

STATE OF SOUTH CAROLINA)
)
COUNTY OF NEWBERRY)

BUDGET ORDINANCE NO. 04-7-13

AN ORDINANCE TO PROVIDE APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JULY 1, 2013, AND ENDING JUNE 30, 2014, FOR THE NEWBERRY COUNTY BUDGET FOR COUNTY ORDINARY PURPOSES AND FOR OTHER COUNTY PURPOSES FOR WHICH THE COUNTY MAY LEVY A TAX AND RECEIVE REVENUES; TO PROVIDE FOR THE LEVY OF TAXES ON ALL TAXABLE PERSONAL AND REAL PROPERTY IN NEWBERRY COUNTY FOR ALL COUNTY PURPOSES, INCLUDING SUFFICIENT TAX TO PAY THE PRINCIPAL AND INTEREST ON OUTSTANDING INDEBTEDNESS OF NEWBERRY COUNTY PAYABLE DURING SAID FISCAL YEAR; TO PROVIDE FOR MATTERS RELATING TO NEWBERRY COUNTY; AND TO PROVIDE FOR THE EXPENDITURE OF SAID TAXES AND OTHER REVENUES RECEIVED BY THE COUNTY DURING SAID FISCAL YEAR, AND TO PROVIDE FOR BORROWING IN ANTICIPATION OF TAX COLLECTIONS BY THE ISSUANCE OF ONE OR MORE TAX ANTICIPATION NOTES, IF NECESSARY.

Pursuant to Section 4-9-140 of the South Carolina Code of Laws, 1976, as amended, BE IT ENACTED by the County Council for Newberry County:

SECTION I. LEVYING OF A SUFFICIENT TAX

A tax of sufficient mills to pay for appropriations provided in the Newberry County Budget, hereinafter made for the fiscal year beginning July 1, 2013, and ending June 30, 2014, after crediting against appropriations all other revenue anticipated to accrue to Newberry County during said fiscal year, not earmarked for specific purposes, is hereby levied upon all the taxable property of Newberry County for County purposes.

SECTION II. GENERAL FUND REVENUES AND APPROPRIATIONS

There is hereby appropriated with provisos, as attached hereto and as stated in the County Operating and Capital Budgets for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following sums of money in the amounts and for the purposes set forth as follows. This is a property tax fund:

GENERAL FUND EXPENDITURES

<u>EXPENDITURES</u>	<u>AMOUNT</u>
GENERAL GOVERNMENT	
COUNTY COUNCIL	\$ 296,818
LEGAL	151,880
COUNTY ADMINISTRATOR	521,620
INFORMATION TECHNOLOGY	270,059
TREASURER	385,167
AUDITOR	369,523
ASSESSOR	540,074
TAX REVIEW AND APPEALS BOARD	6,460
DELINQUENT TAX COLLECTOR	170,725
PLANNING AND ZONING	186,684

BUILDING INSPECTIONS	158,984
GIS DEPARTMENT	107,223
VOTER REGISTRATION	150,146
COUNTY DUES AND MEMBERSHIPS	30,866
NON DEPARTMENT – MISCELLANEOUS	672,856
FLEET MANAGEMENT	538,815
ECONOMIC DEVELOPMENT	813,615
AIRPORT	102,500
CONTINGENCY	<u>586,006</u>
TOTAL GENERAL GOVERNMENT	\$ 6,060,021

JUDICIAL

CLERK OF COURT	\$ 387,596
FAMILY COURT	231,806
CIVIL AND CRIMINAL COURT	83,250
OFFICE OF SOLICITOR	88,580
PROBATE COURT	265,212
PROBATION PARDON AND PAROLE BOARD	549
CENTRAL TRAFFIC COURT	392,349
MAGISTRATE - LITTLE MOUNTAIN	38,388
MAGISTRATE - PEAK	31,570
MAGISTRATE - WHITMIRE	25,708
PUBLIC DEFENDER	<u>74,202</u>
TOTAL JUDICIAL	\$ 1,619,210

