

RESOLUTION NUMBER _____

A RESOLUTION TO DECLARE THE RESULTS OF A REFERENDUM HELD ON NOVEMBER 2, 2004, IN ORANGEBURG COUNTY, SOUTH CAROLINA, FOR THE PURPOSE OF DETERMINING WHETHER OR NOT:

- 1) TO IMPOSE, SUBJECT TO A REFERENDUM, A ONE PERCENT SALES AND USE TAX WITHIN ORANGEBURG COUNTY PURSUANT TO THE CAPITAL PROJECT SALES TAX ACT ("THE TAX"); TO PROVIDE CONDITIONS PRECEDENT TO THE IMPOSITION OF THE TAX, AND CONDITIONS OR RESTRICTIONS ON THE USE OF THE TAX REVENUE; TO SPECIFY PURPOSES AND PROJECTS FOR WHICH THE TAX MAY BE USED; TO PROVIDE THE MAXIMUM COST OF PROJECTS TO BE FUNDED BY THE TAX; TO PROVIDE THE MAXIMUM TIME FOR WHICH THE TAX MAY BE IMPOSED; TO PROVIDE THE MAXIMUM AMOUNT OF NET TAX PROCEEDS TO BE RAISED; TO ESTABLISH THE PRIORITY OF EXPENDING THE NET TAX PROCEEDS;**
- (2) TO PROVIDE FOR A COUNTY-WIDE REFERENDUM ON THE TAX, INCLUDING THE ISSUANCE OF BONDS IN CONNECTION WITH THE TAX; TO PRESCRIBE THE BALLOT QUESTION FOR THE REFERENDUM, INCLUDING ALL INFORMATION REQUIRED BY STATUTE TO BE CONTAINED IN THE BALLOT QUESTION; TO PROVIDE FOR THE CONDUCT OF THE REFERENDUM BY THE REGISTRATION AND ELECTION COMMISSION OF ORANGEBURG COUNTY;**
- (3) TO PROVIDE FOR THE ADMINISTRATION AND THE PAYMENT OF THE TAX;**
- (4) TO PROVIDE FOR BONDS TO BE ISSUED IN CONNECTION WITH THE TAX, INCLUDING ALL INFORMATION REQUIRED BY STATUTE TO BE CONTAINED IN AN ORDINANCE THAT PROVIDES FOR BONDS TO BE ISSUED IN CONNECTION WITH THE TAX; TO PROVIDE THAT THE TAX REVENUES MAY BE USED TO DEFRAY DEBT SERVICE ON THE BONDS ISSUED IN CONNECTION WITH THE TAX; AND**
- (5) TO PROVIDE FOR OTHER MATTERS RELATING THERETO.**

WHEREAS, the Orangeburg County Council has received a certification of the Voter Registration and Elections Commission for Orangeburg County certifying that a Referendum was conducted on November 2, 2004, in Orangeburg County, South Carolina, for the purpose of determining whether or not a one percent sales and use tax

should be imposed in Orangeburg County for not more than seven years to raise the sum of \$71,088,020.00 the proceeds of which would be expended for the design, engineering, construction, and improvement of highways, roads, streets, and or bridges; acquiring, designing, constructing and or renovating municipal, community and fire station buildings; acquiring, designing, constructing and or renovating cultural, recreational and historic facilities; engineering, constructing or upgrading water, sewer, or water and sewer projects; designing, engineering, constructing, and improving flood control projects and storm water management facilities; and acquiring, designing, engineering, and or constructing jointly operated projects of the County, a Municipality, special purpose district, and school district, or any combination of those entities, for the projects delineated therein; or any combination of the projects described therein, which election resulted favorably on the question of the imposition of such sales and use tax pursuant to the Capital Project Sales Tax Act;

WHEREAS, the Orangeburg County Council has reviewed the proceedings and actions taken by the Voter Registration and Elections Commission for Orangeburg County in order to ascertain that the Referendum on the imposition of a one percent sales and use tax was duly and properly held and conducted;

NOW, THEREFORE, BE IT RESOLVED by the Orangeburg County Council in meeting duly assembled:

Section 1. As an incident to the adoption of this Resolution, the Council finds that the facts set forth in the recitals hereof, as the preamble hereto, and the statements therein made, are true and correct.

