKILLS											
<i>Consider Yourself and Other Members of Your Management Team</i>											
13	Ability to assess market opportunities	1	2	3	4	5	6	7	8	9	10
14	Ability to develop products or services	1	2	3	4	5	6	7	8	9	10
15	Ability to provide products or services	1	2	3	4	5	6	7	8	9	10
16	Marketing and communications capacity	1	2	3	4	5	6	7	8	9	10
17	Fiscal management	1	2	3	4	5	6	7	8	9	10
18	Ability to acquire financial capital	1	2	3	4	5	6	7	8	9	10
19	Personnel, management capacities	1	2	3	4	5	6	7	8	9	10
20	Ability to develop and sustain partnerships	1	2	3	4	5	6	7	8	9	10
21	Quality Control	1	2	3	4	5	6	7	8	9	10

CAPACITY TO NETWORK AND PARTNER

22	I am comfortable seeking information from others.	1	2	3	4	5	6	7	8	9	10
23	I regularly network to gain information for my business.	1	2	3	4	5	6	7	8	9	10
24	I have an extensive resource network I am constantly building.	1	2	3	4	5	6	7	8	9	10
25	I am comfortable with partnerships.	1	2	3	4	5	6	7	8	9	10
26	I have two or more partnerships associated with my business.	1	2	3	4	5	6	7	8	9	10
27	I have learned how to deal with the challenges of partnering.	1	2	3	4	5	6	7	8	9	10

SUPPORT FROM FAMILY AND COMMUNITY

28	I am challenged and happy in my work building a business.	1	2	3	4	5	6	7	8	9	10
29	There is a good balance between my work and personal life.	1	2	3	4	5	6	7	8	9	10
30	Family and friends are supportive and encourage me.	1	2	3	4	5	6	7	8	9	10
31	My community is supportive of me and my undertaking.	1	2	3	4	5	6	7	8	9	10
32	My community is actively helping me build my business.	1	2	3	4	5	6	7	8	9	10

Score Self Biz Quiz Score Card

Questions	Total Points	Value Factor			Points
1 – 2		X		=	
3 – 12		X		=	
13 – 21		X		=	
22 – 27		X		=	
28 – 32		X		=	
			TOTAL POINTS		

Scoring:

- ◆ *First Two Questions under Motivation:*
 $-2 \text{ questions} \times 10 \text{ pts.} = 20 \text{ maximum pts. } X \text{ factor of } 1 = \text{Score of } 20$
- ◆ *Remaining Questions under Motivation:*
 $-10 \text{ questions} \times 10 \text{ pts.} = 100 \text{ maximum pts. } X \text{ factor of } .25 = \text{Score of } 25$
- ◆ *Capacity – Skill Questions:*
 $-9 \text{ questions} \times 10 \text{ pts.} = 90 \text{ maximum pts. } X \text{ factor of } .25 = \text{Score of } 22.5$
- ◆ *Capacity – Networking/Partnering Questions:*
 $-6 \text{ questions} \times 10 \text{ pts.} = 60 \text{ maximum pts. } X \text{ factor of } .25 = \text{Score of } 15$
- ◆ *Support Questions:*
 $-5 \text{ questions} \times 10 \text{ pts.} = 50 \text{ maximum pts. } X \text{ factor of } .25 = \text{Score of } 12.5$

0 to 25 points	Low Potential
26 to 50 points	Some Potential
51 to 75 points	Moderate Potential
76 to 100 points	High Potential

Source: Center for Rural Entrepreneurship

ChecklistforEntrepreneurs

Starting your own business is not something to be rushed into. Careful, advanced planning can ensure the success of your venture. Below is a suggested one-year plan.

ONE YEAR BEFORE START-UP

- Refine your ideas in writing. Determine exactly where you want to go.
- Decide what business you want to start. Be specific in your business definition.
- Assess the impact on your family and personal life. How will this affect your relationships? Will your family support the use of finances and time?
- Begin research. You must determine if there is a need for your product. This research can be performed by students, professionals, or even on your own.
- Build your personal skills by taking formal management/business courses at one of our fine educational facilities here in Upstate South Carolina. Also take advantage of the outstanding free training resources available in the “Learning Center” of the U.S. Small Business Administration website, www.sba.gov. These free on-line courses, webinars, and archived chat sessions provide a wealth of information.
- Contact the Clemson Regional Small Business Development Center (SBDC; 864-710-4717; www.clemson.edu/centers-institutes/sbdc/) for assistance in writing a business plan and other business startup services and for information on educational seminars.
- Also contact the Tri-County Entrepreneurial Development Corporation (TCEDC; 727-422-4459; <http://bit.ly/oconeesc>) to learn about classes and support on starting your business. SBDC and TCEDC work hand-in-hand to educate and mentor local entrepreneurs.
- Your business planning research should also include exploration of potential financial resources for starting and running your business (lenders, investors, etc.), as well as the standards typically used by lenders and investors when they review applications. The resources listed above provide a great starting place for researching this topic. Also see the “Financing Information” section of this guide.

SIX MONTHS BEFORE START-UP

- Determine the focus of your business. What do you want to specialize in? It is easier to excel at one area than at many.
- Start writing your business plan.
- Define your target markets. Who is your intended clientele? Who should you aim your advertising towards?
- Research business and trade organizations. Most areas of business have agencies and organizations set up to facilitate business. Take advantage of what these groups have to offer.
- Start looking for the best location for your business. Do you need a little or a lot of space? Would your business be better suited downtown or in a rural part of the county? Is a store-front location needed or can you work from your home? Location can make or break a business. Conduct the search on your own or contact a real estate agent.
- Begin making contact with potential financial resources in order to provide them with a general introduction of your business idea. They will likely provide feedback on the types

of detailed information they will need to see in your business plan and résumé in order to consider lending or investing capital in your business. It can take a long time to obtain a business loan or an investment, so your work to begin this dialogue and build these relationships should begin no later than now.

FOUR MONTHS BEFORE START-UP

- Name your business. Be careful in deciding on a name and be aware that someone may already be using the name. Have a few back-up ideas. You can check to see if a name is being used by contacting the South Carolina Office of the Secretary of State.
- Make a final selection of the business location. Make sure that the location you choose is within your budget and also fits into your business plan. Cheaper rent may cost you more in the long run. Remember: Location, location, location.
- Select outside advisors. This will be a very hectic time. It will be beneficial to have people you can call on to listen to your ideas, problems, and plans and provide feedback. These people should be able to provide you with guidance, constructive criticism, and feedback. They should be people experienced and knowledgeable in business.
- Set up a network of mentors. Select people who can help you by giving you insight and ideas.
- Choose your business's legal form. Will it be a partnership, a limited liability company (LLC), an S corporation, a C corporation? Legal form should be chosen very carefully as it can impact your business, your tax burden, and even your personal assets. It is thus advisable to seek counsel from both a licensed attorney and a certified public accountant (CPA) when setting this up. While such consultation is an investment, choosing the most appropriate legal form can save you a great deal of money and headache over the long run. See the "Legal Aspects of Starting a Business" section of this guide.
- Set up bookkeeping, accounting and office systems. How are you going to operate your office? If you are going to keep your own books, make sure your skills are adequate. Will you need to hire a bookkeeper/bookkeeping firm? Create an account on the IRS Electronic Federal Tax Payment System (EFTPS).
- Seek outside demographic information on your targeted customer base. Gather secondary information (See "Demographic Information" section of this guide).
- Continue working on your business plan.

THREE MONTHS BEFORE START-UP

- Determine your specific cash needs. How much money do you need for start-up? What will be your monthly variable and fixed costs? What is your break-even point? These are all questions that must be answered. You must estimate your cash flows.
- Review preliminary financial objectives. How much profit do you expect to make? Are you planning on making investments? What is your intended cash flow?
- Decide on your pricing strategy. After determining your variable and fixed costs, decide what your markup rate will be. You will also need to consider demand and competitive factors in setting your price.
- Forecast sales. Contact the Clemson Regional Small Business Development Center and/or the Tri-County Entrepreneurial Development Corporation for help.

- Determine your company's employee needs. How many people do you need on your staff? This is important to decide as it effects your requirements for insurance, cash flow, workers' compensation coverage, etc.
- Project your cash flow. Write out an estimated statement of all revenues and expenditures. This statement should cover one calendar year. Also project your net cash flow for the entire year.
- Continue working on and refining your business plan.