PUBLIC WORKS

PUBLIC WORKS	\$ 1,379,398
COLLECTIONS	812,357
TRANSFER STATION	<u>1,323,899</u>
TOTAL PUBLIC WORKS	\$ 3,515,654

PUBLIC SAFETY

SHERIFF	\$ 3,232,863
SCHOOL RESOURCE OFFICER	269,925
COMMUNICATIONS	748,192
CORONER	121,433
PUBLIC SAFETY	131,916
JAIL	1,993,338
RESUE SQUADS	301,518
HAZARDOUS MATERIALS (HAZ MAT)	10,750
LAKE MURRAY PUBLIC SAFETY COMPLEX	15,000
WHITMIRE PUBLIC SAFETY COMPLEX	10,200
RURAL FIRE CONTROL	580,678
AMBULANCE PURCHASES AND MAINTENANCE	201,367
SILVERSTREET EMS	5,000
EMS SERVICE	<u>900,422</u>
TOTAL PUBLIC SAFETY	\$ 8,522,602

ZONING PERMITS		<u>20,000</u>
TOTAL REVENUES	\$	143,000

INTERGOVERNMENTAL

STATE SHARED REVENUE	\$	1,416,000
ACCOMMODATIONS TAX		3,200
VETERAN AFFAIRS		6,000
FEDERAL FINANCIAL PARTICIPATION		20,000
SALARY SUPPLEMENT		4,728
NATIONAL FORESTRY		175,000
BROUGHT FORWARD FUND BALANCE		321,503
ONE-TIME BROUGHT FORWARD		353,370
DISASTER PREPAREDNESS		<u>100,000</u>
TOTAL REVENUES	\$	2,399,801

CHARGE FOR SERVICES

CLERK OF COURT – TITLE IV-D	\$	8,000
DELINQUENT TAX COST		196,268
SCHOOL RESOURCE OFFICER		265,847
SHERIFF – FEES		6,500
PREPAID LEGAL SERVICE		5,000
ANIMAL CONTROL		13,000
ANIMAL CONTROL – ADOPTIONS		10,000
ANIMAL CONTROL – SPAY –NEUTER PROJECT		22,500
TIPPING FEE		<u>580,000</u>
TOTAL REVENES	\$	1,107,115

FINES

MAGISTRATE CENTRAL COURT	\$	368,667
PROBATE JUDGE FEES		65,000
CLERK OF COURT CONVEYANCE FEES		61,285
CLERK OF COURT FEES FINES		<u>128,715</u>
TOTAL REVENUES	\$	623,667

INTEREST

INTEREST	\$	<u>10,000</u>
TOTAL REVENUES	\$	10,000

MISCELLANEOUS

RETURNED CHECKS	\$	500
DEPARTMENT OF JUVENILE JUSTICE TELEPHONE		600
DELINQUENT TAX SALE PROCEEDS		3,000
MISCELLANEOUS		146,000
VOTERS REGISTRATION		19,600
SURPLUS PROPERTY		10,000
RECYCLING		160,000
SOLID WASTE TIRES		16,000
SHERIFF OTHER		4,000
ASSESSOR'S – COPIES		2,000

ASSESSOR'S – GIS	5,000
MOBILE HOME LICENSES	1,000
CLERK OF COURT COPIES	15,000
PROBATE COPIES	1,200
SPECIAL LICENSE PLATES	8,000
HIGHWAY 219 BEAUTIFICATION CITY OF NEWBERRY SHARE	24,000
SOIL AND WATER CONSERVATION	41,000
SOLICITOR'S BAD CHECK PROGRAM	4,300
FORFEITED LAND COMMISSION	<u>6,000</u>
TOTAL REVENUES	\$ 467,200
TOTAL GENERAL FUND REVENUES	\$ 21,425,867

SECTION III. CAPITAL BUDGETS

There is hereby appropriated for the fiscal year beginning July 1, 2013 and ending June 30, 2014, the following sums of money in the amounts and for the purposes set forth as follows:

NEWBERRY SQUARE PHASE II

<u>REVENUES</u>	<u>AMOUNT</u>
FUND BALANCE	\$ 365,000
TOTAL REVENUES	\$ 365,000
<u>EXPENDITURES</u>	<u>AMOUNT</u>
STORE FRONT RENOVATIONS	\$ 60,000
STUCCO END WALL	40,000
GREEN SPACE/LANDSCAPING	35,000
SIGNAGE	10,000
FURNITURE	15,000
BACKWALL REPAINTING AND FINISHING	20,000
CONTINGENCY	20,000
PROJECT MANAGEMENT	15,000
CONSTRUCTION COMPLETION PHASE I	50,000
ECONOMIC DEVELOPMENT OFFICE SPACE	90,000
DESIGN	<u>10,000</u>
TOTAL EXPENDITURES	\$ 365,000