Section 2. A Referendum was held in the area of Orangeburg County, South Carolina, on November 2, 2004, at which time the following question was presented to the qualified electors of Orangeburg County:

“Must a special one percent sales and use tax be imposed in Orangeburg County for not more than seven (7) years from the date of imposition to raise the amounts specified for the following purposes?”

- (1) \$250,000 Water Extension and Upgrades to Mohawk Street, Bowman Avenue and Charleston Highway (Bowman)
- (2) \$200,000 Sewer Line Extension Approximately $\frac{3}{4}$ Mile from Bowman Avenue to Bowman-Branchville Road (Bowman)
- (3) \$250,000 Land Acquisition and Construction or Renovation for Town Hall (Bowman)
- (4) \$76,557 Downtown Beautification: Rework Sidewalks, Lighting Improvements and Building Improvements (Bowman)
- (5) \$250,000 Repairs and Renovations to the Existing Town Hall (Branchville)
- (6) \$250,000 Water and Sewage System Improvements (Branchville)
- (7) \$100,000 Downtown Revitalization and Improvements: Hwy 178/78 East From Highway 21 to Villa Apartments (Street Lights, Concrete Curb and Gutter, Utility Lines Underground, Landscaping) (Branchville)
- (8) \$55,781 Pavement Repairs and Replacement (Branchville)
- (9) \$46,232 Recreational Improvements: Improvements to Baseball/Softball Fields, Water Park, Playground Equipment (Branchville)
- (10) \$19,000 Construction of Public Safety Offices/Facilities (Cope)
- (11) \$43,375 Downtown/Sidewalk Improvement: Purchase Lights for Streets, Construction of Sidewalks for Second Street, Sumter Street and Cotton Street, Repair of Existing Sidewalk on Cope Road (Cope)
- (12) \$6,984 Purchase Property for Recreation (Cope)
- (13) \$35,000 Renovations to the Town Hall Center (Cordova)
- (14) \$60,000 Construct Outdoor Recreational Facility (Cordova)
- (15) \$6,769 Town Hall Storage Building (Cordova)

- (16) \$281,973 Water and Sewer Improvements (Elloree)
- (17) \$150,000 Downtown Improvement for Cleveland Street (Railroad Avenue to S. C. 47/Midway Fork) for Lighting, Landscaping, etc., Town Hall Renovations, Heritage Museum (Elloree)
- (18) \$49,000 Improvements to Recreation Facilities at Joe Miller and Lyons Parks (Elloree)
- (19) \$80,000 Pave Tupelo Lane and Delta Drive (Eutawville)
- (20) \$49,185 Parking Lot Improvement/Resurfacing at Town Hall and Town Lot #155 (Eutawville)
- (21) \$28,500 Storage Building for Town Equipment (Eutawville)
- (22) \$58,100 Pave ~0.22 miles of Barkley Street (Eutawville)
- (23) \$7,200 Replacement of Water Meters (Eutawville)
- (24) \$350,000 Water and Wastewater Improvements (Holly Hill)
- (25) \$50,000 Pavement/Sidewalk Repairs to Downtown Area (Holly Hill)
- (26) \$430,359 Downtown Improvements: Match Tea-21 Grant (To Be Applied For), Sidewalks (Handicap Accessible) on Old State Road, Crosswalks and Purchase Downtown Buildings to Restore (Holly Hill)
- (27) \$31,500 Repair Tennis Court and Purchase Playground Equipment at the Community Building (Livingston)
- (28) \$48,000 Renovate Town Hall (Livingston)
- (29) \$16,435 Storage Building for Town Equipment (Livingston)
- (30) \$110,081 Town Hall/Parking Lot Improvements (Neeses)
- (31) \$140,000 Renovate Recreational Facility with New Roof, Ceiling and Electrical Work, Renovate Existing Tennis/Basketball Courts, Purchase Playground Equipment, Renovate Neeses Farm Museum with New Roof and Electrical Work, Purchase and Erect Town "Welcome" Signs (Neeses)
- (32) \$17,630 Sidewalk Improvements to: Ninety Six Road, Bolen Street, Pine Street (Neeses)
- (33) \$200,000 Renovation and Repair of Sewer Lines/Waste Water Treatment Plant (North)

