

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENWOOD)

ORDINANCE NO. 2016-10

AN ORDINANCE CALLING A REFERENDUM TO BE CONDUCTED AT THE GENERAL ELECTION TO BE HELD ON NOVEMBER 8, 2016, ON THE QUESTION OF ENACTING A SALES AND USE TAX IN GREENWOOD COUNTY FOR CERTAIN SPECIFIC PURPOSES.

WHEREAS, Section 4-10-310 of the Code of Laws of South Carolina authorizes the Greenwood County Council to impose a one-percent sales and use tax by ordinance, subject to a referendum, within Greenwood County for specific purposes and for a limited amount of time, and;

WHEREAS, Section 4-10-330 of the Code of Laws of South Carolina provides that the specific purposes of the proceeds of the sales and use tax may include projects which are generally described as capital projects, and;

WHEREAS, Section 4-10-320 of the Code of Laws of South Carolina authorized the Greenwood County Council to create a commission to consider proposals for funding capital projects within Greenwood County, and formulate the referendum question that is to appear on the ballot, and;

WHEREAS, by its Resolution 2015-31, the Greenwood County Council created such a commission, and;

WHEREAS, the said commission considered over forty proposals for funding capital projects within Greenwood County, and;

WHEREAS, on June 20, 2016, by unanimous vote in a public meeting duly advertised, the said commission approved the formulation of the referendum question as set forth below, specifying the purposes for which the proceeds of the tax are to be used and setting forth the priority in which the proceeds are to be expended, and;

WHEREAS, the Greenwood County Council is empowered by Section 4-10-330 to call the referendum described herein, and;

WHEREAS, the Greenwood County Council finds that the general public interest of Greenwood County would be advanced by the undertaking of the capital projects listed below, as the same would promote and protect the health and welfare of the citizens of Greenwood County and otherwise serve public purposes, and;

WHEREAS, the Greenwood County Council intends for the citizens of Greenwood County to decide by way of referendum whether the capital projects described below should be funded by a one-percent sales and use tax;

NOW, THEREFORE, BE IT ORDAINED BY THE GREENWOOD COUNTY COUNCIL, DULY ASSEMBLED, AS FOLLOWS:

Section 1. The Greenwood County Council hereby calls a referendum on the question of the imposition of a one-percent sales and use tax for the specific purposes described below.

Section 2. The referendum shall be conducted at the next general election of Greenwood County, which will be held on November 8, 2016.

Section 3. The question on the ballot shall be as follows:

Must a special one percent (1%) sales and use tax be imposed in Greenwood County for not more than eight (8) years to raise the amounts specified for the following purposes?

- (1) \$6,099,696 for the construction of the Upstate Center for Manufacturing Excellence on the campus of Piedmont Technical College in Greenwood;**
- (2) \$5,578,754 for the construction or improvement of public parks in Hodges and Troy, the Grace Street Park, the Emma Gaskins Magnolia Park and a new public park in the area of Foundry Road in Greenwood, the Ninety Six Town Park in Ninety Six, and bike and pedestrian trails in and around Greenwood;**
- (3) \$4,858,409 for the implementation of a countywide public safety radio system;**
- (4) \$646,592 for the expansion of the Benjamin E. Mays Historical Site;**
- (5) \$14,242,921 for the implementation of the Fire Service Master Plan adopted by the Greenwood County Council, including but not limited to the renovation and equipping of existing fire stations, the construction and equipping of new fire stations, and the construction of a public safety training facility;**
- (6) \$810,000 for the implementation of the Lake Greenwood Master Plan, to possibly include but not be limited to the construction of public access areas, restroom facilities, and refuse collection facilities, and landscaping and signage on entrance ways;**
- (7) \$1,569,339 for the replacement of certain sewer lines and the construction or refurbishment of a pump station in the area of the Carnell Bridge in Ware Shoals;**