TWO MONTHS BEFORE START-UP

- Prepare your marketing plan. How are you going to market your product and how much will it cost? Are you going to use publicity? Are you going to use paid advertisement? You must decide how you will go about introducing your business to the public.
- Visit with the Zoning Administrator and begin the paperwork to obtain your Certificate of Occupancy and to ensure proper zoning is at the property for your business type. See the "Local Business Requirements" section of this guide.
- Review non-financial objectives (public image, legal questions). How do you want the public to see your business? Are you a family establishment or geared more toward adults? What form is your business taking? Do you have all legal documents needed?
- Prepare a preliminary balance sheet. Contact the Clemson Regional Small Business Development Center and/or the Tri-County Entrepreneurial Development Center for assistance.
- Secure financing. The business planning, research, and communications with potential financial sources that you have conducted up until this point should help you to complete any applications that might be necessary. Whether through a private lender or other sources, you must obtain the necessary amount of start-up capital.
- Secure insurance coverage if applicable. (See "Labor & Safety Regulations" section of this guide.)
- Determine advertising, promotion, and public relations strategies.
- Order opening inventories. Talk to your suppliers for estimated opening needs.
- Complete improvements to your facility.
- Start your hiring process. (See "Labor & Safety Regulations" section of this guide.)

ONE MONTH BEFORE START-UP

- Fine tune your cash flow budget.
- Prepare for your grand opening. One of the three Chambers of Commerce or the Oconee Economic Alliance can be of assistance in planning your events. Be creative yet practical.
- Set up your office, display areas, etc. Have everything exactly as you want it. The last few days before opening are not the time to do this. The look of your store or office sets the tone for your business. You should put thought and time into it.
- Review your final checklist.
- Visit the local City Hall and go through the procedures necessary to obtain your business license. You do not need to receive any licenses from Oconee County.
- Hire your staff. (See Labor/Safety)

- Make sure everything works. It is better to find out that your equipment does not work in advance. In that case, you can make any necessary repairs and be ready to open your doors on time.
- Implement marketing, promotion, and opening plans. This will be a good time to start advertising in local newspapers, radio, and television if your budget permits. Remember: word of mouth is your most powerful publicity! It's also the least expensive. Spread the word!

START-UP AND AFTER

- Budget your time. As a new business owner your time will be precious. Schedule your time wisely. It is important to get the maximum out of time you have available. You might consider reading some time management materials or speaking with someone who you think manages time wisely.
- Continuously update your product/service. What is good about your product? Make it better. What doesn't work with your product? Eliminate the problem as much as possible. If people patronize your business for the original product, an improved product can only increase that.
- LISTEN to your customers, advisors, and vendors. The customers are your cash flow. It is important to gather their opinions and put them to use. Their ideas can be helpful in updating your product. LISTEN to your advisors. You asked them to advise you for a reason. Let them guide you. LISTEN to your vendors. These vendors have been in the business much longer than you have. They can possibly provide you with money-saving or moneymaking ideas.
- Check cash flow budget against actual performance.
- Maintain good communications with your bankers and vendors, by keeping the lines of communication open you are helping yourself. Should you need their help in the future, you will be more likely to receive it.
- Work with investors. Make sure you are in contact with them. Make sure that you understand the conditions of your repayment. When are payments due? Make sure you fulfill all obligations to investors. You may need to call them again someday.
- Check cost of living budget. If you are drawing money from the company for living expenses, be sure to take only what is necessary. Stick tightly to your budget.
- **CONSIDER DELAYING YOUR OFFICIAL GRAND OPENING / RIBBON CUTTING UNTIL YOU'VE BEEN IN BUSINESS FOR A COUPLE OF WEEKS.** If you do, you can make sure that you've worked the "bugs" out and that all is running smoothly.

Business Planning: Local Resources

The most important first step to starting a business is developing a strong, detailed business plan. So many entrepreneurs start with the question, “*Where am I going to find the money to start my business?*”, only to realize that without a thoroughly developed plan, they will not be able to obtain the funds they need to get their business off the ground. A business plan precisely defines your business, it identifies your goals, and it serves as your company’s résumé. It helps you to find resources, to weather unforeseen difficulties, and to make strategic decisions to keep your business on track. The basic components include a current and preformed balance sheet, an income statement, and a cash flow analysis. Plans for marketing, financial management, and operations should also be covered. Because it provides specific and organized information about your company and how you will repay borrowed money, a good business plan is a crucial part of any loan application.

If you are now asking yourself, “*How in the world do I write a good business plan?*”, then great! That means you acknowledge how essential a good business plan is! Remember: there are countless talented entrepreneurs who have failed due to a lack of planning. The good news is that there are wonderful resources, often free of charge, right here in this area that can help you to develop a professional plan. We recommend exploring the following sources as the very first step in your quest to start a business.

The Tri-County Entrepreneurial Development Corporation

The purpose of the Tri-County Entrepreneurial Development Corporation (TCEDC) is to assist local entrepreneurs in taking their ideas from concept to reality, from garage office to Main Street, and from relative unknown to a mainstream brand.

TCEDC, working closely with Tri-County Technical College, the Clemson Regional Small Business Development Center, and the Oconee Economic Alliance, offers educational programs to entrepreneurs and small businesses. TCEDC also offers one-on-one counseling and mentoring services to both new and existing small businesses.

All TCEDC mentors are members of SCORE. SCORE is a well-respected volunteer organization of retired business professionals which is affiliated and supported by the U.S. Small Business Administration.

Contact:

Dave Eldridge: 727.422.4459

Website: www.tricountyedc.com

The Clemson Regional Small Business Development Center (SBDC)

The Clemson Regional SBDC offers personal guidance and assistance to small business owners and entrepreneurs in Greenville, Spartanburg, Anderson, Oconee, Pickens, Abbeville, Edgefield, Saluda, Greenwood, Laurens and McCormick counties. The SBDC often works side-by-side with the TCEDC.

Through personal and confidential consultation, SBDC representatives provide one-on-one management and technical assistance to small business owners who wish to start, grow or maintain their businesses. The SBDC offers marketing analysis, business plan preparation, financial feasibility studies, and other valuable resources to the entrepreneur at little to no cost.

Contact:
Clemson Area Office
413 Sistine Hall
Clemson, SC 29634
Phone: 864.710.4717
E-Mail: bennys@clemson.edu

Tri-County Technical College

Tri-County Technical College (TCTC) in nearby Pendleton, SC offers an impressive variety of small business-focused courses. In fact, both the TCEDC and Clemson SBDC (described above) work very closely with TCTC to provide a free monthly entrepreneur training workshop. This “Small Business Start-up” workshop addresses the early steps involved in starting a business. The workshop is also available for those who are already in business but need to supplement their skills. The free evening program is conducted from 5:00 p.m. to 8:00 p.m.

For more information, class schedules, or to register – contact:
Tri-County Technical College – Pendleton Campus
7900 Highway 76, Pendleton, SC
Phone: 864.646.1700 or 1.866.269.5677, ext. 1700
Website: www.tctc.edu/smallbusiness

The Oconee Economic Alliance

The Oconee Economic Alliance (OEA) is ready to assist you in many different ways from information gathering to site selection. The OEA is primarily focused on recruitment and retention of businesses involved in manufacturing, commercial, and office activities. OEA services include:

- Data on available industrial & commercial properties
- Tax, incentive, financing and business start-up information
- Statistical data on the Oconee marketplace
- Introductions to community resources - general contractors, engineers, financial institutions, local business leaders and government officials
- Site selection and community tours
- Geographic Information System (GIS) mapping & analysis

Contact:
Oconee Economic Alliance
528-G Bypass 123
Seneca, SC 29678
Phone: 864.638.4210
E-Mail: rblackwell@oconeesc.com

The Oconee Business Center (Incubator)

The Oconee Business Center (OBC) is a small business "incubator" designed to support small businesses during start-up and early growth stages. The OBC is operated by the Tri-County Entrepreneurial Development Corporation, in partnership with the Oconee Economic Alliance and is a recognized 501 C 3 entity.

The Oconee Business Center provides:

1. Advocacy, support and encouragement for business start-ups that have the potential for significant job creation.
2. Business mentoring and resource assistance to the small business community in the Tri-County area.
3. Accelerate opportunities for businesses with well-developed business plans.
4. Serve as an initial location for business seeking to expand in Oconee, Anderson, and Pickens county.

Contact:
Dave Eldridge: 727.422.4459
Website: www.tricountyedc.com (click on "Oconee Incubator" tab)

The U.S. Small Business Administration On-Line Learning Center

Since its founding on July 30, 1953, the U.S. Small Business Administration has provided financing and counseling to American small businesses. The “Small Business Learning Center” is found on SBA.gov and offers over 125 free on-line classes, videos, and archived educational chat sessions. Topics include business start-up, management, finance, marketing, and government contracting. This site offers as much business start-up and management material as any on the web and is an extremely valuable resource for start-up entrepreneurs and existing businesses alike.

www.sba.gov/tools/sba-learning-center

Business Planning: The Outline

The following outline of a typical business plan can serve as a guide. You can adapt it to your specific business. Breaking down the plan into several components will help make drafting it a more manageable task.

