

Greenwood County Council
Tuesday, December 20, 2016
Regular Meeting
5:30 p.m.



Greenwood County Library
American Veterans Auditorium

Table of Contents

December 20, 2016, Agenda.....	1
December 6, 2016 Minutes.....	3
Special Recognition.....	9
Recognition of Third Quarter Employees.....	10
Public Hearing, Ordinance 2016-13, Comprehensive Plan Update.....	12
Second Reading, Ordinance 2016-12, Project Pinnacle.....	14
Second Reading, Ordinance 2016-13, Comprehensive Plan Update.....	19
FY2016 Final Audit Presentation, Manley Garvin.....	21
Resolution 2016-23, 800 MHz Radio Lease Agreement.....	22
332 Main Street Final Certification RHP.....	37

December 20, 2016, Agenda

**AGENDA
REGULAR MEETING
GREENWOOD COUNTY COUNCIL
TUESDAY, DECEMBER 20, 2016
GREENWOOD COUNTY LIBRARY
5:30 PM**

CALL TO ORDER

INVOCATION – Councilman Chuck Moates, District Four

PLEDGE OF ALLEGIANCE

APPROVAL OF PREVIOUS MEETING MINUTES

Tuesday, December 6, 2016

SPECIAL RECOGNITION

- A. Resolution 2016-19 recognizing Joyce Norman for twenty-four years of dedicated service to Greenwood County – Councilwoman Edith S. Childs

- B. Recognition of Third Quarter Employees from Various Departments – Human Resources

PUBLIC COMMENT (Sign In Only)

PUBLIC HEARING

- A. Ordinance 2016-13 to adopt the 2016 Greenwood City/County Comprehensive Plan Update

OLD BUSINESS

- A. Ordinance 2016-12 authorizing, pursuant to Chapter 44 of Title 12 of the Code of Laws of South Carolina, 1976, as amended, the execution and delivery of a Fee-in-lieu of Tax and Special Source Revenue Credits Agreement between Project Pinnacle and Greenwood County; other matters relating thereto – Toby Chappell, County Manager **(Second Reading)**

- B. Ordinance 2016-13 to adopt the 2016 Greenwood City/County Comprehensive Plan Update **(Second Reading)**

NEW BUSINESS

- A. Manley Garvin FY2016 Final Audit Presentation
- B. Resolution 2016-23 approving and authorizing the lease of certain equipment from Motorola Solutions, Inc.
- C. Consideration of a request for final certification for 332 Main Street – Floor 2, Units 2 and 3; Floor 3, Units 1 – Phil Lindler, Planning Department

DISTRICT REPORTS

MANAGER'S REPORT

EXECUTIVE SESSION

Action may be taken on items discussed in executive session

- A. Discussion of employment, appointment, compensation, promotion, demotion, discipline, or release of an employee, a student, or a person regulated by a public body or the appointment of a person to a public body
- B. Discussion of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property; the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege
- C. Discussion of matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area served by the body

ADJOURNMENT

December 6, 2016 Minutes

**MINUTES
REGULAR MEETING
GREENWOOD COUNTY COUNCIL
TUESDAY, DECEMBER 6, 2016
GREENWOOD COUNTY LIBRARY
5:30 PM**

MEMBERS PRESENT

Chairman Steven Brown, District Five
Vice-Chairman Mark Allison, District Two
Councilwoman Edith Childs, District One
Councilman Gonza Bryant, District Three
Councilman Chuck Moates, District Four
Councilman Robbie Templeton, District Six
Councilman Bob Fisher, District Seven

STAFF PRESENT

Toby Chappell, County Manager
Stephen D. Baggett, Jr., County Attorney
Ketekash Crump-Lukie, Clerk to Council

In accordance with the Freedom of Information Act, staff posted an agenda containing the date, time and location of this meeting on the main entrances of the Greenwood County Courthouse and the Greenwood County Library and on the Greenwood County website calendar. The *Index-Journal* and local radio stations received copies of the agendas via fax.

INVOCATION – Councilman Chuck Moates, District Four

Councilman Moates delivered the invocation.

PLEDGE OF ALLEGIANCE

Council recited the Pledge of Allegiance in unison.

APPROVAL OF PREVIOUS MEETING MINUTES

Tuesday, November 15, 2016

Councilman Fisher motioned to approve the November 15 meeting minutes, seconded by Councilman Bryant and the motion carried by unanimous vote.

ACTION: Council approved the November 15 meeting minutes.

SPECIAL RECOGNITION

- A. Resolution 2016-19 recognizing Joyce Norman for twenty-four years of dedicated service to Greenwood County – Councilwoman Edith S. Childs**

Chairman Brown announced that Ms. Norman would be recognized during the December 20 meeting of Council.

PUBLIC COMMENT (Sign In Only)

None

PUBLIC HEARING

Chairman Brown asked for a motion to open public hearings.

Councilman Fisher motioned to open public hearing, seconded by Councilman Bryant and the motion carried by unanimous vote.

Chairman Brown asked if anyone was present to speak in favor or in opposition to ***the proposed transfer of real property owned by Greenwood County and located at or near 125 Willard Road to the Coronaca Fire Department & Rescue.***

No one spoke in favor or in opposition.

Chairman Brown closed the public hearing for 125 Willard Road.

Chairman Brown asked if anyone was present to speak in favor or in opposition to ***Ordinance 2016-03 authorizing certain economic incentives, including payment of fee-in-lieu of Ad Valorem property taxes and provision of special source revenue credits, pursuant to an agreement between Greenwood County and Teijin Holdings USA, Inc.***

1. Wayne Trotter, Director of Government Relations for Teijin, 1122 Highway 246, Greenwood, SC, spoke in favor of the proposed ordinance. Also present with Mr. Trotter was Jeff Lane, Sr. Vice-President responsible for Human Resources and Jan Follings, President at Teijin Holdings.