- (34) \$111,996 Acquisition of Land and Construction of Recreational Facility (North)
- (35) \$28,000 Storage Building for Town Equipment (North)
- (36) \$20,000 Sidewalk Improvements: Highway 178, Salley Road, Main Street, Bedford Avenue, Stafford Avenue, Cromer Street (North)
- (37) \$17,000 Renovations to Town Baseball/Softball Fields (North)
- (38) \$14,000 Paving of Colter Avenue (North)
- (39) \$7,000 Replacement of Water Meters (North)
- (40) \$19,000 Upgrades to North Library (North)
- (41) \$90,000 Town Square Improvements and Renovations (North)
- (42) \$20,000 Fire Hydrant Project (North)
- (43) \$45,548 Sewer System Improvements (Norway)
- (44) \$206,606 Historic Willow High School Renovation and Beautification Improvements (Parking Lot, Landscaping, etc.) (Norway)
- (45) \$3,300,000 Downtown Improvements in the Russell Street Area, Middleton Street Area and Broughton Street Area (Sidewalks, Road Resurfacing, Landscaping, Drainage, Street Lights, Cross Walks, Building Improvements) (City of Orangeburg)
- (46) \$1,674,420 Recreation Improvements: Hillcrest Area, North Road Area, and Edisto Gardens Area (City of Orangeburg)
- (47) \$1,700,000 City Gym/Sports Facility (City of Orangeburg)
- (48) \$250,000 Veteran's Historical Memorial (City of Orangeburg)
- (49) \$300,000 Council Chambers (City of Orangeburg)
- (50) \$700,000 Municipal Parking Improvements (City of Orangeburg)
- (51) \$200,000 Drainage/Storm Water Improvements (City of Orangeburg)
- (52) \$150,000 Airport Improvements (City of Orangeburg)
- (53) \$245,024 Construct Community Center, Walking Trail and Purchase Recreational Equipment (Rowesville)

- (54) \$479,677 Construction of a Courthouse/Police Station (Law Enforcement Complex) (Santee)
- (55) \$110,250 Completion of Annex Building: Town Hall, Police Station and Courtroom (Springfield)
- (56) \$70,000 Construction of a Lighted Walking Trail (Springfield)
- (57) \$25,050 Renovations to Museum (Springfield)
- (58) \$66,000 Renovation to Springfield Gymnasium (Springfield)
- (59) \$23,399 Water and Sewer Improvement (Springfield)
- (60) \$33,000 Renovation of Facility for Resident Deputy/Police Officer (Springfield)
- (61) \$134,828 Install Water Lines to Supply Town (Vance)
- (62) \$84,700 Road Improvements/Street Work and Flood Control Project (Ditch Covering): Butternut Street, Williams Street, Sun Drive, Hayden Road (Woodford)
- (63) \$42,349 Purchase Property for Downtown Development (Woodford)
- (64) \$3,450,000 for an estimated 13.8 miles of road improvements: in County Council District #1: Belvedere Drive, Big Oak Drive, Chapel Cross Road, Compton Court, Craig Street, Curve Inn Road, Damascus Drive, Kathy Street, Kings Court, Live Oak Drive, Meredith Drive, Michelle Street, Noel Drive, Otto Street, Rutledge Drive, Saginaw Drive, Shoptaw Road, Strong Drive, Torrington Road, and Walker Drive (County Council District #1)
- (65) \$1,000,000 Water System/Lines for Town of Vance (County Council District #1)
- (66) \$400,000 Enhance/Upgrade and/or Expansion of Lake Marion Regional Water System Lines in the Holly Hill and Eutawville Areas (County Council District #1)
- (67) \$500,000 Recreational Improvements (County Council District #1)
- (68) \$250,000 Purchase and Refurbish the Elementary School for Bowman (County Council District #2)
- (69) \$166,667 Water System Expansion of Lake Marion Regional Water System in Santee Area (County Council District #2)
- (70) \$166,667 Water System Expansion of Lake Marion Regional Water System in Bowman Area (County Council District #2)