Introduction

- Give a detailed description of the business and its goals.
- Discuss the ownership of the business and the legal structure.
- List the skills and experience you bring to the business.
- Discuss the advantages you and your business have over your competitors.

Marketing

- Discuss the products/services offered.
- Identify the customer demand for your product/service.
- Identify your market, its size and locations.
- Explain how your product/service will be advertised and marketed.
- Explain the pricing strategy.

Financial Management

- Explain your source and the amount of initial equity capital.
- Develop a monthly operating budget for the first year.
- Develop an expected return on investment & monthly cash flow for the first year.
- Provide projected income statements and balance sheets for a two year period.
- Discuss your breakeven point.
- Explain your personal balance sheet and method of compensation.
- Discuss who will maintain your accounting records and how they will be kept.
- Provide “what if” statements that address alternative approaches to any problem that may develop.

Operations

- Explain how the business will be managed on a day-to-day basis.
- Discuss hiring and personnel procedures.
- Discuss insurance, lease or rent agreements, and issues pertinent to your business.
- Account for the equipment necessary to produce your products or services.
- Account for production and delivery of products and services.

Concluding Statement

- Summarize your business goals and objectives and express your commitment to the success of your business.
- Once you have completed your business plan, review it with a friend or business.
- When you feel comfortable with the content and structure make an appointment to review and discuss it with your lender. The business plan is a flexible document that should change as your business grows.

SOURCE: www.sba.gov

Feasibility and Marketing Strategy

Is Your Business Idea Feasible?

Answer the following questions regarding your idea. Give complete, well thought out answers to these questions. If you are unsure about or answer no to any of the following questions, then you would need to re-think your idea.

- What type of business do you plan to start?
- What kind of product do you plan to offer?
- Will your product satisfy a need yet unfilled?
- Will your product have a competitive edge based on price, location, quality or selection?

Researching Your Markets

It is recommended that you research your potential market demand for your product or service. First, determine what questions you need answered. The following are ideas on where to find the information you need.

Primary Data:

- Your experience.
- Experiences of people you know.
- Survey potential customers to determine their wants/needs and observe similar businesses.
- Interview these businesses' owners.
- Interview suppliers, vendors, bankers.

Secondary Data:

- Visit your public library.
- Contact trade associations (i.e. trade shows and trade journals).
- Contact the Oconee Economic Alliance, Clemson Regional Small Business Development Center, SC Dept. of Commerce. See the Resource Directory for contact information.
- Use various search engines on the Internet (i.e. Yahoo, Google, MSN, Bing, etc.).

Marketing Your Business

In order to properly market your product, you need to answer the following questions. This information can be used to help you develop your marketing plan. Contact the Clemson Regional Small Business Development Center (<http://www.clemson.edu/centers-institutes/sbdc/>; 864-710-4717) for more information on constructing this plan.

- Who are my customers? (This determines your target market.)

- Where are they?
- How many are there? (This indicates your market size.)
- What are their needs?
- Who are my competitors?
- How does my competition do it? (One method of marketing/dealing with competition is the end-run strategy. In this strategy you adopt your competitors' strategy with the intention of making it better.)
- How can I reach them? (The distribution of your product is very important. Where your product is located can affect how well it sells.)
- How much will they pay? (The pricing of your product is also very important. You must take into consideration what your competitors charge.)
- What are the market trends? (What are people buying? It is important to be aware of what market trends are. This relates back to knowing your customers' needs. Try to distinguish between trends and fads.)
- What are the technological trends? (One obvious answer to this question is the Internet. Will you be using technology? How can it be used to help your business? Do you need to advertise on the Internet? Do you need a network of computers for your business? If you are in a business related to technology, it is imperative that you stay abreast of any changes.)

Determining Cash Needed to Start a Business

****To determine these amounts, get estimates from suppliers, contractors, professionals and/or government authorities to ensure accurate amounts.*

Estimate of monthly
expenses based on sales of
\$_____Projected per year

Estimate of cash
needed to start
(Col 1X _____months)

Salary of Owner/Manager		
All other salaries/wages		
Rent (building/equipment)		
Advertising		
Office Expense		
Telephone and Fax		
Internet Service		
Other Utilities		
Insurance		
Taxes, inc. Soc. Security		
Maintenance/Repairs		
Legal/Professional Fees		
Loan Payments		
Miscellaneous		
SUBTOTAL		

One Time Start-Up Costs***

Fixtures & Equipment	
Decorating & Remodeling	
Installation of Fixtures/Equip.	
Starting Inventory	
Deposits for Utilities	
Legal/Professional Fees	
Licenses & Permits	
Advertising/Promotion for Opening	
Other	
<i>TOTAL ESTIMATE OF CASH NEEDED FOR START-UP</i>	

Demographic Information for Market Research

A variety of free demographic information is available; please contact the Oconee Economic Alliance (OEA) for more information and to obtain the needed data you seek. This information breaks down population by different categories such as age, sex, race, income and education. It can be used to help identify the number of people who may use your business or services. The OEA can provide you with maps, radius reports, and other various types of information that can assist you on your decision to open a business and where to open that business.

Other sources of information that would be helpful in understanding the demographic you are intending to serve:

- InvestOconeeSC.com
- factfinder.scacog.org
- infomentum.org
- census.org
- claritas.com
- ors.sc.gov
- businessknowledgesource.com

Legal Aspects of Starting a Business

Deciding what form of legal entity your business will take is an important decision. This will have an impact on the future of your business including your protection under the law, and the rules and regulations (for example, federal and state taxes) that will apply to you.

It is recommended that before you enter into any of the four forms of business listed below that you contact a licensed attorney, CPA, or other qualified individuals. Speaking with someone informed about the legal entities of business will reduce the risk of mistakes in the business setup. You can probably do the necessary paperwork and procedures yourself, but it makes sense to leave it up to the professionals. Also, feel free to contact local partners such as the Clemson Regional Small Business Development Center, Tri-County Entrepreneurial Development Corporation, or the Oconee Economic Alliance for more information.

THERE ARE FOUR BASIC FORMS THAT A NEW BUSINESS CAN TAKE:

- Sole Proprietorship
- Partnership (General or Limited)
- Corporation (C or S)
- Limited Liability Company (LLC)

A **sole proprietorship** is usually owned and operated by one person. Under the law, it is not actually considered a legal entity. It is instead considered an extension of the individual who owns the business. This individual has sole ownership of assets, but is also personally liable for the business's debts, contracts, and lawsuit judgments. The sole proprietorship is a personally risky way in which to form a business and entrepreneurs should consult with a licensed attorney before proceeding in this way.

A **partnership** can be formed in two ways. A general partnership is comprised of two or more individuals who join to start a business. Each person has proportional ownership of the business assets and proportional liability for business debts. Each person also has authority in running this business. A partnership agreement can be drawn up to alter each person's particular liability. However, despite this document, creditors may collect from each and every member of the partnership (this may include personal assets). Partners are also personally liable for contracts and lawsuit judgments. Because of the liability risks involved in forming a partnership, entrepreneurs should consider carefully and consult with legal experts before proceeding in this way.

A **limited partnership** is made up of one or more general partners as well as one or more limited partners. Limited partners contribute capital and share in profits/losses. These limited partners, however, take no part in the running of the business and are not held liable for the organization's debts.

Whether taking part in a general or limited partnership, it is advisable that you draw up a partnership agreement. This document will detail each partner's rights and their responsibilities. Partnerships are required to file both federal and state income tax. While the partnership is not typically taxed, each partner reflects charges for the partnership on his/her personal tax returns.

A **corporation** is an entity which must be approved by the state of South Carolina through the Office of the Secretary of State. A corporation must file federal, state, and local taxes on its operations. One advantage to a corporation is the protection from liability afforded to shareholders. However, when an organization is small, creditors may require personal guarantees from pre-dominate owners. Another advantage to the corporation is the ease of raising capital through the sale of common or preferred stock. A disadvantage of the corporation is that the organization's income will essentially be taxed twice (once for the business and again on the shareholder's personal income tax after collecting dividends).

There are two types of corporations: C and S. The C corporations have their own tax identification numbers and pay their own taxes. The S corporation is the opposite; it is taxed similarly to a partnership. Its gains and losses are reflected on the personal income tax of the shareholder. The distinctions between C and S corporations can be complicated. It is advisable to consult with certified legal and/or accounting experts before making a decision.

