

WHEREAS, Newberry County Council wishes to approve the administrative transfer of \$14,000 from Capital One-Time Purchases (Code 010-010-15000-04160) for Animal Shelter weatherization improvements.

WHEREAS, Newberry County Council wishes to approve, on a contingent basis, the appropriation of \$96,657 from the Series 2007 (A) General Revenue Bond (Code 010-012-00011-00149) for the establishment of a new Sheriff's Office location; and

WHEREAS, Newberry County Council wishes to approve, on a contingent basis, the appropriation of \$900,000 in lawsuit settlement proceeds (Code 010-010-00040-00524) for the establishment of a new Sheriff's Office location; and

WHEREAS, Newberry County Council wishes to approve, on a contingent basis, the appropriation of \$1,127,583 (Code 010-010-00011-00188) for a new Sheriff's Office location from funding escrowed specifically for that purpose; and

WHEREAS, following the adoption of this Ordinance, updates on the progress of, and critical decisions pertaining to, the projects contained herein will be agenda items at scheduled semi-monthly meetings of the full County Council, with such updates continuing until the projects are completed, giving Council the opportunity to monitor project plans and expenditures for purposes of fidelity both to economy and to Council's intent.

SECTION 1.

Section III of the FY 09-10 Budget Ordinance is amended; the necessary expenditures are authorized and the necessary revenues are transferred from Capital One-Time Purchases (Code 010-010-15000-04160) and from Series 2007 A General Obligation Bond (Code 010-012-00011-00149):

A. Agricultural/Clemson Extension Building Renovations

Agricultural/Clemson Extension Building Renovations

EXPENDITURES

Complete Building Renovation

Communications/Connectivity Infrastructure	40,000
Replace ole boiler/HVAC	40,000
Replace windows and doors	50,000
ADA bathrooms	20,000
Repair foyer damage	5,000
Repair electrical panels	20,000
Interior ADA Accessibility (elevator, pit, demo Stairwell)	200,000

Interior Finishes (replacement of tile ceiling with Drywall; prime and paint ceiling, walls, trim; replace carpet; remove interior walls on first floor)	110,000
Exterior ADA Accessibility (sidewalks, parking)	20,000
Repairs men's room tile	2,000
Repairs to pre-cast concrete finishes	10,000
Signage	1,500
Contingency	103,700
Project Management	21,800

TOTAL \$ 644,000

REVENUES

Budget Code 010-010-15000-04160 (Capital One-Time Purchases) \$ 156,300

Budget Code 010-012-00011-00149 [Series 2007 (A) General Revenue Bond] 487,700

TOTAL \$ 644,000

B. Community Hall Building Renovations

Community Hall Building Renovations

EXPENDITURES

Replace electrical panels	\$ 8,000
Paint Ceiling	20,000
ADA Bathroom	45,000
Repair kitchen floors	3,000
Remove old hood works	3,000
Architectural fee	7,500
Rework smoke detection/alarm	18,000
Repair masonry/wood	3,500
Paint Exterior	80,000
Contingency	37,600
Project Management	9,387

TOTAL \$ 234,987

REVENUES

Budget Code 010-010-15000-04160 (Capital One Time Purchases) Norris Estate Account	\$ 145,457 89,530
TOTAL	\$234,987

C. Whitmire Library ADA Accessibility Improvements

Whitmire Library ADA Accessibility Improvements

EXPENDITURES

ADA bathroom	\$ 40,000
Contingency	8,000
Project Management	3,360
TOTAL	\$ 51,360

REVENUES

Budget Code 010-010-15000-04160 (Capital One-Time Purchases)

	51,360
TOTAL	\$ 51,360

D. Courthouse Repairs

Given the technically difficult nature of determining those repairs aimed at eliminating water infiltration into the Courthouse basement, and given the need for post-repair warranties and other financial assurances pertaining to this work, any expenditures related to the “Exterior Foundation Waterproofing” line item of this budget must be approved in advance by Council, both in terms of any contract award(s), and in terms of principle approach to solving the water infiltration problems.

Exterior Foundation Waterproofing (Proviso Restricted)	\$ 200,000
Repair gutter & downspouts	15,000

Repair damaged wood (paint exterior doors)	17,000
Rework window sills	6,000
Contingency	47,600
Project Management	10,000

TOTAL \$ 295,600

REVENUES

Budget Code 010-012-00011-00149 [Series 2007 (A) General Revenue Bond]	\$ 253,228
Budget Code 010-010-15000-04160 (Capital One-Time Purchases)	42,372
TOTAL	\$ 295,600

E. Animal Shelter Weatherization

Animal Shelter Weatherization

Upgrade HVAC	\$ 9,000.00
Contingency	450.00
Project Management	4,550.00

TOTAL \$14,000.00

REVENUES

Budget Code 010-010-15000-04160 (Capital One-Time Purchases)	14,000.00
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TOTAL \$14,000.00

F. Sheriff's Office

The FY 09-10 Capital Budget for this purpose is amended as follows:

SHERIFF'S OFFICE

Given the contingent nature of this project, a departmental budget proviso is established whereby County Council will later determine the location and specific expenditure levels for this project. No expenditures will be made pursuant to this

capital budget without a further budget amendment by County Council setting for the specifics of those expenditures.