OLD LIBRARY ENVELOPE PRESERVATION

<u>REVENUES</u>	<u>AMOUNT</u>
NURSING HOME RETAINED EARNINGS	\$ 315,129
TOTAL REVENUES	\$ 315,129
<u>EXPENDITURES</u>	<u>AMOUNT</u>
BASEMENT ACCESS DOOR/SECURITY ENHANCEMENTS	\$ 38,000
PAINTING EXTERIOR	17,000
REMOVE RAMP & REPAIR LEAK	35,000
HVAC	70,000

DESIGN	30,000
TESTING AND PERMITTING	2,129
PROJECT MANAGEMENT	12,000
REPAIR/REPLACE WINDOW	56,000
LANDSCAPING	15,000
CONTINGENCY	<u>40,000</u>
TOTAL EXPENDITURES	\$ 315,129

WHITMIRE RESCUE AND EMS

<u>REVENUES</u>	<u>AMOUNT</u>
FUND BALANCE	\$ <u>420,319</u>
TOTAL REVENUES	\$ 420,319
<u>EXPENDITURES</u>	<u>AMOUNT</u>
ROOF REPLACEMENT	\$ 11,275
PHASE I BASE RENOVATIONS	365,912
PROJECT DESIGN/MANAGEMENT	7,000
CONTINGENCY	<u>36,132</u>
TOTAL EXPENDITURES	\$ 420,319

COURTHOUSE REPAIRS

<u>REVENUES</u>	<u>AMOUNT</u>
SERIES 2007 (A) GENERAL REVENUE BOND	\$ 233,330
CLERK OF COURT 4-D MONEY (FY12-13)	100,153
FUND BALANCE	<u>308,419</u>
TOTAL REVENUES	\$ 641,902
<u>EXPENDITURES</u>	<u>AMOUNT</u>
WATERPROOFING	\$ 258,800
ROOF REPAIR	268,200
ADDITIONAL INSPECTIONS	8,000
CONTINGENCY	83,902
PROJECT MANAGEMENT	9,000
LANDSCAPING	<u>14,000</u>
TOTAL EXPENDITURES	\$ 641,902

PUBLIC WORKS COMPLEX

<u>REVENUES</u>	<u>AMOUNT</u>
INSTALLMENT PURCHASE FINANCING	\$ <u>571,253</u>
TOTAL REVENUES	\$ 571,253
<u>EXPENDITURES</u>	<u>AMOUNT</u>
CONSTRUCTION	\$ 312,874
FENCING	10,000

SIGNAGE	2,000
CONTINGENCY	171,842
ENGINEERING	17,832
PROJECT MANAGEMENT	12,200
FURNITURE	10,000
INFORMATION TECHNOLOGY	20,000
LANDSCAPING	<u>14,505</u>
TOTAL EXPENDITURES	\$ 571,253

LYNCH'S WOODS

<u>REVENUES</u>	<u>AMOUNT</u>
PARK COMMISSION FUNDS	\$ 140,526
FUND BALANCE	<u>45,025</u>
TOTAL REVENUES	\$ 185,551

<u>EXPENDITURES</u>	<u>AMOUNT</u>
CONSTRUCTION	\$ 141,551
ENGINEERING	40,000
PROJECT MANAGEMENT	<u>4,000</u>
TOTAL EXPENDITURES	185,551

**MID CAROLINA COMMERCE PARK
Speculative Building Construction**

<u>REVENUES</u>	<u>AMOUNT</u>
INSTALLMENT PURCHASE FINANCING	\$ 1,350,000
SANTEE COOPER LOAN	<u>1,250,000</u>
TOTAL REVENUES	\$ 2,600,000

<u>EXPENDITURES</u>	<u>AMOUNT</u>
CONSTRUCTION	\$ 2,284,103
ENGINEERING	55,000
LANDSCAPING	20,000
CONTINGENCY	<u>240,897</u>
TOTAL EXPENDITURES	2,600,000