The **limited liability company (LLC)** is one that is owned by two or more persons known as members. It is a mixture of other forms of organization. The LLC combines features from the Partnership, C Corporations, and S Corporation business formations. Similarly to a corporation, you must reserve a name and file the articles of incorporation. You and your fellow members should write an operating agreement to control the conduct of the business.

A LLC shields the personal assets of members as if they were shareholders in a corporation. It also eliminates double taxation. While this form of organization is gaining popularity, you must take great care in the establishment of an LLC to ensure pass-through tax treatment.

Incorporating, Permitting, and Licensing your Business in South Carolina

South Carolina Business One Stop

South Carolina Business One Stop (SCBOS) is an essential “one stop” resource for satisfying mandatory State licensing and filings for business. It is a web-based program that allows users to electronically complete mandatory business filings and other licenses with five state agencies – the Secretary of State, the Department of Revenue, the Employment Security Commission, the Department of Health and Environmental Control (DHEC) and Department of Consumer Affairs - at one time. Entrepreneurs can apply for different licenses and registrations and then make just one payment for all of the fees. There is also information on specific types of businesses and the required filings and licenses that are necessary for those businesses.

It is highly advisable for businesses to visit and create a log-in account at: www.scbos.sc.gov

SC.GOV

Another great resource for South Carolina business requirements is the official website of the state government: www.SC.gov. Clicking on the “Business” tab of this website opens the door to a highly comprehensive reference point on the rules and regulations that pertain to South Carolina businesses.

Local Business Requirements

Zoning and Signage

Once you have chosen a tentative location for your business, contact the zoning department to determine the permitted uses of that location. It will be best if you start here at the Zoning Office then go to Building and Codes and discuss the necessary steps it takes to get a Certificate of Occupancy. The Zoning Office will discuss the area with you and determine if there might be special restrictions on that area. **DO NOT INVEST ANY MONEY IN A LOCATION UNTIL ZONING HAS BEEN THOROUGHLY RESEARCHED!**

The Office of Zoning Administration can help you determine if your location and type of business are in compliance with ordinances. You will be required to submit your business plans to the zoning office to determine if the business complies/can be adapted to comply with the following:

- Current zoning classification
- Building setbacks
- Off-street parking availability and service entrance requirements
- Buffer yards or required screening
- Lot area minimum
- Sign regulations

Sign permits are required for erecting and placing any mounted or free-standing signs. Applications are filed through the zoning office. For specific information about signage, call the Zoning Administrator at 864-638-4218. If your plans do not/cannot meet these specifications, you can discuss options with the zoning office. If you find the current zoning classification of your potential location does not allow for your business, you may file an appeal for rezoning. In order to file this appeal, contact the Zoning Administrator's office. An answer on this appeal can usually be expected 2-4 weeks after submission of your application packet.

Contact Information:

Oconee County

Community Development
415 South Pine St
Walhalla, SC 29691
P-(864) 638-4218
F- (864) 638-4168
oconeesc.com

City of Walhalla

Building/Zoning Official
PO Box 1099
Walhalla, SC 29691
P-(864) 638-4343
F- (864) 638-4357
cityofwalhalla.com

City of Westminster

100 Windsor St
PO Box 399
Westminster, SC 29693
P- (864) 647-3202
F- (864) 647-3229
westminstersc.com

City of Seneca

Director of Zoning Board
250 E. North 2nd St.
PO Box 4773
Seneca, SC 29679
P-(864) 885-2726
seneca.sc.us

Town of West Union

1442 West Main St.
West Union, SC 29696
P- (864) 638-9978
P- (864) 638-6593
sewestunion.com

City of Salem

5A Park Avenue
Salem, SC 29676
P- (864) 944-2819
F- (864) 944-7795
salemsc.us

Building Construction/Renovations/Occupancy

A building permit must be obtained for both new construction and renovations of and additions to existing buildings. Before constructing a new facility or renovate an existing one, you must have this permit. Once you have obtained a building permit, complied with the regulations pertaining to the area you are in, and completed construction, your facility will need to be inspected. You will then apply for a Certificate of Occupancy. Without this certificate, it is illegal for your business to reside in the facility. The Building Codes Department of Oconee County handles the inspections and permitting for all the cities except Seneca.

Contact Information:

Oconee County

Community Development Department
Building Codes Division
415 South Pine St.
Walhalla, SC 29691
P- (864) 718-1005
F- (864) 638-4168
oconeesc.com

City of Seneca

Director of Building Codes
250 E. North 2nd St
PO Box 4773
Seneca, SC 29679
P- (864) 885-2726
seneca.sc.us

Local License and Permit Information

Business License Information

The requirement is a business license. Business licenses are issued by cities to businesses located within the city limits and for businesses conducting business within the city limits. These licenses can be obtained through the city hall. Businesses locating in a structure (building, office space, etc.) must obtain zoning approval and a certificate of occupancy issued by the Codes department prior to obtaining the business license. When applying for the business license, the business will need to give a valid Federal ID number or Social Security number. The fee for a business license is based upon the projected sales (or gross receipts, gross sales, tax return or total contracts) and category of the business.

If you plan on conducting with or operating a business in one of the cities located in Oconee County, you must obtain a city business license. For more information on Business Licenses, please contact your local City Hall.

Listed below are contacts where you can find someone who can discuss with you the Business License Fee and a Registration Fee:

City Hall of Seneca

250 E. North 2nd St.
PO Box 4773
Seneca, SC 29679
P-(864) 885-2700
seneca.sc.us

Town of West Union

1442 West Main St.
West Union, SC 29696
P- (864) 638-9978
P- (864) 638-6593
scwestunion.com

City Hall of Walhalla

PO Box 1099
Walhalla, SC 29691
P-(864) 638-4343
F- (864) 638-4357
cityofwalhalla.com

City of Salem

5A Park Avenue
Salem, SC 29676
P- (864) 944-2819
F- (864) 944-7795
salemsc.us

City Hall of Westminster

100 Windsor St
PO Box 399
Westminster, SC 29693
P- (864) 647-3202
westminstersc.com

There are additional licenses or forms that must be supplied if you are in certain lines of business:

- Contractors: Must provide a certificate of liability state general liability limits and workers compensation insurance. Also must obtain a decal for each vehicle that will be located on the job site. If you are a general contractor, must provide a list of all sub-contractors that you are using.
- Retailers: Must provide a copy of your SC Retail Sales License.
- Businesses that sell alcohol: Must provide a copy of your ABC License.
- Restaurants and Hotels: Most cities charge an additional 2% sales tax for the Local Accommodations and Hospitality Tax. See page 34 for more information.

Each City does reserve the right to deny, restrict, suspend, or revoke a business license applied for or issued for just cause.

An additional license, which may be required, is a **Certificate of Occupancy**. The purpose of this license is to enable city government to enforce zoning laws and make sure that the building meets all building codes.

To obtain a Certificate of Occupancy, please contact the Building Inspector Office in the community where your business is located. Note: if your business is in an unincorporated area, please contact the Oconee County office listed below.

Oconee County

Community Development Department
Building Codes Division
415 South Pine St
Walhalla, SC 29691
P-(864) 638-4218
F- (864) 638-4168
oconeesc.com

City of Seneca

Director of Building Codes
250 E. North 2nd St.
PO Box 4773
Seneca, SC 29679
P-(864) 885-2726
seneca.sc.us

In the cities of Oconee County, you will have to **register your alarms with the Fire Department** to ensure compliance and safety for your business. Also, if you need to schedule an inspection or have questions regarding either fire codes or fire alarms for your home or place of business, contact:

Seneca Fire Department

321 West South 4th St.
Seneca, SC 29678
P- (864) 885-2738
F- (864) 885-2747
senecaafd.com

Walhalla Fire Department

207 East North Broad St.
Walhalla, SC 29691
P-(864) 638-4345
F- (864) 638-2444
cityofwalhalla.com

Westminster Fire Department

216 Emergency Ln
PO Box 399
Westminster, SC 29693
P- (864) 647-3206
F- (864) 647-3226
westminsterfd.com

West Union Fire Department

1442 West Main St.
West Union, SC 29696
P- (864) 638-9978
P- (864) 638-6593
sewestunion.com

Salem Fire Department

5A Park Avenue
Salem, SC 29676
P- (864) 944-2819
F- (864) 944-7795
salemsc.us

Local Health Permits

If your business is to involve food processing, handling, storage, or distribution, you must obtain permits from the County Health Department (s), which handles the permits for the entire county and city. If you are unsure if your business needs a permit, contact the Health Department.

