

ORDINANCE NO. 04-533

**AN ORDINANCE
TO PROVIDE FOR A LEVY OF TAXES FOR COUNTY
PURPOSES OF SUMTER COUNTY, S. C., FOR THE FISCAL YEAR OF
SAID COUNTY BEGINNING JULY 1, 2004, TO DIRECT THE EXPENDITURES OF SAID
TAXES AND OTHER FUNDS OF SAID COUNTY, AND TO PROVIDE FOR OTHER
MATTERS RELATED THERETO**

BE IT ORDAINED by the County Council of Sumter County (the County), South Carolina, in council duly assembled:

WHEREAS, the County Council (Council) for Sumter County, South Carolina (the County) has estimated that for the County's fiscal year beginning July 1, 2004, that the aggregate amount of all anticipated funds, moneys and revenues (funds) available to the County from all sources except ad valorem taxes for the County's fiscal year beginning July 1, 2004, as set forth in detail on the annexed Exhibit A, Revenue Analysis, (which is attached hereto and made a part hereof by reference) will be approximately **\$18,369,988** which includes **\$1,978,465** allocation of prior years' reserves.

WHEREAS, Council finds that it is necessary that the additional funds needed to provide for the expenditures appropriated herein should and must be raised from the imposition of ad valorem taxes; and

WHEREAS, Council further finds, based on the estimated value of the millage imposed herein, that, in order to provide for the expenditures hereinafter appropriated, the millages hereinafter established should be and hereinafter are established and applied for the purposes hereinafter set forth; and

WHEREAS; Council further finds that the expenditures for the appropriations hereinafter made are all necessary, are all in the best interest of the citizens of the County, and are all for proper public and corporate purposes of the County.

NOW, THEREFORE, the following ordinance is hereby adopted:

Section I. For purposes of this ordinance and for purposes of the records of the County related to the levying of taxes and the expenditure of funds by the County for the County's

fiscal year beginning July 1, 2004, and ending June 30, 2005, the following definitions shall apply:

Tax District # 1 - that portion of Sumter County School District # 17 situate outside of the corporate limits of the City of Sumter.

Tax District # 2 - that portion of Sumter County School District # 2 situate outside of the corporate limits of the City of Sumter and all of School District # 50.

Tax District # 17 - that portion of Sumter County School District # 17 situate within the corporate limits of the City of Sumter.

Tax District # 70 - that portion of Sumter County School District # 2 situate within the corporate limits of the City of Sumter.

Section II. The following funds are hereby appropriated for the County's fiscal year beginning July 1, 2004, and ending June 30, 2005, for the purposes indicated:

| County Operations: | |
|-----------------------------|-----------|
| Public Works | 2,731,362 |
| Public Buildings | 685,137 |
| Master-in-Equity | 126,266 |
| Clerk of Court | 464,543 |
| Register of Deeds | 326,996 |
| Coroner | 115,147 |
| Magistrate | 752,199 |
| Judge of Probate | 195,724 |
| Family Court | 556,977 |
| Veteran's Affairs | 82,493 |
| Recycling Center Operations | 1,458,588 |
| Landfill Operations | 2,540,084 |
| Detention Center | 4,627,168 |
| Sheriff | 6,562,753 |
| County Council | 377,295 |
| County Administration | 477,431 |
| Auditor | 327,695 |
| Treasurer | 538,901 |
| Information Technology | 495,479 |
| Legislative Delegation | 16,981 |
| Assessor | 937,739 |
| General Expenditures | 2,479,983 |
| Voter's Registration | 299,414 |
| Public Safety | 114,905 |

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| Finance | 413,642 |
| Human Resources | 180,517 |
| Purchasing | 190,223 |
| Cultural Center | 221,204 |
| Recreation | 1,528,624 |
| Shiloh Community Center | 22,500 |
| South Sumter Resource Center | 108,786 |
| Greater Township Community Center | 22,500 |
| Rembert Area Coalition | 22,500 |
| EMS | 2,310,820 |
| Transfers: | |
| Greenhouse Transfer | 103,810 |
| Solicitor Transfer | 329,134 |
| Matching Grants Transfer | 199,475 |
| Development Board | 175,042 |
| General Health & Welfare: | |
| County Health Department | 92,143 |
| Indigent Hospitalization | 227,830 |
| Children's Dental | 5,000 |
| Other Institutions: | |
| National Guard Armory | 2,124 |
| Mabry Memorial Park | 950 |
| Mental Health Board | 30,280 |
| Santee Senior Services | 25,436 |
| Alcohol and Drug Abuse Commission | 10,284 |
| City/County Planning Commission | 522,524 |
| Gallery of Art | 14,939 |
| Santee Wateree Regional Transportation Authority | 14,535 |
| Community Promotions | 2,826 |
| Historical Commission | 5,653 |
| Chamber of Commerce | 2,593 |
| Santee Lynches Regional Council of Governments | 52,002 |
| Genealogical Society | 6,800 |
| Sumter Little Theater | 8,500 |
| Sumter County Museum | 48,450 |
| Sumter Green | 6,541 |
| Soil and Water Conservation District | 28,390 |
| Sumter County Library | 839,586 |
| Vocational Rehabilitation | 2,826 |
| Public Defender Corporation | 152,000 |
| Sumter Airport Commission | 72,500 |
| Sumter Base Defense Committee | 19,000 |
| Clemson Extension | 86,438 |