- (8) \$671,456 for the replacement of water lines in the area of Pinehaven, Saluda and Wingard Streets in Ninety Six;
- (9) \$10,723,817 for the renovation and expansion of athletic facilities of Greenwood County, including but not limited to the Wilbanks Sports Complex in Greenwood (the former site of the Greenwood Civic Center), Young Park in Ware Shoals, and the J.C. "Fox" Boozier Complex in Ninety Six;
- (10) \$8,456,666 for the development of the North Greenwood Industrial Park;
- (11) \$1,105,446 for the replacement of the storm water drainage system in the area of the Ninety Six Mill Village;
- (12) \$66,326 for the construction of a pedestrian trail in the Promised Land community;
- (13) \$33,163 for the construction of restroom facilities at Cokesbury College;
- (14) \$27,636 for the renovation of the Brewer Center in Greenwood;
- (15) \$1,326,535 for the purchase of a records management system for the Greenwood County Sheriff's Office and the Greenwood Police Department;
- (16) \$1,747,000 for the modeling and study of flooding within watersheds of Greenwood County;
- (17) \$11,942,770 for the widening of Highway 246 from its intersection with Highway 221 to Emerald Road;
- (18) \$3,397,273 for the rehabilitation of Katherine Hall in Ware Shoals;
- (19) \$429,939 for the repair and maintenance of the Greenwood County Detention Center;
- (20) \$208,998 for the purchase of a case management system for the Eighth Circuit Solicitor's Office;
- (21) \$358,283 for the installation of fiber optic cable and related equipment on the campus of the Greenwood Genetic Center;
- (22) \$2,447,774 for the construction of the Carolina Avenue Connector, a new road with related infrastructure between South Main Street and the campus of the Greenwood Genetic Center on Liner Circle in Greenwood;

(23) \$685,987 for the renovation of the Arts Center at the Federal Building in Greenwood, including but not limited to the replacement of the roof and certain flooring, and painting of the exterior;

(24) \$1,221,806 for the construction of an exhibition hall replicating the former Southern Passenger Depot for the Railroad Historical Center;

(25) \$1,468,664 for the purchase of a platform fire truck and related equipment for the City of Greenwood Fire Department;

(26) \$1,223,887 for the placement of lines for water service and fire suppression in the area of Harris Landing, and;

(27) \$4,895,548 for the placement of lines for water services and fire suppression in the area of Highway 25 South.

The proceeds of the tax shall be used for the projects described above and other related expenses, including but not limited to the payment of fees for professional services necessary for the completion of the projects and the payment of costs charged by the State of South Carolina for the collection of the tax.

All qualified electors desiring to vote in favor of imposing the tax for the stated purposes shall vote "yes," and all qualified electors opposed to levying the tax shall vote "no."

Yes []

No []

Section 4. The purposes for which the proceeds of the tax are to be used, as specified in the foregoing question and otherwise by this Ordinance, are hereby found by the Greenwood County Council to be authorized by Section 4-10-330(A)(1).

Section 5. The proceeds of the tax may be used for construction, improvement or procurement of the capital projects listed above, and may also be used for design, engineering, project management and other professional services related to the same.

Section 6. The maximum costs to be funded from proceeds of the tax shall be Eighty-Seven Million Nine Hundred Thirty-Eight Thousand One Hundred Eighty-Five and no/100 Dollars (\$87,938,185.00).

Section 7. The maximum time for which the tax may be imposed shall be eight (8) years from the date of imposition.

Section 8. If approved, the date of imposition of the tax shall be May 1, 2017.

Section 9. The capital projects listed above are prioritized by numerical order, except that the priority shall be subject to change by ordinance of the Greenwood County Council based upon unexpected complications of construction and procurement, including but not limited to availability of real property and rights-of-way, design, engineering and environmental considerations, matters of permitting and regulation, unanticipated funding from other sources, bids in excess of estimated project costs and other matters pertaining to bidders, overrun in actual project costs, and other unforeseen circumstances and conditions.

Section 10. Two or more projects may be funded simultaneously.

Section 11. A copy of this Ordinance shall be provided to the Greenwood County Election Commission on or before August 15, 2016. Upon receipt of the same, the Greenwood County Election Commission shall conduct the referendum at the time of the general election.