Walhalla Public Health Office

200 Booker Dr.
Walhalla, SC 29691
P-(864) 638-4170
F-(864) 638-4173

Seneca Public Health Office

609 North Townville St.
PO Box 488
Seneca, SC 29679
P-(864) 882-2245
F-(864) 885-9659

Federal Licensing Information

Most new small businesses most likely will not require any type of federal licensing to conduct business, unless you will be engaged in one of the following activities:

- Rendering investment advice
- Making alcohol products
- Making tobacco products
- Preparing meat products
- Making or dealing in firearms

You would need a Federal permit also to start large operations such as a television station, radio station, common carrier, or producer of drugs or biological products. The aforementioned businesses are all heavily governmentally regulated. For information on federal licensing for these types of businesses, contact:

The U.S. Department of Alcohol, Tobacco, and Firearms – *Greenville Field Office*

Resident Agent in Charge
301 N. Main St., Suite 1802
Greenville, SC 29601
atf.gov

The U.S. Federal Drug Administration

10903 New Hampshire Ave
Silver Springs, MD 20993-0002
fda.gov

The U.S. Federal Communications Commission

445 12th Street SW
Washington, DC 20554
fcc.gov

Employer Tax Responsibilities

Tax laws and regulations pertaining to business can change at any time. While the following detailed information is intended to provide a general overview, please do not consider this section a comprehensive reference for understanding and navigating this important topic (especially in regards to state and federal taxes). It is highly advisable to consult with an accounting professional to make sure your business meets all local, state, and federal tax requirements.

Local and State

Sales and Use Taxes

Every business that sells tangible personal property (such as merchandise) to customers is required to obtain a South Carolina Retail License, which can be acquired through the SCBOS website (see “Incorporating, Permitting, and Licensing Your Business in South Carolina” section of this guide). Typically, a separate permit must be obtained for every business in which property subject to sales tax is sold. If selling to a retailer, wholesalers and manufacturers usually do not have to collect sales tax on the goods they sell. This, however, is contingent on whether the retailer has a valid seller’s permit and can provide you with a “resale certificate.”

Similarly, retailers are not required to pay sales tax on items you purchase for resale. You may purchase blank resale certificates at office supply stores. If state law requires that your business collect sales and use tax, you must keep detailed records of your gross receipts from sales/rentals. These records must include all sales/rentals whether or not you believe them to be taxable. Your records must also include evidence of all deductions you claim on sales/use tax returns. In addition you must record the total purchase price of all tangible personal property acquired for sale, lease, or consumption. Sales tax forms must be filed monthly. The taxes must also be paid on a monthly basis. You can contact the South Carolina Department of Revenue to petition for special permission to pay/file quarterly.

Local Hospitality Tax

Most of the cities in Oconee County have a Local Hospitality Tax of 2% (two percent) for those of you whose business involves prepared food and beverages. In addition to this tax, Seneca has an Accommodations Tax of 1.5% (one and half percent) for hotels.

For more information please contact:

City Hall of Seneca
250 E. North 2nd St.
PO Box 4773
Seneca, SC 29679
P-(864) 885-2700
seneca.sc.us

City Hall of Walhalla
PO Box 1099
Walhalla, SC 29691
P-(864) 638-4343
F- (864) 638-4357
cityofwalhalla.com

City Hall of Westminster
100 Windsor St
PO Box 399
Westminster, SC 29693
P- (864) 647-3202
westminster.sc.com

Town of West Union
1442 West Main St.
West Union, SC 29696
P- (864) 638-9978
P- (864) 638-6593
scwestunion.com

State Excise Taxes

In addition to federal excise tax, you may be responsible for collecting state excise tax as well. The categories are comparable to the federal categories. Alcoholic beverages, tobacco products, motor carriers, and trucks with more than two axles are included in the taxed categories. You should contact the South Carolina Department of Revenue for complete information.

Estimated State Income Taxes

The State of South Carolina also requires that you pay estimated state income taxes. The payment dates for estimated state tax are the same as those for federal payments. You should contact the South Carolina Department of Revenue for complete information at:

The South Carolina Department of Revenue

60 Short Street
Walhalla, SC 29691
2nd Tuesday each month – 8:30 am - 12:00 pm
(864) 241-1200 (Greenville District office)

Greenville Service Center

545 North Pleasantburg Drive
Suite 300
Greenville, SC 29607-2183
(864) 241-1200

Columbia Main Office

P.O. Box 125
Columbia, SC 29214
(803) 898-5000
sctax.org

Federal

Federal Excise Taxes

There are some forms of business from which the U.S. Government requires additional taxation. This will be a tax that you are responsible for collecting. This tax does not come out of your pocket. Typically it is added to the sale price of your product or service. Quarterly Federal Excise Tax Return is used to file most federal excise taxes. Federal excise taxes can be broken into nine general categories of products and services.

They are:

- Motor vehicle use tax (vehicles greater than 55,000 lbs. gross weight)
- Retailers tax (certain types of fuels)
- Retail excise tax on the sales of the following: Heavy trucks/trailers, tires and tubes, recreation equipment (e.g. fishing/hunting supplies), firearms and ammunition
- Air transportation tax (if you are transporting people by air, you have to collect this tax)
- Communications taxes (e.g. on telephone or teletype services)
- Wagering taxes
- Taxes on U.S. mined coal
- Environmental taxes (imposed on petroleum products, various chemicals, and hazardous wastes)
- Alcohol, firearms, ammunition, and tobacco taxes

Payroll Taxes

Payroll taxes are the state and federal taxes that you, as an employer, are required to withhold and/or to pay on behalf of your employees. You are required to withhold state and federal income taxes as well as social security and Medicare taxes from your employees' wages. You are also required to pay a matching amount of social security and Medicare taxes for your employees and to pay State and Federal unemployment tax.

Federal Tax Identification Numbers

Your federal tax identification number is the number used to file your taxes. It acts in a similar capacity to your social security number on your personal income taxes. In fact, if you are a sole proprietorship you will probably use your social security number. In partnerships and corporations you will need a Federal Tax ID number.

Apply online at: www.irs.gov (click on “Apply for a Federal ID Number”)

Federal Income Taxes

Businesses with employees must pay employer taxes and withhold employee taxes for both the State and Federal governments. These should be deposited in any Federal Reserve Bank. You will be given a coupon book to accompany your deposits. Those deposits are required monthly or quarterly. The South Carolina and US Departments of Revenue will determine your time of payment. You will be required to withhold Social Security and Medicare taxes. In addition to this

withholding, the employer must pay a matching amount. You should consult the current year tax calendar for present percentages.

The amount and way you will pay federal income taxes will be dependent on the legal form in which your business is organized.

For a sole Proprietor or a member of a Partnership: In either of these arrangements you will be required to make estimated federal income tax payments and federal self-employment tax payments in advance. These individual payments are due in four installments. These payment deadlines are April 15, June 15, September 15, and January 15 for one whose tax year is the calendar year. Any amount left unpaid will be due April 15th of the following year.

For a corporation: The corporation is responsible for paying estimated corporate taxes if it has taxable income. These taxes can be due as soon as the fourth month of the corporation's first tax year. You must deposit these payments in a bank licensed to accept federal tax payments. The corporation will be issued a coupon book. These coupons will carry the corporation's tax ID number and are to be used with all federal tax payment deposits.

All forms necessary to file any of the estimated taxes mentioned above are available at your local IRS office and on the official IRS website.

For more information, visit www.irs.gov, or contact:

Internal Revenue Service – Greenville Field Office
440 Roper Mountain Rd.
Greenville, SC 29615
(864) 286-7095

Unemployment Insurance Taxes

Federal Unemployment Insurance Tax is the employer's responsibility. This is not withheld from employee wages. Contact the South Carolina and US Departments of Labor and Revenue to receive the Employer's Tax Guide and other relevant information.

Workers' Compensation Insurance

Workers' Compensation insurance is required of any business with more than three employees. The rates vary with the business type and the risk level. For more information, contact the State Board of Workers' Compensation.

Contact Info:

State Board of Workers' Compensation Commission Office
(803) 737-5700

Business Insurance

There are numerous insurance providers for your business in the area. Please consult your local yellow pages for a list of possible providers. If further assistance is needed, please contact the Oconee Economic Alliance at (864) 638-4210.

