

STATE OF SOUTH CAROLINA)
)
COUNTY OF NEWBERRY)

RESOLUTION NO. 13-13

A RESOLUTION CONDITIONALLY DESIGNATING THE OLD NEWBERRY COUNTY LIBRARY FOR CONVERSION TO USE AS THE NEWBERRY COUNTY MUSEUM, CONTINGENT UPON DEVELOPMENT OF A SUFFICIENT BUSINESS PLAN, AND UPON COUNTY COUNCIL'S APPROVAL THEREOF

WHEREAS, Newberry County Council has received a proposal from the Newberry County Historical and Museum Society ("Society") for the use of the Old Library building located at 1300 Friend Street in Newberry (TMS # 345-5-17-2); and

WHEREAS, the City of Newberry, Newberry College, and the Society will develop a business plan ("Business Plan") to convert the existing facility and operate it as the Newberry County Museum; and

WHEREAS, the Society has indicated that several grants are available as potential funding sources which would serve as integral components of the Business Plan; and

WHEREAS, County Council is interested in an appropriate future use of the Old Library building.

NOW, THEREFORE, IT IS HEREBY RESOLVED by Newberry County Council that it will conditionally permit the designation of the facility for conversion to the Newberry County Museum, based on a sufficient Business Plan to accomplish such conversion, and to meet related ongoing expenses thereafter. This action does not commit the County Council to transferring the structure; nor does it commit the County to providing any costs associated with the conversion. This action also shall not preclude the County Council, in its sole discretion, from determining another, more appropriate use for the facility separate and apart from that as a County Museum.

BE IT FURTHER RESOLVED that County Council's approval of the Business Plan, which shall be by separate Resolution, is the primary condition of its continued commitment to this conversion, and to any sponsorship of grants related to it. At a minimum, the Business Plan must include certain identified revenue and expenditure components. Revenues must be comprised of *specific, committed* sources, rather than prospective, or potential, sources.

Revenues expected to emanate from the museum's presence may not be included unless specifically obligated to the project by Resolution of a governmental entity committing that entity to making up any differences between projections of such revenues and any shortfalls thereof. Expenditures must be specific regarding initial building repairs and improvements, architectural and engineering services, construction, environmental testing and remediation, site work, furniture and fixtures, landscaping, infrastructure, and permitting. The Business Plan must also contain operating expenditures, including those for personnel, benefits, utilities, insurances, maintenance, and promotional activities. Development and approval of the Business Plan shall be the primary objective of participating entities until such time as County Council may approve the Business Plan by Resolution or, alternatively, resolve not to move forward with establishing the Newberry County Museum at this location.

BE IT FURTHER RESOLVED that the Society shall provide periodic reports on the status of the developing Business Plan, and shall report to County Council every six (6) months on the progress to date. If County Council, in its sole discretion, determines that the project is not feasible, then County Council shall have the right to reverse the action of this Resolution, after which the property will no longer be considered as having been designated for the Newberry County Museum.

**AND IT IS SO RESOLVED THIS 20th DAY OF NOVEMBER, 2013 AT
NEWBERRY, S.C.**

NEWBERRY COUNTY COUNCIL

(SEAL)

BY: _____
Henry H. Livingston, III, Chairman

Attest:

Laurie N. Renwick, Clerk to Council