- (71) \$166,666 Water System Expansion of Lake Marion Regional Water System in Ellore Area (County Council District #2)
- (72) \$1,000,000 Economic Development for Water and Waste Water Infrastructure (I-26/301/36) (County Council District #2)
- (73) \$3,490,000 for an estimated 13.2 miles of road improvements in County Council District #2: Arquette Court, Colonial Court, Funderburg Road, Lake Drive, Myrtle Drive, Oak Hollow Drive, Pee Dee Drive, Prevo Drive, Sandel Drive, Westbury Drive, Park Lane Drive, Flash Lane, Brookston Road, Delmont Road, Kick Lane, Mendelin Court, Nexus Court, Oaklane Drive, Perry Street, Project Drive, Spanish Drive, Lehigh Drive, Avacada Drive, Imperial Lane, Clark Street, Edisto Drive, La Quinta Drive, Micanopy Court, Northwood Drive, Peace Lane, Porcher Way, Rising Creek Road, Walter Road, Elvin Drive, Field Crest Court, Sorin Circle, Jade Circle, Uncle Bud Road, and Estate Court.
- (74) \$50,000 Flood Control (Drainage and Rock) for Braxton Lane and Cortez Drive (County Council District #2)
- (75) \$60,000 Sidewalk Improvements for Bonner Avenue (County Council District #2)
- (76) \$600,000 Water Extensions – Branchville/Cattle Creek/Rowesville (County Council District #3)
- (77) \$300,000 Water Extensions – Cannon Bridge Road/Canaan Community (County Council District #3)
- (78) \$100,000 Water Extensions – Cherry Hill Road/Valley Drive (County Council District #3)
- (79) \$150,000 Cordova/Edisto Schools Sewer Project (County Council District #3)
- (80) \$50,000 Improvements to Hudson Road/Edisto River Landing (County Council District #3)
- (81) \$500,000 Recreation Improvements in Branchville and Rowesville (County Council District #3)
- (82) \$3,650,000 for an estimated 14.3 miles of road improvements: Allen Street, Ashwood Street, Bair Road, Billy Salley Road, Brownmeadow Court, Calhoun Street, Camp Edisto Road, Cattle Creek Circle, Copper Road, Crown Street, Darby Street, Eugenia Court, Fox Drive, Haestad Court, Holt Drive, Livingston Landing, Frazier Lane, Sheba Road, Petunia Court, Marigold Road, Padgett Court, Parker Street, Retha Road, Royal Drive, Oakland Road, Snapover Lane, Spruce Road, and Stevenson Road (County Council District #3).
- (83) \$3,450,000 for an estimated 13.8 miles of road improvements: Arlington Road, Bermuda Drive, Breezy Drive, Buford Court, Cherry Lane, Coconut Court, Cold

Drive, Countrylane Drive, Dothan Road, Dusty Drive, Goldensweet Drive, Gulf Road, Haskell Lane, Hollock Court, Hilltop Circle, Hilly Drive, Keywest Court, Kurtfan Lane, Ladybug Road, Lightning Hill Road, Livingston Avenue, Lochness Court, Lombardi Drive, Lone Goose Lane, Mary Drive, Our Road, Percheron Street, Pendulum Lane, Plow Road, Prestige Drive, Roland Road, Rollingwood Court, Rosedale Drive, Silver Springs Road, Sunny Drive, Virgo Lane, Wagon Road, Water Tank Road, Wayside Drive, Wisterwood Circle, and Wrightwood Road (County Council District #4)