Utilities

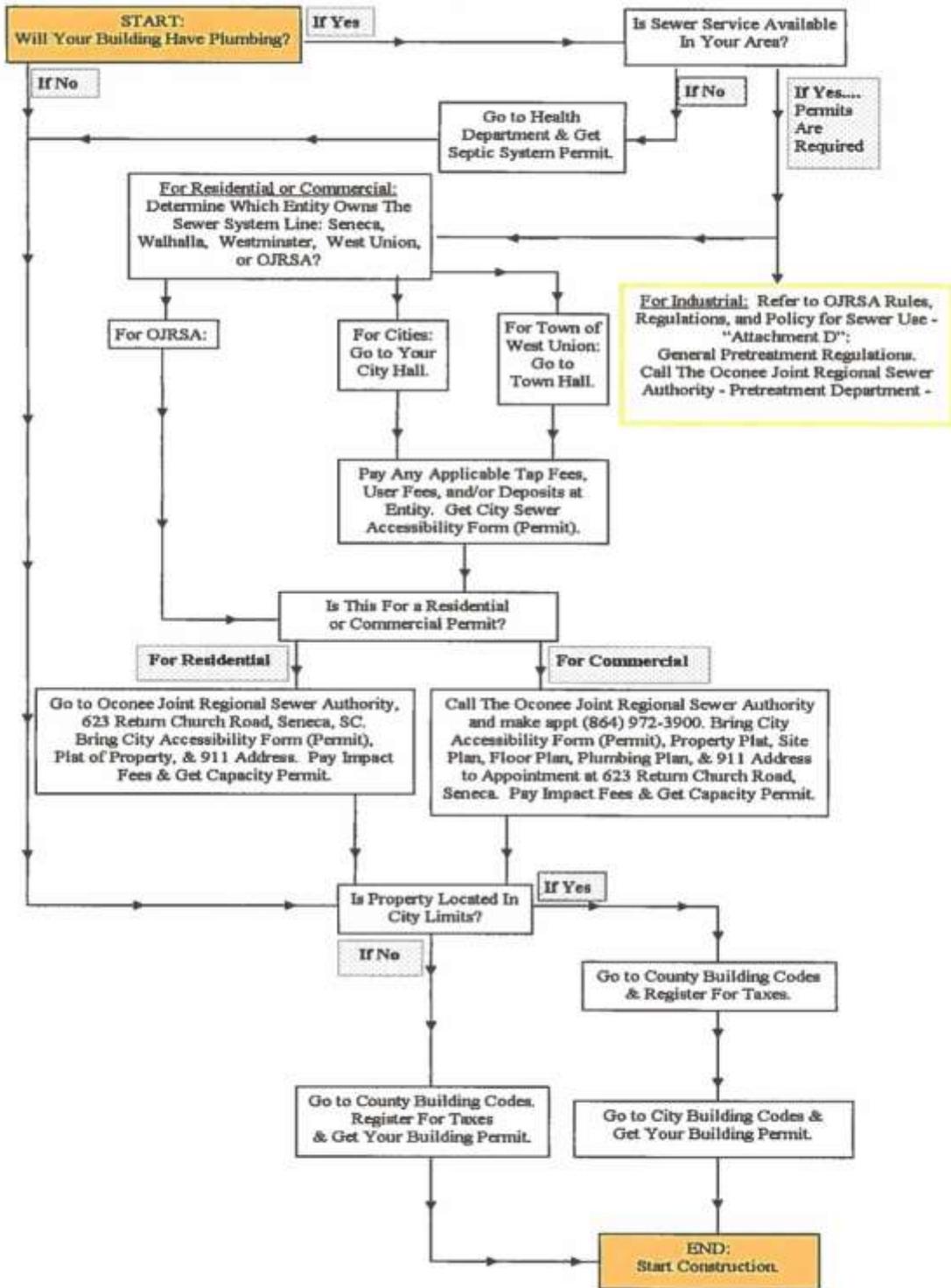
Establishing Water, Sewer, Gas and Power in Oconee County

You will be required to sign a service contract and pay a deposit. This deposit is typically refundable at the closing of your final bill. The amount of your deposit is dependent on the size of your business and its estimated utility usage.

Listed below are some of the contacts you will need to establish your utility needs:

Blue Ridge Electric Co-Op	1-800-240-3400	blueridge.coop
Duke Energy	1-800-777-9898	duke-energy.com
Fort Hill Natural Gas	1-864-859-6375	fhnga.com
Westminster Utilities	1-864-647-3200	westminstersc.com
Walhalla Utilities	1-864-638-4343	cityofwalhalla.com
West Union Utilities	1-864-638-9978	scwestunion.com
Seneca Utilities	1-864-885-2723	senecalightandwater.com
Salem Utilities	1-864-944-2819	salemsc.us
Pioneer Rural Water District	1-864-972-3082	pioneerwater.net
Oconee Joint Regional Sewer Authority	1-864-972-3900	

OBTAINING SEWER PERMITS FOR PUBLIC SEWER IN OCONEE COUNTY



Labor and Safety Regulation Information

Educating Yourself on Labor/Safety Issues

The SC Department of Labor is available to provide consultation to new businesses in the state. The local and state departments offer educational seminars and presentations throughout the year. These classes cover a wide range of labor-related topics such as labor laws, labor issues, prevailing wages, unemployment insurance, benefits, and employment services. It would be advisable to contact the SC Department of Labor office regarding these classes. These seminars are intended to provide you with all the information you need to prepare you for the employment aspects of running a business. You should begin these classes up to one year before your intended start-up. At these seminars you will be provided with a section of the instructional workbook. After attending a certain number of these seminars, you will have the entire workbook. The SC Department of Labor can help walk you through all of your employment and labor problems.

The South Carolina Department of Labor, Licensing and Regulation

Synergy Business Park

Kingstree Building

110 Centerview Dr.

Columbia, SC 29210

Main Number: (803) 896-430

Website: <http://www.llr.state.sc.us/>

OSHA

The issuing and enforcing of occupational and safety health regulations is handled by the United States Department of Labor. The Occupational Safety and Health Administration (OSHA) is the federal agency which administers these policies. The requirements put forth by OSHA include posting notices to employees and maintaining accurate records of employee injuries. OSHA will provide you with information on all requirements as well as related publications. OSHA policies and regulations must be posted in the workspace where all employees may see.

In addition to OSHA the US government also supports the Employment Standards Administration, Mine Safety and Health Administration, Veterans Employment and Training Service and the Pension and Welfare Benefits Administration. Each of these departments is designed to protect both the employer and employee. Similar to OSHA, each issues and enforces a unique set of requirements and regulations.

Occupational Safety and Health Administration

U.S. Department of Labor
200 Constitutional Avenue
Washington, DC 20210
1-800-321-6742
osha.gov

OSHA - Columbia Area Office
1835 Assembly Street, Room 1472
Columbia, South Carolina 29201-2453
(803) 765-5904

Application, Hiring and Termination Process

There are basic ground rules to hiring and firing employees. There are legal requirements to acquiring or terminating employees. If handled incorrectly, personnel issues can result in legal problems. These legal problems can be large enough to shut down your business. It is important to make sure all your bases are covered. In addition to the *do's and don'ts* listed below, contact the South Carolina Department of Labor for more on correct hiring and firing policies.

Application and Hiring

DON'T:

- *Ask obvious questions.* Do not ask questions regarding sex, age, race, etc. or anything related to these areas. These are sensitive areas and cannot be used as discriminating factors. Some applicants may believe that all gathered information is used. It is for this reason that you should not ask these questions. It is best to avoid these topics so as to eliminate all possibility of legal problems.
- *Write on the job application form.* Any notes taken during interviews should be made on photocopies or other paper. This allows you to preserve the original application without marring it for your permanent records.

DO's:

- *Limit your interview questions to job duties.* There is no reason to ask questions that do not apply to the responsibilities of the position. You may ask if an applicant has any barriers to completing the duties. Do not ask questions like "Do you have children?" or "Are you married?" Small talk is acceptable if the interviewer is careful. Do not venture into conversation that might produce seemingly discriminatory information.
- *Make sure all company procedures follow employment statutes.* Have your advisors or attorney review your system for application, hiring, and termination before you begin hiring and periodically thereafter.
- **EDUCATE YOURSELF!** The best way to prevent problems is to be familiar with the law. When you are in doubt about any issue concerning labor or safety, contact the South Carolina Department of Labor. See the Resource Directory for contact information. Also consult the local yellow pages to find a lawyer who specializes in employment law.

TERMINATION

DO's:

- *Review company policies.* If you have not yet developed company policies regarding application, hiring, and termination, call the SCDOL. Make a checklist of your procedures. Make sure that you have followed the rules in the firing process. If you have not completed your checklist, **YOU SHOULD NOT TERMINATE THE EMPLOYEE YET.** Take care to finish all steps in the process to alleviate any questions and possible legal repercussions.

