

COUNTY OF NEWBERRY )  
 )  
STATE OF SOUTH CAROLINA )

**RESOLUTION #04-09**

**AMENDING A RESOLUTION ENTITLED "A RESOLUTION AUTHORIZING AN EQUIPMENT LEASE/PURCHASE AGREEMENT IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING \$1,300,000 RELATING TO THE FINANCING OF VARIOUS EQUIPMENT FOR PUBLIC PURPOSES; AUTHORIZING THE EXECUTION AND DELIVERY OF VARIOUS DOCUMENTS INCLUDING AN EQUIPMENT LEASE/PURCHASE AGREEMENT; AND OTHER MATTERS RELATING THERETO."**

**BE IT RESOLVED BY THE COUNTY COUNCIL OF NEWBERRY COUNTY, SOUTH CAROLINA, IN MEETING DULY ASSEMBLED, AS FOLLOWS:**

**Section 1. Findings.** As an incident to the adoption of this Resolution, the County Council of Newberry County (the "*Council*"), the governing body of Newberry County, South Carolina (the "*County*"), finds that the facts set forth in this **Section 1** exist, and the statements made with respect thereto are true and correct.

(a) By a Resolution entitled "A RESOLUTION AUTHORIZING AN EQUIPMENT LEASE/PURCHASE AGREEMENT IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING \$1,300,000 RELATING TO THE FINANCING OF VARIOUS EQUIPMENT FOR PUBLIC PURPOSES; AUTHORIZING THE EXECUTION AND DELIVERY OF VARIOUS DOCUMENTS INCLUDING AN EQUIPMENT LEASE/PURCHASE AGREEMENT; AND OTHER MATTERS RELATING THERETO." (the "*Lease/Purchase Resolution*"), which was adopted on September 5, 2007, the Council made provision for the execution and delivery of a lease/purchase agreement for the financing of various items of equipment (the "*Equipment*").

(b) Pursuant to the Lease/Purchase Resolution, the County on September 20, 2007 entered into an Equipment Lease Agreement with Branch Banking and Trust Company in the principal amount of \$1,085,622 to finance the acquisition of various items of equipment.

(c) The Council has been informed that a need exists for the purchase and / or upgrade of EKG machines for use by various rescue squads of the County.

(d) The Council has determined to adopt this Resolution to amend the Lease/Purchase Resolution so as to expand the definition of Equipment to allow lease proceeds to be spent on the purchase and / or upgrade of EKG machines.

**Section 2. Amendment to Lease/Purchase Resolution.**

(a) Exhibit A of the Lease/Purchase Resolution is hereby amended by adding the following items of equipment to the list of equipment:

<u>Department</u>	<u>Description</u>	<u>Quantity</u>
Whitmire Rescue Squad	EKG lead heart monitor (new purchase)	1
Prosperity Rescue Squad	EKG lead heart monitor (new purchase)	1
Lake Murray Rescue Squad	EKG lead heart monitor (upgrades)	1

(b) Except as amended hereby, the Lease/Purchase Resolution remains in full force and effect.

**DONE IN MEETING DULY ASSEMBLED THIS 3<sup>RD</sup> DAY OF JUNE, 2009.**

NEWBERRY COUNTY, SOUTH CAROLINA

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Henry H. Livingston III, Chairman  
Newberry County, South Carolina

(SEAL)

ATTEST:

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Laurie N. Renwick, Clerk to County Council  
Newberry County, South Carolina

**STATE OF SOUTH CAROLINA**

**COUNTY OF NEWBERRY**

I, the undersigned, Clerk to the Newberry County Council, DO HEREBY CERTIFY:

That the foregoing constitutes a true, correct and verbatim copy of a Resolution which was adopted at the June 3, 2009 meeting of the County Council. The original of this Resolution is duly entered in the permanent records of minutes of meetings of the County Council, in my custody as such Clerk.

That said meeting was duly called, and all members of the County Council were notified of the same; that all/a majority of the membership were notified of the meeting and remained throughout the proceedings incident to the adoption of this Resolution.

IN WITNESS WHEREOF, I have hereunto set my Hand this 3rd day of June, 2009.

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Clerk, Newberry County Council