Chairman Brown closed the public hearing for Ordinance 2016-03 and asked for a motion to close the public hearings.

Councilman Fisher motioned to close the public hearings, seconded by Vice-Chairman Allison and the motion carried by unanimous vote.

ACTION: Council closed the public hearings portion of the agenda

OLD BUSINESS

- A. Chairman Brown read the following title: ***Ordinance 2016-03 authorizing certain economic incentives, including payment of fee-in-lieu of Ad Valorem property taxes and provision of special source revenue credits, pursuant to an agreement between Greenwood County and Teijin Holdings USA, Inc.; and Resolution 2016-21 for Multi-County Industrial Park inclusion.*** (Third Reading)

Chairman Brown announced that at the request of Teijin Holdings, the Third Reading would be held during the January 3, 2017 Regular meeting of Council.

ACTION: Council postpone the Third Reading of Ordinance 2016-03 until Tuesday, January 3, 2017

NEW BUSINESS

- A. ***Ordinance 2016-12 authorizing, pursuant to Chapter 44 of Title 12 of the Code of Laws of South Carolina, 1976, as amended, the execution and delivery of a Fee-in-lieu of Tax and Special Source Revenue Credits Agreement between Project Pinnacle and Greenwood County; other matters relating thereto – Toby Chappell, County Manager*** (First Reading)

Chairman Brown read the title for the First Reading.

- B. ***Resolution 2016-17 providing for an Inducement Resolution; stating the commitment of Greenwood County to include Project Pinnacle in Greenwood-Newberry Multi-County Industrial Park; and to provide for other matters related thereto***

Councilman Fisher motioned to approve Resolution 2016-17, seconded by Vice-Chairman Allison and the motion carried by unanimous vote.

ACTION: Council approved Resolution 2016-17

- C. ***Resolution 2016-18 authorizing an amendment to the Master Agreement Governing the Greenwood-Newberry Industrial Park dated December 31, 2012, by and between Newberry County, South Carolina, and Greenwood County, South Carolina, to expand the boundaries of the Park to include certain real property located in Greenwood County and pertaining to Project Staple, and other related matters.***

Councilman Fisher motioned to approve Resolution 2016-18, seconded by Councilman Bryant and the motion carried by unanimous vote.

ACTION: Council approved Resolution 2016-18

- D. Resolution 2016-20 authorizing an amendment to the Master Agreement Governing the Greenwood-Newberry Industrial Park dated December 31, 2012, by and between Newberry County, South Carolina, and Greenwood County, South Carolina, to expand the boundaries of the Park to include certain real property located in Greenwood County and pertaining to Project Vanquish, and other related matters.***

Vice-Chairman Allison motioned to approve Resolution 2016-20, seconded by Councilman Fisher and the motion carried by unanimous vote.

ACTION: Council approved Resolution 2016-20

- E. Request for approval of the Airport Improvement Plan (2018-2022), with assurances to fund the Avigation Easement Project until grant funding is awarded***

Chairman Brown stated that Council received a thorough explanation of the proposed request during the December 6 Administration & Finance Committee meeting at which time staff asked Council to approve an expenditure of about \$61,000 that will be refunded during the process.

Vice-Chairman Allison motioned to approve staff's request, seconded by Councilman Fisher and the motion carried by unanimous vote.

ACTION: Council approved expending \$61,000 towards the Avigation Easement Project.

- F. Ordinance 2016-13 to adopt the 2016 Greenwood City/County Comprehensive Plan Update (First Reading)***

Chairman Brown read the title of proposed Ordinance 2016-13.

ACTION: Council held the First Reading of Ordinance 2016-13

- G. Resolution 2016-22 declaring the results of a referendum on the question of enacting a sales and use tax in Greenwood County for certain specific purposes***

Chairman Brown read the title of proposed Resolution 2016-22 and recognized the County Manager.

Mr. Chappell explained that certifying the results for a referendum is a statutory requirement for County Council and recommended approving Resolution 2016-22.

Councilman Bryant motioned to approve Resolution 2016-22, seconded by Councilman Templeton and the motion carried by unanimous vote.

ACTION: Council approved Resolution 2016-22

H. Consideration of the proposed transfer of real property owned by Greenwood County and located at or near 125 Willard Road to the Coronaca Fire Department & Rescue

Councilwoman Childs motioned to approve, seconded by Councilman Bryant and the motion carried by unanimous vote.

ACTION: Council approved the transfer of real property owned by Greenwood County and located at or near 125 Willard Road to the Coronaca Fire Department & Rescue

I. Resolution 2016-21 authorizing an amendment to the Master Agreement governing the Greenwood-Newberry Industrial Park dated December 31, 2012, by and between Newberry County, South Carolina and Greenwood County, South Carolina, to expand the boundaries of the Park to include certain real property located in Greenwood County and pertaining to Project Café, and other related matters.

Councilman Fisher motioned to approve Resolution 2016-21, seconded by Councilman Moates and the motion carried by unanimous vote.