- *Have a stated code of expected employee behavior.* Many employers face problems due to unclear expectations of conduct. It is easier to prove reasons for termination if such a code is in place. This documentation will be helpful if you are faced with paying restitution because it will show that you had sufficient cause to terminate the employee.
- *Conduct an exit interview.* This allows you to tie up any loose ends. Final paychecks can be issued, and company property (e.g. keys, paperwork, and files) can be returned. Ask the employee what he/she liked or disliked about your company. Ask for feedback on aspects of your company of which this person has knowledge. This person might be a bit more forthcoming with problems or constructive criticisms than someone who still works there.
- *Keep termination of an employee between you (management) and the employee.* The fired employee will appreciate your discretion in this matter. Termination should not be discussed with other employees. Privacy can help you avoid harsh feelings and legal repercussions.
- *Have employees sign a release.* If you are offering the fired employee severance pay or anything else of value, have him/her sign a release of liability to the company. This may protect you in case of legal action.

Where to Find Your Labor Force

There are many resources through which one can find employees. The first things that typically come to mind are the classified advertisements in local newspapers. You can place ads in these publications for week long and even month long periods. Contact all the area newspapers and on-line services in the area for more information.

Other sources of help in finding a labor force, please try:

The **WorkLink Workforce Investment Board** develops the link between employers and employees in Oconee, Pickens, and Anderson Counties. A volunteer board of directors ensures that the local workforce development system is market-driven and responsible in meeting the employment and training needs of businesses and job seekers.

Contact:
 WorkLink
 1376 Tiger Blvd, Suite 102
 Clemson, SC 29631
 Phone: (864) 646-1515
 Website: www.WorkLinkWeb.com

The **South Carolina Department of Employment and Workforce** is also a nice state-wide resource. Visit www.dew.sc.gov .

Financing Information

When starting a business, one important consideration is where to obtain capital to back your venture. Most start-up businesses require a cash contribution by the entrepreneur equal to 20% or more of the total loan package. The remaining financing may be available from local banks or may require private investors. If you are interested with help in identifying banks in the Oconee County area, please contact the Oconee Economic Alliance.

SBA Loan Programs

There are a variety of U.S. Small Business Administration (SBA) loan programs that can help lower the up-front capital requirements of a traditional loan package between a borrowing business and a private bank. In the SBA 504 loan program, for example, a typical loan package is structured as follows: 10% cash equity from the borrower, 40% in SBA loan funds, and 50% in private bank loan funds = 100% of the total project cost. Some refer to this as “gap finance” because SBA is filling a financing gap in your loan package with the bank while helping to lower your up-front cash contribution. For this type of arrangement to work, a business needs two primary things: (1) a certified SBA lender (such as the Appalachian Development Corporation, described below), and (2) a private bank who is willing to participate in such an arrangement for your proposal (based on their review of your business plan and loan application). Such funding is not guaranteed and both the certified SBA lender and the private bank would have to approve of your loan application using their standard evaluation processes.

SBA has other varied financial programs as well. Please visit www.sba.gov to learn more. While each of these programs has specific requirements for eligibility, there are certain standards that must be met for all loan programs. A loan applicant must be of good character, show the ability to operate a small business successfully, and have a reasonable amount of their own resources in the business that would enable them to withstand possible losses. In addition, the following factors will be analyzed during the application review:

- Credit Report
- Collateral adequate to secure the debt (list of collateral and its value)
- Appraisals required on real property used as collateral
- Personal guarantees required of those persons (or companies with 20% ownership)
- Secondary collateral may be required
- Personal financial statements & financial statements of business (if applicable)

SC Crowd Fund

Another way to raise capital is by taking advantage of a crowdfund. SC CrowdFund was created by The South Carolina Small Business Chamber of Commerce as a way for small businesses, entrepreneurs and nonprofits to solicit donations for their business projects. It requires an application fee of \$100.00 if the project is accepted.

Please visit the following websites for more information:

- scsbc.org
- SCcrowdfund.com

Clemson University also has its own crowdfunding portal; currently only available for Clemson MBA students. Organizers plan to include projects from university faculty, staff, students and alumni in the future.

For more information please visit:

- clemsonideas.com

The Appalachian Development Corporation (ADC)

ADC is a non-profit economic development lending corporation which specializes in gap financing for small business in the Upstate of SC. ADC is a certified Small Business Administration (SBA) lender and an approved originator for the USDA B&I Loan Guarantee program.

3531 Pelham Road
Greenville, SC 29615
Phone: (864) 382-2350
Website: adcloans.com

The Carolina Center for Foreign Investments, LLC

This organization primarily focuses on job growth through sustainable LEED (Leadership in Energy and Environmental Design) certified development opportunities throughout South Carolina. CCFI utilizes the EB-5 law to assist immigrants in their goal to earn residency while generating growth through investment in manufacturing companies and construction projects.

P.O. Box 2487
101 N. Main Street, Suite 1400
Greenville SC 29602
Phone: (864) 242-5151
Website: carolinaregionalcenter.com

S.C. Capital Access Program (SC CAP)

SC CAP is a reserve fund for small business lenders managed by the **Business Development Center of S.C.** It is not a loan guarantee program, but a fund set up to cover future losses from a portfolio of loans made under the program by participating small business lenders.

111 Executive Center Drive
Enoree Building, Suite 225
Columbia, South Carolina 29210
Phone: (803) 798-4064
Website: businessdevelopment.org

InvestSC

Formed by the South Carolina Jobs-Economic Development Authority (JEDA), InvestSC is a 501(c)(3) entity that helps direct and coordinate venture capital investments in South Carolina.

SC JEDA
1201 Main Street, Suite 1600
Columbia, SC 29201
E-Mail: hhuntley@scommerce.com

Upstate Carolina Angel Network (UCAN)

These “angel investment” entities are groups of accredited investors who invest and support early-stage, high-growth businesses.

411 University Ridge, Suite 211
Greenville, SC 29601
Website: upstateangels.com

Agribusiness

If your business involves the production or the packaging of food or cosmetics, this field of business encounters special restrictions and opportunities as well. For more information on agribusiness ventures, contact the SC Department of Agriculture or the SC Dept. of Commerce at:

South Carolina Department of Agriculture

Wade Hampton Office Building
Columbia, SC 29201
(864) 734-2210
scda.state.sc.us

South Carolina Dept. of Commerce

1201 Main Street, Suite 1600
Columbia, SC 29201
(803) 737-0400
sccommerce.com

Federal agribusiness resources and educational material stem primarily from the U.S. Department of Agriculture (USDA). For more information, consult the following resources:

USDA South Carolina Regional Office

Strom Thurmond Federal Building
1835 Assembly Street, Room 1007
Columbia, SC 29201
Phone: (803) 765-5163
Website: http://www.rurdev.usda.gov/sc_home.html

The USDA Agribusiness and Cooperatives Web Page:

www.usda.gov/wps/portal/usda/usdahome?navid=AGRIBUSI_COOP&navtype=AU

Finally, when operating a business involved with producing and packaging food and cosmetics, business owners should also research and meet the compliance measures required by government agencies such as the SC Department of Health and Environmental Control (SC DHEC), the U.S. Environmental Protection Agency (EPA), and the U.S. Food and Drug Administration (FDA).

International Trade

International trade can be difficult, but also can provide tremendous opportunities. Most start-up businesses will not be participating in international trade. However, if you choose to export or import goods, the following contacts may provide you with valuable information. The United States Export Assistance Center can provide you access to all federal exporting resources.

There also is a Foreign Trade Zone (FTZ) located in the Upstate Trade Area; it is referred to as FTZ #38. These zones are special areas for businesses engaged in international trade, allowing for goods that are imported to be duty-free. The zone also has many other benefits that are related to importing and exporting of goods. If you desire more information, please contact the SC Port's Authority Commercial Business Development office or the Oconee Economic Alliance.