WHITMIRE COMPUTER CENTER

<u>REVENUES</u>	<u>AMOUNT</u>
CDBG GRANT	\$ <u>147,880</u>
TOTAL REVENUES	\$ 147,880

<u>EXPENDITURES</u>	<u>AMOUNT</u>
PROJECT MANAGEMENT	\$ 5,000

IT-INFRASTRUCTURE	11,126
CONSTRUCTION	77,668
CONTINGENCY	34,086
FURNITURE	<u>20,000</u>
TOTAL EXPENDITURES	\$ 147,880

BERLEY ROAD BRIDGE

<u>REVENUES</u>	<u>AMOUNT</u>
C-FUNDS	\$ 75,919
FUND BALANCE	<u>23,940</u>
TOTAL REVENUES	\$ 99,859

<u>EXPENDITURES</u>	<u>AMOUNT</u>
CONSTRUCTION	\$ 73,940
ENGINEERING	10,919
CONTINGENCY	<u>15,000</u>
TOTAL	\$ 99,859

COMMUNICATIONS SYSTEM UPGRADES

<u>REVENUES</u>	<u>AMOUNT</u>
LEASE PURCHASE FUNDING	\$ <u>299,969</u>
TOTAL REVENUES	\$ 299,969

<u>EXPENDITURES</u>	<u>AMOUNT</u>
INFRASTRUCTURE	\$ 242,894
LICENSING	5,000
CONTINGENCY	<u>52,075</u>
TOTAL EXPENDITURES	\$ 299,969

SHERIFF'S OFFICE

<u>REVENUES</u>	<u>AMOUNT</u>
FUND BALANCE	\$ <u>2,504,858</u>
TOTAL REVENUES	\$ 2,504,858

<u>EXPENDITURES</u>	<u>AMOUNT</u>
RENOVATION OF OLD ARMORY	\$ 1,847,208
ENVIRONMENTAL ABATEMENT (entire building)	56,630
CONTINGENCY	188,084

DESIGN	63,728
SIGNAGE	2,500
FURNITURE	15,000
INFRASTRUCTURE	265,708
PROJECT MANAGEMENT	<u>66,000</u>
TOTAL EXPENDITURES	\$ 2,504,858

WHITMIRE TOWN HALL ANNEX

<u>REVENUES</u>	<u>AMOUNT</u>
CAPITAL PROJECT SALES TAX	\$ <u>263,146</u>
TOTAL REVENUES	\$ 263,146

<u>EXPENDITURES</u>	<u>AMOUNT</u>
PROJECT MANAGEMENT	\$ 1,500
IT-INFRASTRUCTURE	20,000
CONSTRUCTION	156,721
CONTINGENCY	64,925
FURNITURE	<u>20,000</u>
TOTAL EXPENDITURES	\$ 263,146

OPERA HOUSE IMPROVEMENTS

<u>REVENUES</u>	<u>AMOUNT</u>
CAPITAL PROJECT SALES TAX	\$ <u>118,231</u>
TOTAL REVENUES	\$ 118,231

<u>EXPENDITURES</u>	<u>AMOUNT</u>
ENGINEERING	\$ 10,884
PROJECT MANAGEMENT	3,600
CONSTRUCTION/RENOVATIONS	<u>103,747</u>
TOTAL EXPENDITURES	\$ 118,231

COUNCIL ON AGING ADDITION

<u>REVENUES</u>	<u>AMOUNT</u>
CAPITAL PROJECT SALES TAX	\$ <u>1,008,752</u>
TOTAL REVENUES	\$ 1,008,752

<u>EXPENDITURES</u>	<u>AMOUNT</u>
PROJECT MANAGEMENT	\$ 15,203
CONSTRUCTION	860,605

DESIGN COST	10,442
CONTINGENCY	<u>122,502</u>
TOTAL EXPENDITURES	\$ 1,008,752

WHITMIRE FIRE DEPARTMENT REPAIRS/RENOVATIONS

<u>REVENUES</u>	<u>AMOUNT</u>
FUND BALANCE	\$ <u>85,165</u>
TOTAL REVENUES	\$ 85,165

<u>EXPENDITURES</u>	<u>AMOUNT</u>
UNIT HEATERS FOR TRUCK BAY	\$ 16,000
EXHAUST/VENTILATION	2,000
NEW WATER LINE	14,400
NEW ADA BATHROOM/SHOWER AREA	24,000
HVAC- REAR AREA OF BUILDING	6,600
NEW ELECTRICAL PANELS AND WIRING	10,000
DRAWINGS AND SPECS	1,000
ENGINEERING AND PROJECT MANAGEMENT	3,500
INSURANCE	365
CONTINGENCY	<u>7,300</u>
TOTAL EXPENDITURES	\$ 85,165