ACTION: Council approved Resolution 2016-21

DISTRICT REPORTS

District One – Edith Childs

- Asked Council to recognize the retirement of Ms. Joyce Norman at the next meeting of Council;
- Thanked the community and the Omega Fraternity for their support Thanksgiving Day;
- Asked staff to donate coats to distribute during the Annual Christmas Dinner; and
- Shared three (3) Lexington County student's project pertaining to Greenwood County's Voting Trends

District Seven – Bob Fisher

- Announced that Greenwood County Airport has new GPS approaches for pilots, making airport landings more accurate

District Three – Gonza Bryant

- Thanked Councilwoman Childs for the opportunity to share with her during the Annual Thanksgiving Dinner;
- Omegas will be joining Councilwoman Childs again for the December Coat Drive during the Annual Christmas Dinner; and
- Recognized Rossie Corwon, who announced that the Eagle for the Veteran's Memorial Plaza would be installed between 8 a.m. and Noon, Wednesday, December 7.

District Two – Mark Allison

- No Report

District Four – Chuck Moates

- No Report

District Six – Robbie Templeton

- No Report

District Five – Steven J. Brown

- Recognized Mr. John from Velux; thanked him for all that he personally does for Greenwood County, for what Velux does for Greenwood County and for what Velux will do for the County in the future

MANAGER'S REPORT

No Report

EXECUTIVE SESSION

Council did not have need of an executive session.

ADJOURNMENT

Chairman Brown adjourned the meeting at 6 p.m.

Ketekash Crump-Lukie, Clerk to Council, transcribed the minutes.

SPECIAL RECOGNITION

Resolution 2016-19 recognizing Joyce Norman for twenty-four years of dedicated service to Greenwood County – Councilwoman Edith S. Childs

STATE OF SOUTH CAROLINA)

)

RESOLUTION No: 2016-19

COUNTY OF GREENWOOD)

**A RESOLUTION RECOGNIZING JOYCE NORMAN FOR TWENTY-FOUR YEARS
OF DEDICATED SERVICE TO GREENWOOD COUNTY**

Whereas, Joyce Norman has been employed with Greenwood County 911 Emergency Communications as a Teller Communications Officer since May 18, 1992 and has announced her retirement as of December 12, 2016; and

Whereas, during her years of faithful and dedicated services, she earned the admiration and respect of her friends and colleagues; and

Whereas, she has demonstrated her ability to meet new challenges with enthusiasm; therefore, be it

Resolved, that the Greenwood County Council expresses its appreciation to Joyce Norman for her many years of dedicated service, and contributions to her profession, and be it further

Resolved, that the Greenwood County Council extends to Joyce Norman its best wishes for many years of happiness during her retirement.

Presented on the 20th day of December 2016.

Recognition of Third Quarter Employees

CONTACT PERSON: Melissa Duff

DEPARTMENT: Employee Recognition Committee

AGENDA REQUESTED: Regular Meeting of Council

ISSUE TO BE CONSIDERED BY COUNCIL:

Recognizing the Third Quarter Employees from Various Departments

FUNDING FACTOR(S):

N/A

STAFF RECOMMENDATION:

Recognition

ATTACHMENTS: Available upon request



CONGRATULATIONS!

2016 EMPLOYEES OF THE THIRD QUARTER

KEITH BANKS - ASSESSOR

ANTHONY KING - EMS

**LASHANDRIA WILLIAMS - EMERGENCY
COMMUNICATIONS**

ROBERT (BOBBY) MANN - AIRPORT

THOMAS BISHOP - IT/GIS

KELLY BAGWELL-POLLARD - MAGISTRATE'S OFFICE

CHRIS HUDSON - PLANNING

MELVIN DUNLAP - PUBLIC WORKS

KAREN DAVIS - DELINQUENT TAX COLLECTOR

2016 DEPARTMENT HEAD OF THE THIRD QUARTER

ROSSIE CORWON

PUBLIC HEARING

Ordinance 2016-13 to adopt the 2016 Greenwood City/County Comprehensive Plan Update

CONTACT PERSON: Phil Lindler

DEPARTMENT: Planning

AGENDA REQUESTED: Both Meetings

ISSUE TO BE CONSIDERED BY COUNCIL:

Adoption of the Comprehensive Plan

FUNDING FACTOR(S):

No additional funding required for adoption.

STAFF RECOMMENDATION:

Greenwood County Joint Planning Commission recommends approval

ATTACHMENTS: Available upon request

OLD BUSINESS

Ordinance 2016-12 authorizing, pursuant to Chapter 44 of Title 12 of the Code of Laws of South Carolina, 1976, as amended, the execution and delivery of a Fee-in-lieu of Tax and Special Source Revenue Credits Agreement between Project Pinnacle and Greenwood County; other matters relating thereto – Toby Chappell, County Manager
(Second Reading)

CONTACT PERSON: Toby Chappell

DEPARTMENT: Administration

AGENDA REQUESTED: Both Meetings

ISSUE TO BE CONSIDERED BY COUNCIL:

An ordinance authorizing, pursuant to Chapter 44 of Title 12 of the Code of Laws of South Carolina, 1976, as amended, the execution and delivery of a Fee-In-Lieu-of-Tax and Special Source Revenue Credits Agreement between Project Pinnacle and Greenwood County; and other matters relating thereto

FUNDING FACTOR(S):

STAFF RECOMMENDATION:

First Reading – December 6

ATTACHMENTS:

Ordinance 2016-12

ORDINANCE

AN ORDINANCE AUTHORIZING PURSUANT TO CHAPTER 44 OF TITLE 12, SOUTH CAROLINA CODE OF LAWS, 1976, AS AMENDED, THE EXECUTION AND DELIVERY OF A FEE AGREEMENT BETWEEN GREENWOOD COUNTY, SOUTH CAROLINA AND PROJECT PINNACLE AND CERTAIN AFFILIATES AND MATTERS RELATING THERETO.