- (84) \$1,400,000 Silver Springs Water District (Grant Match) Water Lines and Hydrants: Sawyerdale to Silver Springs, Silver Springs to Preserver Road, Wire Road and Pitside Road, Beachwood Road, and Road Number 332 (County Council District #4)
- (85) \$500,000 Playground and Park Improvements: North Area, Livingston Area, Neeses Area, Norway Area, Springfield Area and Woodford Area (County Council District #4)
- (86) \$2,275,000 for an estimated 11.6 miles of road improvements: Kirkland Street, Belmont Drive, Moravinger Drive, Cantor Drive, Easy Street, Quiet Valley Drive, Bushy Drive, Rustic Street, Daniel Street, Dee Drive, Saddlebrook Drive, Community Park Road, Palmer Street, Fredrick Street, Stilton Road, Diamond Head Drive, Utica Drive, Melvin Street, Rump Road, Terry Street, Davis Road, Moorecome Drive, Trell Lane, Elrem Road, Farnum Road, Norman Street, Edgewater, Bonneville Subdivision, Palmetto Gardens Subdivision, Rosewood Subdivision, Wren Village and Woodberry Subdivision (County Council District #5)
- (87) \$2,000,000 Sports/Recreational Complex - Greater Orangeburg Area (County Council District #5)
- (88) \$400,000 Langley Road Area Water Project (County Council District #5)
- (89) \$175,000 St. Matthews Road Area Sewer Project (County Council District #5)
- (90) \$500,000 Bonneville Sewer Extension (County Council District #5)
- (91) \$1,200,000 Sewer Project Extensions: West of Edisto River, Country Club Area, Spring Valley, Moss Hills/ Landings, Dove Point, CREST Sites (County Council District #6)
- (92) \$900,000 for an estimated 5.12 miles of road surfacing/resurfacing improvements: River Ridge, Gue Street, Dinkie Lee, OC 1374, North Trail, Pineridge Street, Oakdale Lane, Daniely Drive, Ridley Drive, Last Street, Rupal Drive, Verdall Lane, Straight Drive, Orange Parrish, CREST Sites (County Council District #6)

- (93) \$150,000 Construction of Sidewalks: Salley Street, Mellichamp School Area, Cannon Bridge Road Area (Riley to Rivermont) and CREST Sites (County Council District #6)
- (94) \$200,000 Water Project Extensions: West of the Edisto River, State Road Number S193 (an estimated 4.14 miles), CREST Sites (County Council District #6)
- (95) \$2,900,000 Community Resource Enhancement Sites (CREST) (For the Purpose of Recreational, Cultural, Historical or Civic Facilities or Any Combination of These Facilities) (County Council District #6)
- (96) \$1,000,000 Sewer Extension – Whittaker Community (County Council District #7)
- (97) \$2,000,000 Sports/Recreation Complex – Greater Orangeburg Area (County Council District #7)
- (98) \$300,000 Gymnasium Project – City of Orangeburg (County Council District #7)
- (99) \$125,000 Veteran’s Historical Memorial – City of Orangeburg (County Council District #7)
- (100) \$60,000 Water Extension – Brentwood Area (County Council District #7)
- (101) \$500,000 Sewer Extensions – Greater Orangeburg Area (Brookdale and Parlerdale) (County Council District #7)
- (102) \$1,025,000 for an estimated 6.1 miles of road improvements: Sterling Avenue, Greenwood Avenue, Penn Road, Orangewood Drive, Nugget Drive, Mollie Drive, Parlerdale Subdivision, Brent Drive, Hartley Street, McMichael Street, Wilkinson Street, Novice Road, Dunning Road, Belton Drive, Red Bank Road, Sarah Hannah Road, Mellowtime Court, and Delaware Drive (County Council District #7).
- (103) \$215,000 Drainage Projects – Greater Orangeburg Area (County Council District #7)
- (104) \$90,000 Water Extensions – Hobson Drive, Ginger Lake Drive, Hawk Chase Road, Towhee Circle, Tanniger Lane, Till Road (County Council District #7)
- (105) \$35,000 Fire Hydrant Project (County Council District #7)
- (106) \$2,000,000 Economic Development/Infrastructure Projects – Western Orangeburg County (Joint County Council Project)
- (107) \$6,000,000 Economic Development/Infrastructure Projects at I-26/I-95/US 301 (Joint County Council Project)
- (108) \$688,000 County-Wide Fire Training Facility (Joint Municipalities/County Council Project)

- (109) \$710,880 for South Carolina Department of Revenue Administrative Fee
- (110) \$1,823,632 for Project Management/Engineering Services
- (111) \$8,500,000 for Financial and Professional Services

TOTAL COST OF PROJECTS: \$ 71,088,020.00

Yes

No

INSTRUCTIONS TO VOTERS:

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”.