Some great resources for helping your business explore foreign markets and engage in international trade:

U.S. Export Assistance Center

216 S. Pleasantburg Drive
Greenville, SC 29607
E-Mail: denis.csizmadia@trade.gov
(864) 250-8429
Website: www.export.gov/southcarolina

SC Ports Authority

Commercial Business Development Office
176 Concord St.
Charleston, SC 29401
(843) 577-8144
Website: www.port-of-charleston.com

South Carolina Dept. of Commerce

1201 Main Street, Suite 1600
Columbia, SC 29201
(803) 737-0400
E-Mail: export@sccommerce.com
Website: <http://sccommerce.com/sc-business-network/export-services>

FTZ No. 38 Spartanburg County

P.O. Box 22287
Charleston, SC 29413-2287
(843) 577-8144
Website:
www.scspa.com/Cargo/Logistics/ftzs/ftz.asp

ECI Find New Markets

P.O. Box 12186
Columbia, SC 29211
E-Mail: fmonk@findnewmarkets.com
Website: www.FindNewMarkets.com

Resource Directory

Economic Development and Business Organizations

The Oconee Economic Alliance

(864) 638-4210

InvestOconeeSC.com

The Greater Oconee County Chamber of Commerce

(864) 882-2097

OconeeChamberSC.com

The Westminster Chamber of Commerce

(864) 647-5316

WestminsterSC.com

Greater Walhalla Area Chamber of Commerce

(864) 638-2727

WalhallaChamber.com

On-Line Educational Resources Related to Small Business Start-Ups

- Small Business Administration On-Line Small Business Learning Center
www.sba.gov/tools/sba-learning-center
- CCH- Business Owner's Toolkit Website:
toolkit.cch.com
- Kauffman Foundations Resources for Entrepreneurs
entreworld.org
- PriceWaterhouseCooper - Vision to Reality
pwcglobal.com
- The Wall Street Journal Center for Entrepreneurs
startup.wsj.com

Entrepreneurship Assistance

- Tri-County Entrepreneurial Development Corporation
(Formally Mountain Lakes Business Development)
tricountyedc.com
727.422.4459
- Clemson Regional Small Business Development Center
clemson.edu/sbdc
864.710.4717
- SCORE
piedmontscore.org
864.271.3638
- South Carolina Department of Commerce
scommerce.com

Government Services

Oconee County

Building Codes Division
415 South Pine St
Walhalla, SC 29691
P- (864) 638-4218
F- (864) 638-4168
oconeesc.com

City of Walhalla

Building/Zoning Official
PO Box 1099
Walhalla, SC 29691
P- (864) 638-4343
F- (864) 638-4357
cityofwalhalla.com

City of Westminster

100 Windsor St
PO Box 399
Westminster, SC 29693
P- (864) 647-3202
F- (864) 647-3229
westminstersc.com

City of Seneca

Director of Building Codes
250 E. North 2nd St.
PO Box 4773
Seneca, SC 29679
P-(864) 885-2726
seneca.sc.us

Town of West Union

1442 West Main St.
West Union, SC 29696
P- (864) 638-9978
P- (864) 638-6593
scwestunion.com

City of Salem

5A Park Avenue
Salem, SC 29676
P- (864) 944-2819
F- (864) 944-7795
salem.sc.us

- South Carolina Business One Stop
scbos.sc.gov
- IRS Small Business Tax Workshop: Presented by the IRS in multiple locations in the Upstate from 9am to 4pm. For information and reservations telephone your local SBDC office at (803) 765-5706.
- Business Tax Guide for SC: This guide is updated annually and available for a small fee to handle postage.

Contact:
South Carolina Dept. of Revenue
Administrative Division
PO Box 125 – Zip code 29214
300 A Outlet Point Blvd
Columbia, SC 29210
(803) 898-5000

Utilities

Blue Ridge Electric Co-Op	1-800-240-3400	blueridge.coop
Duke Energy	1-800-777-9898	duke-energy.com
Fort Hill Natural Gas	1-864-859-6375	fhnga.com
Westminster Utilities	1-864-647-3200	westminstersc.com
Walhalla Utilities	1-864-638-4343	cityofwalhalla.com
West Union Utilities	1-864-638-9978	scwestunion.com
Seneca Utilities	1-864-885-2723	senecalightandwater.com
Salem Utilities	1-864-944-2819	salem.sc.us
Pioneer Rural Water District	1-864-972-3082	pioneerwater.net

Financing and Legal

- **Trademarks, Copyrights, and Patents:** Information on patent laws and inventions is available through federal bookstores and the Dept. of Commerce. Patent attorneys and agents can be located through the yellow pages of the telephone directory.

Register a Patent or Trademark:

Director of the U.S. Patent and Trademark Office
PO Box 1450
Alexandria, VA 22313-1450
1-800-786-9199 (toll free)
uspto.gov

Register a Copyright:

U.S. Copyright Office
101 Independence Ave., S.E.
Washington, DC 20559-6000
(202) 707-3000 or 1-877-476-0778 (toll free)
copyright.gov

- **Legal Advice:** You can profit from obtaining legal advice when you make many decisions about your business. To locate an attorney in your area or with expertise in special areas, you may contact:

The SC Bar Association

Lawyer Referral Service
1-800-868-2284
sbar.org

Real Estate

- Be very careful about real estate transactions. Before signing a lease or contract, you should speak with a realtor and a lawyer. To locate a realtor, check the yellow pages, contact the Oconee Economic Alliance, or:

South Carolina Association of Realtors

3780 Fernandina Rd
Columbia, SC 29210
(803) 772-5206

Demographics

There are many sources of information that would be helpful in understanding the demographic you are intending to serve:

- factfinder.scacog.org
- infomentum.org
- census.org

- claritas.com
- ors.sc.gov
- businessknowledgesource.com
- InvestOconeeSC.com

Obtaining a GS1 Bar Code

GS1 bar codes identify items in the supply chain and are used in all industry sectors including retail, manufacturing and healthcare. GS1 ensures that the bar code numbers that you receive are unique against all other numbers and will be registered in the GS1 Global Trade Item Number Registry, GEPIR.

Contact Information:

Princeton Pike Corporate Center
1009 Lenox Drive, Suite 202
New Jersey 08648 Lawrenceville
United States

Phone: 1.609.620.0200
Fax: 1.609.620.1200
Web site: www.gs1us.org
Email: info@gs1us.org

Glossary of Terms

Assets - Resources, owned or controlled by a company, that have future benefits. These benefits must be quantifiable in monetary terms.

Balance Sheet - A list of a company's assets, liabilities, and owner's equity at a particular point in time.

Break Even - The unit volume where total revenue equals total cost; there is neither profit nor loss.

Capacity - The amount of goods or work that can be produced by a company given its level of equipment, labor, and facilities.

Capital - The funds necessary to establish or operate a business.

Cash Flow - The movement of money into and out of a company; actual income received and actual payments made out.

Cash Flow Statement - A presentation of the cash inflows and outflows for a particular period of time. These flows are grouped into major categories of cash from operations, cash investing activities, and cash-financing activities.

Collateral - Assets pledged in return for loans.

Conventional Financing - Financing from established lenders, such as banks, rather than from investors; debt financing.

Debt Financing - Raising money for a business by borrowing, often in the form of bank loans. (See Conventional Financing above)

Debt Service - Money being paid out on a loan; the amount necessary to keep a loan from going into default.

Disbursements - Money paid out.

Equity - Shares of stock in a company; ownership interest in a company.

Expenses - Outflows of resources to generate revenues.

Fixed Costs - Those costs that are not responsive to changes in volume over the relevant range of time.

Income Statement - A matching of a company's accomplishments (i.e. sales) with effort (expenses from operations) during a particular period of time. (Revenues -Expenses = Net Income).

Leasehold Improvements - The changes made to a rented store, office or plant, to suit the tenant and make the location more appropriate for the conduct of the tenant's business.

Letter of Intent - A letter or other document by a customer indicating the customer's intention to buy from a company.

Liabilities - Commitments to payout assets (typically cash) to or render services for creditors.

Licensing - The granting or permission by one company to another to use its products, trademark, or name in a limited, particular manner.

Liquidity - The ability to turn assets into cash quickly and easily.

Market Share - The percentage of the total available customer base captured by a company.

Net Worth - The total ownership interest in a company, represented by the excess of the total amount of assets minus the total amount of liabilities.

Partnership - A legal relationship of two or more individuals to run a company.

Profit Margin - The amount of money earned after the cost of goods or all operating expenses are deducted; usually expressed in percentage terms.

Pro Forma Statements - A financial statements detailing management's predictions.

Receipts - Funds coming into the company; the actual money paid to the company for its products or services; not necessarily the same as a company's actual receipts.

SBA — Small Business Administration

Sole Proprietorship - Company owned and managed by one person.

Variable Costs - Those costs that are directly responsive to changes in volume over the relevant range of time.

Venture Capitalists - Individuals or firms who invest money in new enterprises.

Working Capital - The cash available to the company for the ongoing operations of the business.

————— **END** —————

NOTICE: The contents of this publication are presented for informational purposes only and should not be considered in any way legal or professional assistance. We encourage you to seek the advice and counsel of a licensed professional when dealing with legal and financial matters.

While care has been taken to provide accurate, up-to-date information, the information presented has been collected from numerous sources and is subject to errors and changes and should be further researched for updates and accuracy.