
ORDINANCE NO. 05-16-20

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED “AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF NOT EXCEEDING ONE MILLION TWO HUNDRED FIFTY THOUSAND DOLLARS (\$1,250,000) GENERAL OBLIGATION BONDS OF NEWBERRY COUNTY, SOUTH CAROLINA, FOR THE ISSUANCE OF NOTES IN ANTICIPATION OF SUCH BONDS, TO PRESCRIBE THE PURPOSES FOR WHICH THE PROCEEDS OF SUCH OBLIGATIONS SHALL BE EXPENDED, TO PROVIDE FOR THE PAYMENT THEREOF, AND OTHER MATTERS RELATING THERETO” TO AMEND THE USE OF A PORTION OF THE PROCEEDS OF THE BONDS AUTHORIZED THEREBY

JUNE 17, 2020

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

ARTICLE I

FINDINGS OF FACT

Section 1.01

As an incident to the adoption of this ordinance, Newberry County Council (the “County Council”), the governing body of Newberry County, South Carolina (the “County”), finds that the facts set forth in this Article exist, and the statements made with respect thereto, are true and correct:

1. Pursuant to an ordinance entitled “An Ordinance To Provide For The Issuance And Sale Of Not Exceeding One Million Two Hundred Fifty Thousand Dollars (\$1,250,000) General Obligation Bonds Of Newberry County, South Carolina, For The Issuance Of Notes In Anticipation Of Such Bonds, To Prescribe The Purposes For Which The Proceeds Of Such Obligations Shall Be Expended, To Provide For The Payment Thereof, And Other Matters Relating Thereto,” enacted November 20, 2019 (the “Ordinance”), the County Council authorized the issuance of the \$325,000 General Obligation Bond, Series 2020A, of the County (the “Bond”).

2. Pursuant to the provisions of the Ordinance, a portion of the proceeds of the Bond (the “Proceeds”) were to be used for the purchase and upfit of the Jacobs Building in Newberry for use by the County (collectively, the “Improvements”).

3. The Council has been advised that the County will be unable to purchase the Jacobs Building and has determined to allocate the proceeds of the Bonds intended for the Improvements to other purposes (herein, the “New Improvements”), to wit:

<u>Purpose</u>	<u>Estimated Cost</u>
a. Courthouse Elevator	\$150,000
b. Alarm System Jail	85,000
c. Consolidated Fire Department Roof	30,000
d. Prosperity Fire Department Roof	35,000
Total	\$300,000

ARTICLE II

AMENDMENT OF ORDINANCE

Section 2.01

Exhibit of the Ordinance is amended, striking therefrom references to the Improvements and replacing with the items described as the New Improvements, as described in Article I herein.

Section 2.02

The Ordinance, as amended by Section 2.01 herein, shall continue of full force and effect.

ARTICLE III
PUBLIC HEARING

Section 3.01

Pursuant to the provisions of Section 4-9-130 of the Code of Laws of South Carolina, 1976, as amended, a public hearing, after giving reasonable notice, shall be conducted prior to the third and final reading of this Ordinance by County Council. In accordance with this provision, a public hearing shall be conducted and due notice shall be provided all as required by said Section 4-9-130. The form of the notice to be published, with such changes as may be approved by the Chairman of the County Council, is attached hereto as Exhibit "A".

DONE IN MEETING DULY ASSEMBLED this ___ day of _____, 2020.

NEWBERRY COUNTY, SOUTH CAROLINA

(SEAL)

Chairman, County Council

Attest:

Clerk, County Council

Date of First Reading: May 20, 2020
Date of Second Reading: June 3, 2020
Date of Third Reading: June 17, 2020
Date of Public Hearing: June 17, 2020

STATE OF SOUTH CAROLINA

COUNTY OF NEWBERRY

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

1. That the foregoing is a true, correct and verbatim copy of an Ordinance adopted by the County Council of Newberry County on _____, 2020, at which a majority/all members were present. It was first introduced at the regular meeting of County Council held on _____, 2020. At that meeting, it was given first reading by the majority/unanimous vote of the County Council. Afterwards, at the regular meeting of the County Council held on _____, 2020, it was given its second reading and at the regular meeting of the County Council held on _____, 2020, it was give third and final reading by the unanimous vote of County Council. At each of said meetings, a quorum of County Council was present at all times during the proceedings pursuant to which the aforesaid Ordinance was adopted, the original of which is duly entered in the record of minutes of the aforesaid meetings of said County Council in my Custody as such Clerk.

2. As required by Title 30, Chapter 4 of the Code of Laws of South Carolina 1976, as amended, being the Freedom of Information Act, a copy of the agenda of meetings (showing the date, time and place of the meeting) of the County Council of the County is posted on a designated bulletin board in the administrative offices of the County, posted on the County's publicly-available website and supplied to news media as requested, in each case at least 24 hours prior to regularly scheduled meetings of the County Council. An agenda was posted in accordance with the foregoing sentence for each meeting at which the attached Ordinance was voted upon, and each agenda as so posted contained as an item the consideration of the attached Ordinance by the County Council.

IN WITNESS WHEREOF, I have hereunto set my Hand and the Seal of the County, this ___ day of _____ 2020.

(SEAL)

Clerk to County Council of Newberry County,
Newberry County, South Carolina

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Newberry County Council, State of South Carolina will conduct the following public hearing(s) at its meeting on the 17th day of June, 2020, to be held in the Newberry County Council Chambers, 1309 College Street, Newberry, South Carolina, at 7:00 p.m..

Ordinance No. 05-16-20: An Ordinance Amending An Ordinance Entitled “An Ordinance To Provide For The Issuance And Sale Of Not Exceeding One Million Two Hundred Fifty Thousand Dollars (\$1,250,000) General Obligation Bonds Of Newberry County, South Carolina, For The Issuance Of Notes In Anticipation Of Such Bonds, To Prescribe The Purposes For Which The Proceeds Of Such Obligations Shall Be Expended, To Provide For The Payment Thereof, And Other Matters Relating Thereto” To Amend The Use Of A Portion Of The Proceeds Of The Bonds Authorized Thereby.

[OTHER ORDINANCES RECEIVING PUBLIC HEARINGS INSERTED HERE]

At the time and place fixed for said public hearing(s), all taxpayers, residents or other interested persons who appear will be given an opportunity to express their views for or against the adoption of the Ordinance. A copy of the proposed Ordinance(s) is(are) available for inspection in the Clerk to Council’s office located in the Courthouse Annex at 1309 College Street, Newberry, South Carolina, during its regular business hours. Assistance is available for those who are visually or hearing-impaired. For assistance, call (803) 321-2100.

/s/ _____
Chairman, County Council