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| Lease Payments and Capital Outlays: | |
| Lease Payments | 945,580 |
| Capital Outlays | 1,018,202 |
| | |
| Education: | |
| Central Carolina Technical College | 704,705 |
| USC - Sumter | 226,549 |
| Career Center | 528,719 |
| | |
| Fire Protection: | |
| Fire District 1 (includes capital outlays) | 779,682 |
| Fire District 2 (includes capital outlays and lease purchases) | 1,017,441 |
| | |
| SUBTOTAL | 40,621,065 |
| | |
| Bonds: | 2,332,598 |
| Toward retirement of 1990, 1995, 1997, 2001, 2002 and proposed FY 2005 County General Obligation Bonds | |
| | |
| TOTAL APPROPRIATIONS FOR SUMTER COUNTY IN Fiscal Year 2004-2005 | 42,953,663 |

Section III. Provided, however, notwithstanding anything set forth in Section II or any other provisions of this ordinance to the contrary, the County Administrator of Sumter County should have the authority to add to or reduce from any appropriations made in this ordinance for County Operations amounts not in excess of \$10,000 or 10% of any appropriations made in this ordinance, whichever is the lesser, provided any such additions to any appropriations shall be taken out of one or more appropriations that have been reduced by the County Administrator within the guidelines of this proviso prior to expenditure thereof.

Section IV. The above appropriations shall be kept separate and expended for the purposes for which each was appropriated. Except as otherwise specifically provided herein, there shall not be expended or contracted to expend any sum greater than the amount appropriated except with the approval of a majority of the County Council for the County (County Council) and no account against the County shall be approved or paid except an expenditure authorized by this ordinance or further action of County Council.

Section V. The exact amounts the County is required to expend for the following items are set by state law, to-wit: jury pay and court expenses - Clerk of Court; Coroner's juries, inquests, etc.; S. C. police officer's retirement - County's Share; per diem - Tax Assessor's and appeals board; advertising tax sales, bids, notices, etc.; officials and employees' bond premiums; workers' compensation benefits and/or premiums; state retirement - county's share; social security - county's share; unemployment compensation; legal expenses for the defense of indigent; and other legal expenses. The amounts herein appropriated for the items enumerated in this section are based on estimated requirements, but may, in fact, vary in accordance with the requirements of state law. Accordingly, notwithstanding anything contained in this ordinance to the contrary, payment of the items enumerated in this section as from time to time required by state law is authorized even if the amount thereof should exceed the estimated amount hereof appropriated in this ordinance for any such item.

Section VI. The amounts of the salaries of the following officials by this ordinance for the fiscal year for said County beginning July 1, 2004, shall be as follows, which amount shall be paid out of and deducted from the appropriations made for their respective offices to wit:

| | |
|------------------|-----------|
| Sheriff | 77,613.00 |
| Clerk of Court | 49,712.50 |
| Judge of Probate | 57,912.50 |
| Coroner | 45,092.83 |

That, in addition to state salaries, the salaries of the following County officials are supplemented by the County as follows:

| | |
|-------------------------|-----------|
| Auditor | 44,716.65 |
| Treasurer/Tax Collector | 51,653.85 |

The amounts herein provided for the salaries or supplements to the salaries of the officials mentioned in this section shall be in lieu of all fees collected by these officials and the amounts herein provided shall be the salaries or supplements to the salaries of such

officials for all their services for the fiscal year of the County commencing July 1, 2004. However, said salaries as set out in this section are exclusive of any supplements thereto paid to any of said officials by the State of South Carolina and said officials are hereby authorized to accept any such supplements to their salaries. Any such supplements received by the County on behalf of a respective official shall be paid over by the County to the applicable official.