Section 12. On or before October 25, 2016, the same being two (2) weeks before the referendum, the Greenwood County Election Commission shall publish in a newspaper of general circulation the question that is to appear on the ballot, with the list of projects and the estimated cost of the projects. Pursuant to Section 4-10-330(C), this notice shall be in lieu of any other notice otherwise required by law.

Section 13. The Greenwood County Election Commission shall conduct the referendum under the election laws of the State of South Carolina and shall certify the result no later than November 30, 2016, to the Greenwood County Council and the South Carolina Department of Revenue.

Section 14. Upon receipt of the returns of the referendum, the Greenwood County Council shall declare its results.

Section 15. If a majority of the votes cast are in favor of imposing the tax, then the tax is imposed as provided in Title 4, Chapter 10, Article 3 of the Code of Laws of South Carolina.

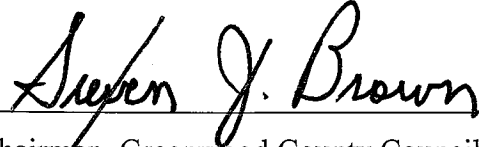
Section 16. Expenses of the referendum shall be paid by the governmental entities that would receive the proceeds of the tax in the same proportion that those entities would receive the net proceeds of the tax.

Section 17. The provisions of this Ordinance are to be separable, and if any section, phrase or provision shall for any reason be declared by a court of competent jurisdiction to be invalid or unenforceable, such declaration shall not affect the validity of the remainder of the sections, phrases and provisions hereunder.

Section 18. This Ordinance shall become effective on passage and approval of its third reading.

Passed and approved this 26 day of July, 2016.

**GREENWOOD COUNTY,
SOUTH CAROLINA**

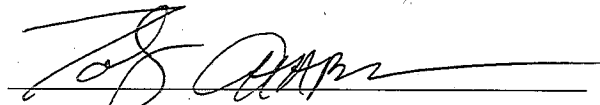


Chairman, Greenwood County Council

STATE OF SOUTH CAROLINA)
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ENDORSEMENT OF MANAGER

I, **Toby Chappell**, as Greenwood County Manager approved by the Greenwood County Council, have reviewed the foregoing Ordinance, and hereby approve the same as to its form, draftsmanship and proper title.



Toby Chappell

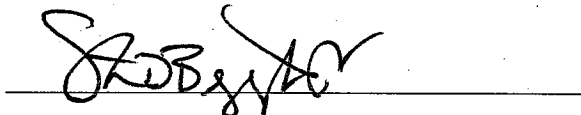
Greenwood, South Carolina

July 26, 2016

STATE OF SOUTH CAROLINA)
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ENDORSEMENT OF ATTORNEY

I, **Stephen D. Baggett, Jr.**, as Greenwood County Attorney approved by the Greenwood County Council, have prepared and reviewed the foregoing Ordinance, and hereby approve the same as to its legality and constitutionality.



Stephen D. Baggett, Jr.

Greenwood, South Carolina

July 26, 2016

STATE OF SOUTH CAROLINA)
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COUNTY OF GREENWOOD)

ENDORSEMENT OF CLERK

I, **Ketekash Crump-Lukie**, as Clerk to the Greenwood County Council, approved by the Greenwood County Council, hereby certify that the foregoing Ordinance was read at three public meetings of the Greenwood County Council on three separate days, the said days being July 5, 2016, July 16, 2016, and July 26, 2016, that the foregoing Ordinance was passed and adopted by a majority vote of the members of the Greenwood County Council present at the public meeting on July 19, 2016, and that, at all times relevant to the foregoing Ordinance, the Greenwood County Council complied with all applicable provisions of the Code of Laws of South Carolina, in particular the South Carolina Freedom of Information Act, and the Code of Ordinances of Greenwood County.

Ketekash Crump-Lukie
Ketekash Crump-Lukie

Greenwood, South Carolina

July 26, 2016