SECTION IV. NEWBERRY COUNTY AIRPORT ENTERPRISE FUND

There is hereby appropriated for the fiscal year beginning July 1, 2013 and ending June 30, 2014, the following sums of money in the amounts and for the purposes set forth as follows:

<u>REVENUES</u>	<u>AMOUNT</u>
HANGAR RENT	\$ 14,400
SALE OF AVIATION FUEL	<u>149,260</u>
TOTAL REVENUES	\$ 163,660

<u>EXPENDITURES</u>	<u>AMOUNT</u>
OPERATING	\$ <u>163,660</u>
TOTAL EXPENDITURES	\$ 163,660

SECTION V. STATE ACCOMMODATIONS TAX REVENUES AND APPROPRIATIONS

There is hereby appropriated for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following sums of money in the amounts as may be received by Newberry County and for the purposes set forth as follows. This is a special fund that comes from taxes collected by the State only on hotel rooms, motel rooms and campgrounds lease spaces:

<u>REVENUES</u>		<u>AMOUNT</u>
STATE ACCOMMODATIONS TAX	\$	<u>75,000</u>
TOTAL REVENUES	\$	75,000
<u>EXPENDITURES</u>		<u>AMOUNT</u>
EXPENDITURES AS PER BUDGET PROVISOS AND SECTION 6-4-10 OF THE CODE OF LAWS OF SC, AS AMENDED, 1976	\$	75,000
TOTAL EXPENDITURES	\$	75,000

SECTION VI. DEBT SERVICE REVENUE AND APPROPRIATIONS

There is hereby appropriated for the fiscal year beginning July 1, 2013 and ending June 30, 2014, the following sums of money for payment on the general obligation bonds and notes of Newberry County. General Obligation Bonds are paid from property taxes, while the Special Source Revenue Bonds are paid from Fees in Lieu of Taxes (FILOT):

DEBT SERVICE

<u>REVENUES</u>		<u>AMOUNT</u>
PROPERTY TAXES	\$	1,074,335
TOTAL REVENUES	\$	1,074,335
<u>EXPENDITURES</u>		<u>AMOUNT</u>
2007 GO BOND		80,004
2007 (A) GO BOND		114,291
2010 (A) GO BOND		160,007
2010 (B) GO BOND		251,440
2012 LEASE PURCHASE		445,735
SANTEE COOPER		<u>22,858</u>
TOTAL EXPENDITURES	\$	1,074,335

SECTION VII. EMERGENCY TELEPHONE SYSTEM

There is hereby appropriated with provisos, if any, as attached to and incorporated into this Ordinance and also stated in the Budget Book for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following sums of money in the amounts and for the purposes set forth as follows. This is a tariff fund collected by telephone companies on phone bills:

EMERGENCY TELEPHONE SYSTEM

<u>REVENUES</u>		<u>AMOUNT</u>
SERVICE CHARGES ANTICIPATED	\$	195,000
RESERVE /CONTINGENCY		<u>64,045</u>
TOTAL REVENUES	\$	259,045
<u>EXPENDITURES</u>		<u>AMOUNT</u>
PERSONNEL	\$	89,145

OTHER OPERATING		<u>169,900</u>
TOTAL EXPENDITURES	\$	259,045

SECTION VIII. GRANTS AND SPECIAL SOURCE REVENUES

There is hereby appropriated with provisos, if any, as attached to and incorporated into this Ordinance and also stated in the County Operating and Capital Budgets for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following sums of money, derived from grants and special source revenues, in the amounts and for the purposes set forth as follows:

GRANTS AND SPECIAL SOURCE REVENUES

<u>REVENUE</u>		<u>AMOUNT</u>
Family Court	\$	43,767
Victims Advocate		53,340
EMS Grant		24,000
CTC – Newberry Transportation Committee		624,000
Recycling		22,157
VC Emergency Preparedness		35,000
Sex Offenders Registry Program		<u>1,000</u>
TOTAL GRANTS ALL SOURCES	\$	803,264

SECTION IX. JAIL USER FEE FUND

Pursuant to Ordinance No. 05-27-03, an Ordinance Establishing User Fees For Persons Detained At The Newberry County Jail, there is hereby appropriated for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following sums of money in the amounts as may be received by Newberry County and for the purpose set forth as follows. This is a special fund that comes from the inmate commissary service and a fee assessed to any person being booked into the Newberry County Jail:

JAIL USER FEE FUND REVENUE

<u>REVENUES</u>		<u>AMOUNT</u>
USER FEES COLLECTEED	\$	<u>30,000</u>
TOTAL JAIL USER FEE FUND	\$	30,000

<u>EXPENDITURES</u>		<u>AMOUNT</u>
EXPENSES	\$	30,000
SUMMARY OF JAIL USER FEE REVENUE		<u>\$ 30,000</u>
SUMMARY OF JAIL USER FEE EXPENDITURES	\$	30,000
BALANCE	\$	-0-

SECTION X. RENTAL FACILITIES/SPECIAL REVENUE FUND

An Ordinance establishing rental fees for those persons/organizations renting County facilities, there is hereby appropriated for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following sums of

money in the amounts as may be received by Newberry County and for the purpose set forth as follows. The following property will be treated as special revenue funds that come from the following sources:

HELENA COMMUNITY CENTER

<u>REVENUES</u>		<u>AMOUNT</u>
USER FEES	\$	4,000
RESERVE /CONTINGENCY		<u>788</u>
TOTAL REVENUES	\$	4,788
<u>EXPENDITURES</u>		<u>AMOUNT</u>
UTILITIES	\$	3,500
CONTRACTED MAINTENANCE		250
INSURANCE		538
REPAIRS		<u>500</u>
TOTAL EXPENDITURES	\$	4,788

COMMUNITY HALL

<u>REVENUES</u>		<u>AMOUNT</u>
USER FEES	\$	6,000
RESERVE/CONTINGENCY		<u>6,914</u>
TOTAL REVENUES	\$	12,914
<u>EXPENDITURES</u>		<u>AMOUNT</u>
UTILITIES	\$	7,500
CONTRACTED MAINTENANCE ELEVATOR		3,040
INSURANCE		1,624
REPAIRS		<u>750</u>
TOTAL EXPENDITURES	\$	12,914

NEWBERRY COUNTY FAIRGROUNDS

<u>REVENUES</u>		<u>AMOUNT</u>
USER FEES	\$	-0-
RESERVE/CONTINGENCY		<u>21,920</u>
TOTAL REVENUES	\$	21,920
<u>EXPENDITURES</u>		<u>AMOUNT</u>
UTILITIES	\$	9,000
CONTRACTED MAINTENANCE		800
INSURANCE		9,620
REPAIRS		<u>2,500</u>
TOTAL EXPENDITURES	\$	21,920

SECTION XI. SETTING OF A MILLAGE RATE

The Newberry County Council shall fix by Resolution a tax millage rate sufficient to support the appropriations and levies herein made and shall advise the Auditor who shall set said millage as advised by the County Council, and the Auditor, pursuant to Section 4-15-150 of the S.C. Code of Laws, 1976, as amended, shall also set the millage rate necessary to raise the levy for debt service on bonded indebtedness. To the extent required by Section 6-1-320 of the S.C. Code of Laws, 1976, as amended, any millage rate set above that for the previous fiscal year, which shall be in excess of the increase of average of the twelve monthly consumer price indexes for the most recent twelve month period consisting of January through December of the preceding calendar year plus the percentage increase in the previous year in the population of the County as determined by the Office of Research and Statistics of the State Budget and Control Board, shall only be imposed by a two thirds vote of the membership of Newberry County Council and only for one or more of those five purposes specified in Section 6-1-320 (B) of the S.C. Code of Laws, 1976, as amended, to wit: (1) the deficiency of the preceding year; (2) any catastrophic event outside the control of the governing body such as a natural disaster, severe weather event, act of God, or act of terrorism, fire, war, or riot; (3) compliance with a court order or decree; (4) taxpayer closure due to circumstances outside the control of the governing body that decreases by ten percent or more the amount of revenue payable to the taxing jurisdiction in the preceding year; or (5) compliance with a regulation promulgated or statute enacted by the federal or state government after the ratification date of the amendments to Section 6-1-320 set forth in 2006 Act No. 388, Pt. II, § 2.A., for which an appropriation or a method for obtaining an appropriation is not provided by the federal or state government. Any such tax imposed for such purpose must be listed on the tax statement as a separate surcharge, with an explanation of the reason for each separate surcharge.