WHEREAS, Greenwood County (the “County”), a public body corporate and politic under the laws of the State of South Carolina has, by an Inducement Resolution adopted on December 6, 2016 (the “Resolution”), taken official action to identify the Project (as defined below) for purposes of applicable fee-in-lieu of taxes statutes and otherwise;

WHEREAS, the County desires to enter into a Fee Agreement with Project Pinnacle and certain affiliates, (collectively the “Company”), which shall provide for payments of fees-in-lieu of taxes for a project qualifying under the provisions of Title 12, Chapter 44 of the Code of Laws of South Carolina 1976, as amended (the “Act”);

WHEREAS, the County and the Company desire to enter into a Fee Agreement, as defined in the Act, concerning the Company’s investment in certain land, improvements, fixtures, machinery, equipment, and other personal property for generating solar energy and any and all activities relating thereto (which properties and facilities constitute a project under the Act and are referred to hereinafter as the “Project”). The Project is expected to provide significant economic benefits to the County and surrounding areas. In order to induce the Company to invest in the Project in the County, the County hereby agrees to charge a fee-in-lieu of taxes with respect to the Project and otherwise make available to the Company the benefits intended by the Act;

WHEREAS, Greenwood County Council (the “County Council”) has caused to be prepared and presented to this meeting the form of the Fee Agreement between the County and the Company, which the County proposes to execute and deliver;

WHEREAS, as further inducement to the Company, the County will cause the Project to be added to a Multi-County Industrial Park (the “MCIP”) under the provisions of Article VIII, Section 13 of the Constitution of the State of South Carolina of 1895, as amended (the “State Constitution”), and Section 4-1-170 of the Code of Laws of South Carolina, 1976, as amended (collectively, the “MCIP Law”);

WHEREAS, under the provisions of Sections 4-1-175 of the Code of Laws of South Carolina, 1976, as amended, and Section 12-44-70 of the Act (collectively, the “Infrastructure Law”), the County is authorized to use revenues received from payments of fees-in-lieu of taxes under the Infrastructure Law, the Act and/or the MCIP Law for the purpose of defraying a portion of the cost of designing, acquiring, constructing, improving or expanding the infrastructure (the “Infrastructure”) serving the Project;

WHEREAS, the Company has requested the County to use a portion of the above aforementioned payments for the purpose of defraying the costs of the Infrastructure serving the Project as permitted by the Infrastructure Law;

WHEREAS, the County Council, having found that the Infrastructure will serve the County and, as a direct result of the acquisition thereof, assist the County in its economic development efforts by inducing the Company to locate a solar facility in the County, proposes to provide an Annual Special Source Revenue Credit (as defined in the Fee Agreement) against payments of fees-in-lieu of taxes to be made concerning the Project pursuant to the Infrastructure Law, the Act and/or the MCIP Law; and

WHEREAS, it appears that the document above referred to, which is now before this meeting, is in appropriate form and is an appropriate instrument to be executed and delivered or approved by the County for the purposes intended;

NOW, THEREFORE, BE IT ORDAINED by the County Council in meeting duly assembled as follows:

Section 1. Pursuant to the Act and particularly Section 12-44-40(H) and (I) thereof, the County Council has made and hereby makes the following findings:

(a) The Project constitutes a “project” as said term is referred to and defined in Section 12-44-30 of the Act;

(b) It is anticipated that the Project will benefit the general public welfare of the County by providing services, employment and other public benefits not otherwise adequately provided locally;

(c) The purposes to be accomplished by the Project are proper governmental and public purposes;

(d) It is anticipated that the cost of planning, designing, acquiring, constructing and completing the Project will require expenditures of approximately \$45 million;

(e) The benefits of the Project to the public are greater than the costs to the public;

(f) Neither the Project nor any documents or agreements entered into by the County in connection therewith will give rise to any pecuniary liability of the County or incorporated municipality or to any charge against its general credit or taxing power; and

(g) Having evaluated the purposes to be accomplished by the Project as proper governmental and public purposes, the anticipated dollar amount and nature of the investment to be made, and the anticipated costs and benefits to the County, the County has determined that the Project is properly classified as economic development property.

Section 2. In order to promote industry, develop trade and utilize the manpower, agricultural products and natural resources of the State, the form, terms and provisions of the Fee Agreement which is before this meeting and filed with the Clerk to County Council is hereby approved and all of the terms, provisions and conditions thereof are hereby incorporated herein by reference as if the Fee Agreement was set out in this Ordinance in its entirety. The Chair of County Council and the Clerk to County Council be and they are hereby authorized, empowered and directed to execute, acknowledge and deliver the Fee Agreement to the Company. The Fee Agreement is to be in substantially the form now before this meeting and hereby approved, or with such changes therein as shall be approved by the officials of the County executing the same, their execution thereof to constitute conclusive evidence of their approval of any and all changes or revisions therein from the form of Fee Agreement now before this meeting.

Section 3. The Chair of County Council and the Clerk to County Council, for and on behalf of the County, are hereby each authorized and directed to do any and all things necessary to effect the execution and delivery of the Fee Agreement and the performance of all obligations of the County under and pursuant to the Fee Agreement.

Section 4. The consummation of all transactions contemplated by the Fee Agreement is hereby approved.

Section 5. This Ordinance shall be construed and interpreted in accordance with the laws of the State of South Carolina.

Section 6. The provisions of this Ordinance are hereby declared 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 7. All orders, resolutions, ordinances and parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed and this Ordinance shall take effect and be in full force from and after its passage and approval.