<u>REVENUES</u>	<u>AMOUNT</u>
Code 010-010-00011-00188 (Restricted Carry-Forward)	1,127,583
Code 010-010-00040-00524 (Settlement)	900,000
Code 010-012-00011-00149 [Series 2007 (A) General Revenue Bond]	96,657
TOTAL	\$ 2,124,240

SECTION 2.

The “Capital One-Time Purchases” expenditure line item (Code 010-010-15000-04160) is reduced by \$409,489, from \$462,003 to \$52,514, to fund those purposes enumerated in Section 1. above.

SECTION 3.

The “Norris Estate Bequest” is appropriated, increasing Miscellaneous Revenues of the FY 09-10 Budget by \$89,530, from \$819,685 to \$909,215; increasing Total Revenues of the FY 09-10 Budget by \$89,530, from \$21,591,132 to \$21,680,662. Expenditure of the entire amount of the Norris Estate Bequest (\$89,530) is authorized in Section 1. (B) above.

SECTION 4.

Funding in the original amount of \$837,585, Series 2007 (A) General Obligation Bond Proceeds (Code 010-012-00011-00149), is appropriated to fund those purposes enumerated in Section 1. above (Clemson Extension Building Renovation, \$487,700; Courthouse Repairs, \$253,228; Sheriff’s Office Relocation, \$96,657).

SECTION 5.

Funding in the amount of \$900,000, Legal Settlement Proceeds from Newberry County v. Baker (Code 010-010-00040-00524), is appropriated to fund those purposes enumerated in Section 1. above (Sheriff’s Office Relocation).

SECTION 6.

Funding in the amount of \$1,127,583, Escrowed Funding for Sheriff's Office Building (Code 010-010-000011-00188), is appropriated to fund those purposes enumerated in Section 1. above (Sheriff's Office Relocation).

SECTION 7.

The "BUDGET ORDINANCE PROVISOS" section of the FY 09-10 Budget Ordinance is amended by adding the following proviso under that subsection designated for "SHERIFF'S DEPARTMENT":

PROVIDED that County Council considers the renovation of existing County-owned space to be a possible alternative to new construction for housing the Sheriff's Department in a new permanent location. In particular, Piedmont Technical College is expected to petition the Capital Project Sales Tax Commission for a new campus, creating the possibility that Piedmont Tech's current building would be available in the future to house purposes of the County. (The current Piedmont Technical College facility is already under ownership of the County.) In this case, costs for meeting the permanent space needs of the Sheriff's Department would be reduced dramatically, well below the amounts budgeted in Section III. In any case, County Council will require an amendment to this or future annual budget ordinances before approving specific expenditures related to housing the Sheriff's Department in its new permanent location. In this regard, the budgeted amount for this purpose should be regarded as a maximum amount that preserves the County's planning parameters, not as an absolute commitment of resources.

SECTION 8.

The "BUDGET ORDINANCE PROVISOS" section of the FY 09-10 Budget Ordinance is amended by adding the following proviso immediately *after* that proviso labeled "COUNTY MEMBERSHIPS":

COURTHOUSE REPAIRS

PROVIDED that, given the technically difficult nature of determining those repairs aimed at eliminating water infiltration into the Courthouse basement, and given the need for

post-repair warranties and other financial assurances pertaining to this work, any expenditures related to the "Exterior Foundation Waterproofing" line item of this budget must be approved in advance by Council, both in terms of any contract award(s), and in terms of principle approach to solving the water infiltration problems.

AND IT IS SO ORDAINED by Newberry County Council this ____ day of _____ 2009, in meeting duly assembled at Newberry, South Carolina.

NEWBERRY COUNTY COUNCIL

S E A L

By: _____

Henry H. Livingston, III Chairman

Attest:

Laurie N. Renwick, Clerk to Council

1st reading:	September 16, 2009
Public Hearing:	October 21, 2009
2nd reading:	October 7, 2009
3rd reading:	October 21, 2009

Reviewed and approved as to form

A. J. Tothacer, Jr., County Attorney

Wayne Adams, County Administrator