Section VII. Salaries provided herein for the Sheriff, the Clerk of Court, the Judge of Probate, the Coroner, the Auditor, and the Treasurer/Tax Collector are appropriated for the present holders of the aforesaid offices and in the event vacancies occur in any of these offices the beginning salaries and appropriations therefore shall be determined by the County Council.

Section VIII. That the positions of the various County employees set forth on the annexed Exhibit B, Personnel Analysis, (which is attached hereto and made a part hereof by reference) are hereby ratified, approved, and authorized in order to carry out the functions of the County. The County Administrator is authorized to fill these positions with such employees as the County Administrator deems in the best interest of the County consistent with applicable laws, ordinances, regulations, and policies. The County Administrator is not required to fill any position that is or becomes vacant where the County Administrator deems it in the best interest of the County that said position be vacant. Except as otherwise provided in this section and except also as County Council might from time to time by resolution otherwise direct, the County Administrator is authorized, from time to time, to assign, amend, and vary the duties and responsibilities of County employees, to increase or decrease salaries within existing salary ranges applicable to a respective position, move County employees from one position with the County to another position with the County (either within a department or to another department), and to combine one or more positions or portions thereof into a single position. The County Administrator shall not change the title of the position of a County

employee unless the County Council by resolution so authorizes. Provided, nothing in this section shall authorize the expenditure of any county funds except for the purposes authorized in this ordinance. Provided further, the County Administrator shall not, without authorization granted by resolution of County Council, create any new position nor increase the total number of County employees from the total number of regular, full time positions herein approved. Notwithstanding anything in this section to the contrary, the County Administrator is authorized to employ additional persons for temporary contract labor for a period not to exceed six (6) months per person in any one fiscal year provided that the total expenditure for all such temporary employees does not exceed ten thousand (\$10,000.00) dollars in any one fiscal year unless County Council by resolution should authorize a greater expenditure from funds available and budgeted. No new County employee shall be employed to fill any position with the County at a salary or compensation in excess of the salary or compensation range for that position set forth in the County's present salary schedule without approval by resolution of the County Council.

Section IX. No magistrate in the County shall receive a salary unless and until such magistrate shall have first filed a monthly statement with the County Treasurer to be submitted to the County Council showing all cases handled during the past month and the disposition thereof and certifying that all fines due to the County shall have been paid to the County Treasurer.

Section X. That the sum of **\$1,978,465** shall be allocated from the reserves of the County toward the funding of the appropriations authorized in Section II herein above. The Auditor is authorized and directed to levy such millage upon all taxable property within the County as necessary to provide funds required to meet the appropriation made in this ordinance for County purposes and to retire, according to the respective schedules for repayment, the general obligation bonds of the County.

Section XI. In addition to funds normally received and to ad valorem taxes imposed for other purposes, the Auditor of Sumter County (the Auditor) is hereby authorized and directed to make the following levies on all taxable property within the areas specified:

1. Within the entire County – 95.3 mills for general countywide purposes and 10 mills for general obligation bond purposes;
2. Within Tax District #1, 19 mills for fire protection;
3. Within Tax District #2, 10.3 mills for fire protection.

Expenditures by the County for the purposes specified above out of the funds so raised and those other funds remitted to the County by State agencies, raised by other ordinances of the County, and obtained by the County from all other sources are hereby authorized.

Section XII. The County Tax Assessor shall furnish to the County Auditor the assessed values on all property within the County on or before June 30, 2004.

Section XIII. The Auditor shall deliver the tax books to the County Treasurer not later than September 15, 2004. The Auditor is authorized to use the same millage as was used for the County's prior fiscal year unless notified in writing on or before July 15, 2004, of a change in estimated millage values.

Section XIV. No additional levy for school purposes shall be made in any district unless approved by a majority of the County Council.

Section XV. All boards and commissions receiving funds from the County shall send to County Council a copy of the minutes of each meeting within thirty (30) days thereof and shall annually submit financial reports to the County Council.

Section XVI. No funds appropriated herein shall be used for payment of expenditures or obligations of the County or any agency or office thereof incurred prior to the effective date of this ordinance except for retirement of general obligation bonds and payment on lease purchase agreements that come due after the effective date of this ordinance.

Section XVII. This ordinance shall take effect on the 1st day of July 2004.

COUNTY COUNCIL FOR SUMTER COUNTY, S. C. (SEAL)

Its Chairwoman -- Naomi D. Sanders

Attest By Its Clerk – Mary W. Blanding

First Reading: April 27, 2004

Second Reading: May 25, 2004

Public Hearing Held: May 25, 2004

Third Reading and Adoption: June 22, 2004

School District #17 and School District #2 Budgets were approved by Council on June,
2004, through individual resolutions. (See Attached Resolutions)