DONE, RATIFIED AND ADOPTED this _____ day of _____, 2017.

GREENWOOD COUNTY COUNCIL:

Steven J. Brown, Chairman of Council

ATTEST:

Toby Chappell, County Manager

First Reading: December 6, 2016

Second Reading: December 20, 2016

Third Reading:

Public Reading:

Ordinance 2016-13 to adopt the 2016 Greenwood City/County Comprehensive Plan
Update **(Second Reading)**

CONTACT PERSON: Phil Lindler

DEPARTMENT: Planning

AGENDA REQUESTED: Both Meetings

ISSUE TO BE CONSIDERED BY COUNCIL:

Adoption of the Comprehensive Plan

FUNDING FACTOR(S):

No additional funding required for adoption.

STAFF RECOMMENDATION:

Greenwood County Joint Planning Commission recommends approval

ATTACHMENTS: Available upon request

Documents are available on the Greenwood County website:

<http://www.greenwoodsc.gov/countywebsite/index.aspx?page=769>

NEW BUSINESS

Manley Garvin FY2016 Final Audit Presentation

CONTACT PERSON: Sharon Setzer

DEPARTMENT: Treasurer

AGENDA REQUESTED: Regular Meeting of Council

ISSUE TO BE CONSIDERED BY COUNCIL:

Manley Garvin FY2016 Final Audit Presentation

FUNDING FACTOR(S):

n/a

STAFF RECOMMENDATION:

n/a

ATTACHMENTS: No

CAFR available upon request

Resolution 2016-23

Approving and authorizing the lease of certain equipment from Motorola Solutions, Inc.

CONTACT PERSON: Derek Kinney & John Long

DEPARTMENT: County Wide Public Safety

AGENDA REQUESTED: Both Meetings

ISSUE TO BE CONSIDERED BY COUNCIL:

Consideration of Lease/Purchase agreement from Motorola for countywide 800 MHz radio equipment. Project #3 on Capital Project Sales Tax

FUNDING FACTOR(S):

0% interest until November 2018, See attached agreement and CPST timeline

STAFF RECOMMENDATION:

Approve agreement for an approximate project savings of \$390K. For this savings, answer is needed by Motorola by 12/15/2016. Offer void after 12/15/2016

CAPITAL PROJECT SALES TAX

- 3rd project on CPST list of projects
- Project Originally Projected for November 2018
- Original Application amount \$4,858,409.00 (includes sales tax)

BENEFITS OF MOVING FORWARD NOW

- **TOTAL Project cost today \$4,166,910.00**(includes sales tax and install)
- **Additional incentives we are receiving from Motorola \$435,600.00 DISCOUNT**(discounting certain models)
- **ZERO % interest until November 2018-**LEASE PURCHASE****
- **Sales tax @ 6%=\$225,840.27 vs. Sales tax @ 7%=\$228,098.67**

ATTACHMENTS: Yes

Resolution 2016-23

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENWOOD)

RESOLUTION NO. 2016-23

A RESOLUTION APPROVING AND AUTHORIZING THE LEASE OF CERTAIN EQUIPMENT FROM MOTOROLA SOLUTIONS, INC.

WHEREAS, on November 8, 2016, a majority of votes were cast in favor of imposing a one-percent sales and use tax in Greenwood County for certain specific purposes, and;

WHEREAS, among the aforesaid specific purposes was the implementation of a countywide public safety radio system, and;

WHEREAS, the aforesaid implementation requires the purchase of certain equipment (hereinafter “the Equipment”), and;

WHEREAS, Motorola Solutions, Inc. (hereinafter “Motorola”), is a duly approved party to a cooperative-purchasing contract with the State of South Carolina and has offered to provide the Equipment to Greenwood County, and;

WHEREAS, Motorola has proposed a supplemental schedule to an existing Lease Agreement between Greenwood County and Motorola whereby the Equipment would be leased and sold to Greenwood County for an amount within that approved by the voters of Greenwood County for the project described above, and;

WHEREAS, while the proposed supplemental Lease Agreement schedule would provide the Equipment to Greenwood County upon signing, the first scheduled annual payment would not be due and owed from the revenue raised by the aforesaid sales and use tax until November 15, 2018, thereby preserving the priority of certain other capital projects as approved by the voters of Greenwood County;

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

Section 1. Determination and Need. The Greenwood County Council has determined that a true and very real need exists for the acquisition of the Equipment and other personal property described in Schedule A #24054 of the proposed Lease Agreement between Greenwood County and Motorola.

Section 2. Approval and Authorization. The Greenwood County Council has determined that the Lease Agreement, substantially in the form presented to this meeting, is in the best interests of Greenwood County for the acquisition of the Equipment and other personal property, and the Greenwood County Council hereby approves the entering of the Lease Agreement by Greenwood County and hereby designates and authorizes the Greenwood County Manager to execute and deliver the Lease Agreement on behalf of Greenwood County with such changes thereto as the Greenwood County Manager deems appropriate, and any related documents, including any escrow agreement, necessary to the consummation of the transactions contemplated by the Lease Agreement.

Section 3. Effectiveness. This Resolution shall be effective after its adoption by Greenwood County Council.

Passed and approved this 20th day of December, 2016.

**GREENWOOD COUNTY,
SOUTH CAROLINA**

Steven J. Brown
Chairman, Greenwood County Council

ATTEST:

Toby Chappell
Greenwood County Manager

Greenwood, South Carolina
_____, 2016



December 5, 2016

GREENWOOD COUNTY, SC

Enclosed for your review, please find the **Municipal Lease** documentation in connection with the radio equipment to be lease purchased from Motorola Solutions Inc. The interest rate and payment streams outlined in Equipment Lease Purchase Agreement #24054 are valid for contracts that are executed and returned on or before **December 15, 2016**. After **12/15/16**, the Lessor reserves the option to re-quote and re-price the transaction based on current market interest rates.