CONDITIONS AND RESTRICTIONS ON THE USE OF SALES AND USE TAX REVENUE COLLECTED UNDER THE CAPITAL PROJECT SALES TAX ACT; PRIORITY OF PROJECTS:

Imposition of the Tax shall be subject to a majority of the votes cast in this referendum on the imposition of the Tax being cast in favor of imposing the Tax. The Tax and the net proceeds of the Tax, if approved in this referendum, shall be used and expended only for the Projects listed in the referendum Ballot Question, including acquisition, design, engineering, construction or improvements in connection with the Projects, payment of such sums as may be required in connection with the issuance of revenue bonds, the proceeds of which are applied to such Projects; however, the undertaking and completion of a Project shall be subject to acquisition of rights-of-way, design and engineering considerations, partial funding of Projects from other sources, bids in excess of Project estimates, qualifications of bidders, cost overruns, financing costs, exhaustion or insufficiency of net Tax revenues to complete the Projects in the order and priority dictated by a design, engineering, technical and financial analysis, and other unforeseen circumstances and conditions.

The Tax, if approved in this referendum, is imposed for more than one project and more than one purpose. As a result, the priority in which the net proceeds are to be expended for the Projects and purposes stated is as follows: as shall be reasonably indicated in connection with a design, engineering, technical and financial analysis which analysis shall take into consideration objective criteria such as cost-savings that may be affected by placing the Projects in a particular order or matching Tax revenue or bond proceeds with the use of funds from other sources. The list of Projects in numerical order within the Ballot Question is for reference

purposes and to identify which projects are to be funded by the Tax. The enumeration used for Projects listed on the Ballot Question **SHALL NOT INDICATE THE PRIORITY ORDER** in which the net proceeds of the Tax are to be expended on the Projects or the priority order in which the Projects are to be completed.

Council finds that the said Referendum was duly and properly held and conducted in accordance with all applicable constitutional and statutory requirements.

Section 3. The said Referendum resulted favorably on the question of the imposition of a one percent sales use tax in Orangeburg County for not more than seven years to raise the sum of \$71,088,020.00 the proceeds of which would be expended for the design, engineering, construction, and improvement of highways, roads, streets, and or bridges; acquiring, designing, constructing and or renovating municipal, community and fire station buildings; acquiring, designing, constructing and or renovating cultural, recreational and historic facilities; engineering, constructing or upgrading water, sewer, or water and sewer projects; designing, engineering, constructing, and improving flood control projects and storm water management facilities; and acquiring, designing, engineering, and or constructing jointly operated projects of the County, a Municipality, special purpose district, and school district, or any combination of those entities, for the projects delineated therein; or any combination of the projects described therein, which election resulted favorably on the question of the imposition of such sales and use tax pursuant to the Capital Project Sales Tax Act and more particularly described in the Referendum question therein by a vote of _____ in favor of the question and _____ votes in opposition to the question. Council accordingly hereby declares that the Referendum resulted favorably on the question of the imposition of a one percent sales and use tax in Orangeburg County for not more than seven years to raise the amount of \$71,088,020.00 for the purposes stated in the Referendum question.

Section 4. A copy of this Resolution, duly certified by the Clerk of Council, shall forthwith be filed in the Office of the Clerk of Court for Orangeburg County, South Carolina, and a copy of this Resolution, duly certified by the Clerk of Council, shall forthwith be transmitted with a copy of Orangeburg County Ordinance No. 2004-7-26-9, duly certified by the Clerk of Council to the South Carolina Department of Revenue, as provided by §4-10-310 et seq., S. C. Code Ann., as amended.

ADOPTED this _____ day of December, 2004.

ORANGEBURG COUNTY COUNCIL

By: _____
John H. Rickenbacker, Chairman

Attest: _____
J. William Clark, County Administrator