Reserve Fund Maintenance and Reserve Fund Levels

In accordance with Code Section 6-1-320 (D) of the South Carolina Code of Laws 1976, as amended, Newberry County Council directs the County Auditor to levy a separate Reserve Fund Maintenance Millage for purposes of ensuring the County’s ability to maintain sufficient financial reserves to meet unforeseen budgetary needs of the County, and to ensure the timely expenditure of budgeted appropriations. Such millage shall be levied subsequent to the adoption of this and all future annual operating budgets, together with any amendments thereto, with such levy producing the funding necessary, as specifically budgeted, to maintain the Reserve Fund. For any year(s) in which County Council does not specifically budget revenue needs for this purpose, the millage levy shall nonetheless be nominally printed on the tax bills as a “Reserve Fund” levy, expressing the need for no ad valorem taxation (0.00 mills) for this purpose. It is the policy of Newberry County that the unrestricted, undesignated fund balance shall not be less than four (4) month’s operating cost, as calculated using the current year general operating budget.

SECTION XII. TRANSFERRING OF FUNDS

The County Administrator may, if he deems it in the best interest of the County, and within the appropriations provided by this ordinance, transfer funds or any portion thereof from any fund, department, activity, or purpose to another fund, department, activity, or purpose. Amounts over \$5,000 from the Contingency Fund shall be transferred by the County Council. Neither the Administrator, nor any Department Head, may establish or fund any additional position (s) without the knowledge and consent of the County Council.

SECTION XIII. BUDGET PROVISOS

The Budget Provisos attached hereto are incorporated herein by reference and shall be published in the County Operating and Capital Budgets for the Fiscal Year 2013-2014. Unless otherwise directed by this Ordinance, these Provisos shall govern the expenditures made by the County and the conduct of those recipients of such funds with regard to the matters mentioned therein.

SECTION XIV. TAX ANTICIPATION BORROWING

In the event that County Council determines that it is necessary to borrow money in order to meet the operational cash flow needs of the County for this fiscal year until sufficient tax revenues have been collected, the County, as authorized by subsequent Resolution or Resolutions of Newberry County Council, may borrow sufficient funds to meet such operational cash flow needs, by executing one or more tax anticipation notes, in a total amount outstanding not to exceed Four Million (\$4,000,000) Dollars, said sums to be repaid on such terms as County Council may negotiate from tax collections for the Fiscal Year 2013-2014, with all amounts borrowed to be repaid prior to the end of such fiscal year.

SECTION XV. SEVERABILITY

If any clause, phrase, sentence, paragraph, appropriation, or section of this Ordinance shall be held invalid, it shall not affect the validity of the remainder of this Ordinance or of the remaining phrases, clauses, sentences, paragraphs, appropriations, or sections not affected by such invalidity.

SECTION XVI. EFFECTIVE DATE

This Ordinance shall become effective when adopted and shall govern the revenues and expenditures for the Fiscal Year 2013-2014, which commences on July 1, 2013, including the disposition of funds carried forward from the prior fiscal year, unless otherwise encumbered.

AND IT IS SO ORDAINED by Newberry County Council this day of , in meeting duly assembled at Newberry, South Carolina.

(SEAL)

Attest:

Laurie N. Renwick, Clerk to Council

FIRST READING: April 17, 2013
SECOND READING: May 1, 2013
PUBLIC HEARING:
THIRD READING:

NEWBERRY COUNTY COUNCIL

By: _____
Henry H. Livingston , III, Chairman

Reviewed and approved as to form:

A. J. Tothacer, Jr. County Attorney

Wayne Adams, County Administrator