Please have the documents executed where indicated and forward the documents to the following address:

Motorola Solutions Credit Company LLC
Attn: Paul Mecaskey / 44th Floor
500 W. Monroe
Chicago, IL 60661

Should you have any questions, please contact me at 847-538-3707.

Thank You,

MOTOROLA SOLUTIONS CREDIT COMPANY LLC
Paul Mecaskey

LESSEE FACT SHEET

Please help Motorola Solutions Inc. provide excellent billing service by providing the following information:

1. Complete **Billing** Address GREENWOOD COUNTY, SC

Attention: _____
Phone: _____
2. Lessee County Location: _____
3. Federal Tax I.D. Number _____
4. Purchase Order Number to be referenced on invoice (if necessary) or other "descriptions" that may assist in determining the applicable cost center or department: _____
5. Equipment description that you would like to appear on your invoicing: _____

Appropriate Contact for Documentation / System Acceptance Follow-up:

6. Appropriate Contact & Mailing Address

Phone: _____
Fax: _____
7. Payment remit to address:
Motorola Solutions Credit Company LLC
P.O. Box 71132
Chicago IL 60694-1132

Thank you

OPINION OF COUNSEL

With respect to that certain lease Schedule A# 24054 to that certain Equipment Lease-Purchase Agreement # 23741 dated 7/1/2015 by and between Motorola Solutions Inc. and the Lessee, I am of the opinion that: (i) the Lessee is, within the meaning of Section 103 of the Internal Revenue Code of 1986, a state or a fully constituted political subdivision or agency of the State of the Equipment Location described in Schedule A hereto; (ii) the execution, delivery and performance by the Lessee of the Lease have been duly authorized by all necessary action on the part of the Lessee; and (iii) the Lease constitutes a legal, valid and binding obligation of the Lessee enforceable in accordance with its terms.

Attorney for **GREENWOOD COUNTY, SC**

Schedule B (#24054) / GREENWOOD COUNTY, SC

Compound Period: Annual
 Nominal Annual Rate: 0.000%
 CASH FLOW DATA

Event	Date	Amount	Number	Period	End Date
1 Loan	12/30/2016	4,166,910.12	1		
2 Payment	11/15/2018	1,428,453.00	1		
3 Rate Change	11/15/2018	Rate: 2.870 %	Compounding: Annual		
4 Payment	11/15/2019	1,428,453.00	2	Annual	11/15/2020

AMORTIZATION SCHEDULE - Normal Amortization, 360 Day Year

	Date	Payment	Interest	Principal	Balance
Loan	12/30/2016				4,166,910.12
2016 Totals		0.00	0.00	0.00	
1	11/15/2018	1,428,453.00	0.00	1,428,453.00	2,738,457.12
Rate Change:	11/15/2018	Rate: 2.87%		Compounding: Annual	
2	11/15/2019	1,428,453.00	78,595.28	1,349,857.72	1,388,599.40
3	11/15/2020	1,428,453.00	39,853.60	1,388,599.40	0.00
Grand Totals		4,285,359.00	118,448.88	4,166,910.12	

INITIAL INSURANCE REQUIREMENT: \$4,166,910.12

Except as specifically provided in Section five of the Lease hereof, Lessee agrees to pay to Lessor or its assignee the Lease Payments, including the interest portion, in the amounts and dates specified in the above payment schedule.

LESSEE:
GREENWOOD COUNTY, SC

LESSOR:
 Motorola Solutions Inc.

By: _____
 Title: _____
 Date: _____

By: _____
 Title: _____
 Date: _____

CERTIFICATE OF INCUMBENCY

I, _____ do hereby certify that I am the duly elected or

(Signature of Secretary/Clerk)

appointed and acting Secretary or Clerk of the **GREENWOOD COUNTY, SC**, an entity duly organized and existing under the laws of the **State of South Carolina** that I have custody of the records of such entity, and that, as of the date hereof, the individuals named below are the duly elected or appointed officers of such entity holding offices set forth opposite of their respective names. I further certify that (i) the signatures set opposite their respective names and titles are their true and authentic signatures and (ii) such officers have the authority on behalf of such entity to enter into that certain lease Schedule A number **24054** dated _____, between **GREENWOOD COUNTY, SC** and Motorola Solutions Inc.

Name

Title

Signature

(Individual who signed Lease documents should be listed here and sign where applicable)

IN WITNESS WHEREOF, I have executed this certificate and affixed the seal of **GREENWOOD COUNTY, SC**, hereto this _____ day of _____, 2016.

By: _____

(Signature of Secretary/Clerk)

SEAL

*** Please complete or submit a copy of your official Resolution approving the acquisition AND the financing. ***

LESSEE RESOLUTION

At a duly called meeting of the Governing Body of the Lessee (as defined in the Lease Agreement) held on _____, 2016 the following resolution was introduced and adopted.

BE IT RESOLVED by the Governing Board of Lessee as follows:

1. **Determination of Need.** The Governing Body of Lessee has determined that a true and very real need exists for the acquisition of the Equipment or other personal property described in the Lease Schedule A#24054 dated as of _____, 2016, between **Greenwood County, SC** (Lessee) and Motorola Solutions Inc. (Lessor).

2. **Approval and Authorization.** The Governing body of Lessee has determined that the Lease Agreement, substantially in the form presented to this meeting, is in the best interests of the Lessee for the acquisition of such Equipment or other personal property, and the Governing Board hereby approves the entering into of the Lease Agreement by the Lessee and hereby designates and authorizes the following person(s) to execute and deliver the Lease Agreement on Lessee's behalf with such changes thereto as such person deems appropriate, and any related documents, including any escrow agreement, necessary to the consummation of the transactions contemplated by the Lease Agreement.

Authorized Individual(s): _____
Printed or typed name(s) and title(s) of Individual(s) authorized to execute the Lease Agreement.

3. **Adoption of Resolution.** The signatures below from the designated individuals for the Governing Body of the Lessee evidence the adoption by the Governing Body of this Resolution.

Signature: _____ Attested By: _____

Name and Title : _____ Name and Title: _____

STATEMENT OF ESSENTIAL USE/SOURCE OF FUNDS (# 24054)

To further understand the essential governmental use intended for the equipment together with an understanding of the sources from which payments will be made, **please address the following questions** by completing this form or by sending a separate letter:

1. What is the specific use of the equipment?

2. Why is the equipment essential to the operation of **GREENWOOD COUNTY, SC**?

3. Does the equipment replace existing equipment?

If so, why is the replacement being made?

4. Is there a specific cost justification for the new equipment?

If yes, please attach outline of justification.

5. What is the expected source of funds for the payments due under the Lease for the current fiscal year and future fiscal years?

General Fund

- Have dollars already been appropriated for the Lease Payment? Yes -or- No

- If yes, for what fiscal year(s) have appropriations been made? _____

Combination of Federal Grant funding supplemented by General Revenues

- What fiscal year(s) is expected to be funded via federal grants: _____

- What fiscal year(s) is expected to be funded via general revenues: _____

- Have these general revenues already been appropriated for the Lease Payment(s)? Yes -or- No

Other (please describe): _____

Lessee: **GREENWOOD COUNTY, SC**

By: _____

Title: _____

Date: _____

Information Return for Tax-Exempt Governmental Obligations

► Under Internal Revenue Code section 149(e)
 ► See separate instructions.

OMB No. 1545-0720

Caution: If the issue price is under \$100,000, use Form 8038-GC

Part I Reporting Authority If Amended Return, check here

1 Issuer's name
Greenwood County, SC

2 Issuer's employer identification number (EIN)

3a Name of person (other than issuer) with whom the IRS may communicate about this return (see instructions)

3b Telephone number of other person shown on 3a

4 Number and street (or P.O. box if mail is not delivered to street address) Room/suite
600 Monument Street

5 Report number (For IRS Use Only) **3**

6 City, town, or post office, state, and ZIP code
Greenwood, SC 29646

7 Date of issue
12/30/2016

8 Name of issue
Equipment Lease Purchase Agreement # 24054

9 CUSIP number

10a Name and title of officer or other employee of the issuer whom the IRS may call for more information (see instructions)

10b Telephone number of officer or other employee shown on 10a

Part II Type of Issue (enter the issue price). See the instructions and attach schedule.

11	Education	11		
12	Health and hospital	12		
13	Transportation	13		
14	Public safety	14	3,945,231	12
15	Environment (including sewage bonds)	15		
16	Housing	16		
17	Utilities	17		
18	Other. Describe ►	18		
19	If obligations are TANs or RANs, check only box 19a			<input type="checkbox"/>
	If obligations are BANs, check only box 19b			<input type="checkbox"/>
20	If obligations are in the form of a lease or installment sale, check box			<input checked="" type="checkbox"/>

Part III Description of Obligations. Complete for the entire issue for which this form is being filed.

	(a) Final maturity date	(b) Issue price	(c) Stated redemption price at maturity	(d) Weighted average maturity	(e) Yield
21	11/15/2020	\$ 3,945,231.12	\$ 4,166,910.12	4 years	2.912 %

Part IV Uses of Proceeds of Bond Issue (including underwriters' discount)

22	Proceeds used for accrued interest	22		
23	Issue price of entire issue (enter amount from line 21, column (b))	23		
24	Proceeds used for bond issuance costs (including underwriters' discount)	24		
25	Proceeds used for credit enhancement	25		
26	Proceeds allocated to reasonably required reserve or replacement fund	26		
27	Proceeds used to currently refund prior issues	27		
28	Proceeds used to advance refund prior issues	28		
29	Total (add lines 24 through 28)	29		
30	Nonrefunding proceeds of the issue (subtract line 29 from line 23 and enter amount here)	30		

Part V Description of Refunded Bonds. Complete this part only for refunding bonds.

31 Enter the remaining weighted average maturity of the bonds to be currently refunded years

32 Enter the remaining weighted average maturity of the bonds to be advance refunded years

33 Enter the last date on which the refunded bonds will be called (MM/DD/YYYY)

34 Enter the date(s) the refunded bonds were issued ► (MM/DD/YYYY)

Part VI Miscellaneous

35	Enter the amount of the state volume cap allocated to the issue under section 141(b)(5)	35	
36a	Enter the amount of gross proceeds invested or to be invested in a guaranteed investment contract (GIC) (see instructions)	36a	
b	Enter the final maturity date of the GIC ▶ _____		
c	Enter the name of the GIC provider ▶ _____		
37	Pooled financings: Enter the amount of the proceeds of this issue that are to be used to make loans to other governmental units	37	
38a	If this issue is a loan made from the proceeds of another tax-exempt issue, check box <input type="checkbox"/> and enter the following information:		
b	Enter the date of the master pool obligation ▶ _____		
c	Enter the EIN of the issuer of the master pool obligation ▶ _____		
d	Enter the name of the issuer of the master pool obligation ▶ _____		
39	If the issuer has designated the issue under section 265(b)(3)(B)(i)(III) (small issuer exception), check box		<input type="checkbox"/>
40	If the issuer has elected to pay a penalty in lieu of arbitrage rebate, check box		<input type="checkbox"/>
41a	If the issuer has identified a hedge, check here <input type="checkbox"/> and enter the following information:		
b	Name of hedge provider ▶ _____		
c	Type of hedge ▶ _____		
d	Term of hedge ▶ _____		
42	If the issuer has superintegrated the hedge, check box		<input type="checkbox"/>
43	If the issuer has established written procedures to ensure that all nonqualified bonds of this issue are remediated according to the requirements under the Code and Regulations (see instructions), check box		<input type="checkbox"/>
44	If the issuer has established written procedures to monitor the requirements of section 148, check box		<input type="checkbox"/>
45a	If some portion of the proceeds was used to reimburse expenditures, check here <input type="checkbox"/> and enter the amount of reimbursement ▶ _____		
b	Enter the date the official intent was adopted ▶ _____		

Signature and Consent	Under penalties of perjury, I declare that I have examined this return and accompanying schedules and statements, and to the best of my knowledge and belief, they are true, correct, and complete. I further declare that I consent to the IRS's disclosure of the issuer's return information, as necessary to process this return, to the person that I have authorized above.			
	▶ _____ Signature of issuer's authorized representative	▶ _____ Date	▶ _____ Type or print name and title	
Paid Preparer Use Only	Print/Type preparer's name	Preparer's signature	Date	Check <input type="checkbox"/> if self-employed PTIN
	Firm's name ▶ _____	Firm's EIN ▶ _____		
	Firm's address ▶ _____	Phone no. ▶ _____		

EQUIPMENT LEASE PURCHASE AGREEMENT DELIVERY AND ACCEPTANCE CERTIFICATE

The undersigned Lessee hereby acknowledges receipt of the Equipment described below ("Equipment") and Lessee hereby accepts the Equipment after full inspection thereof as satisfactory for all purposes of lease Schedule A to the Equipment Lease Purchase Agreement executed by Lessee and Lessor.

Equipment Lease Purchase Agreement Date: 7/1/2015

Lease Schedule A Date: _____

Equipment Lease Purchase Agreement No.: 23741 Lease Schedule A No. : 24054

EQUIPMENT INFORMATION

QUANTITY	MODEL NUMBER	EQUIPMENT DESCRIPTION
		Equipment referenced in lease Schedule A# 24054 dated _____. See Schedule A for a detailed Equipment List.

LESSEE:

GREENWOOD COUNTY, SC

By: _____

Title: _____

Date: _____

Complete after delivery

Final Certification for 332 Main Street

CONTACT PERSON: Phil Lindler

DEPARTMENT: Planning

AGENDA REQUESTED: Both Meetings

ISSUE TO BE CONSIDERED BY COUNCIL:

332 Main St Final Certification RHP - Floor 2, Units 2 & 3; Floor 3, Unit 1

FUNDING FACTOR(S):

Rehabilitated Historic Property approval given

STAFF RECOMMENDATION:

Approval

ATTACHMENTS: No

Rehabilitated Historic Property Final Certification

Historic Name of Property: The Textile Building

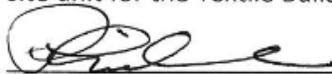
Site Address: 332 Main Street, Ste 201, Greenwood, SC 29648
Site Unit: 6845-893-930/Floor 2 – Unit 2
Jurisdiction: City of Greenwood
Owner Name: 332 Main LLC
Applicant: Timothy Burke
Estimated Project Start Date: August 2014
Estimated Project Completion Date: August 2018
Listed on the National Register of Historic Properties: No
Date of Initial Construction: 1910; Tax records note 1890

- the property is determined eligible for the National Register of Historic Places by the South Carolina Department of Archives and History, or;
- the property demonstrates an association with events that have made a significant contribution to the broad patterns of the history of Greenwood County or the lives of significant persons in the same, embodies distinctive characteristics of a type, period or method of constructions, represents the work of a master, or possesses high artistic value.

Final Certification Requirements:

- the completed work meets the standards for rehabilitation as established in Greenwood County Ordinance No. 2015-01;
- the completed rehabilitation has received a recommendation for approval from the Greenwood County Planning Department and the Greenwood County Department of Building Inspection and Permitting as being consistent with the plans approved by the Greenwood County Planning Department during preliminary certification and the standards for rehabilitation reviewed by the Greenwood County Department of Building Inspection and Permitting;
- the minimum expenditures have been incurred in accordance with the preliminary certification; and
- fees have been paid in full (Receipt No 99672 dated 8/31/2015).

Based on the information above, staff would recommend approval of final certification for the above site unit for the Textile Building.



Phil Lindler, AICP
Director of City/County Planning

12/13/2016

Date

Rehabilitated Historic Property Final Certification

Historic Name of Property: **The Textile Building**

Site Address: 332 Main Street, Ste 201, Greenwood, SC 29648
Site Unit: **6845-890-931/Floor 2 – Unit 3**
Jurisdiction: City of Greenwood
Owner Name: 332 Main LLC
Applicant: Timothy Burke
Estimated Project Start Date: August 2014
Estimated Project Completion Date: August 2018
Listed on the National Register of Historic Properties: No
Date of Initial Construction: 1910; Tax records note 1890

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Phil Lindler, AICP
Director of City/County Planning

12/13/2016

Date