

AN ORDINANCE TO AMEND ORDINANCE NO. 1250, TO PROVIDE FOR THE INCREASE OF THE CHARLESTON COUNTY OPERATING BUDGET BY APPROPRIATING AN ADDITIONAL \$9,428,000 FOR THE FISCAL YEAR BEGINNING JULY 1, 2003 AND ENDING JUNE 30, 2004; TO AMEND THE PURPOSES FOR WHICH CAPITAL PROCEEDS FUNDS MAY BE USED; TO MAKE APPROPRIATIONS FROM THE GENERAL FUND AND OTHER FUNDS OF SAID COUNTY FOR SUCH PURPOSES; AND OTHER MATTERS RELATED THERETO

WHEREAS, on June 3, 2003 the County Council duly approved a budget for fiscal year 2003-2004 for the County; and

WHEREAS, following the approval of this budget, the SC Supreme Court issued its opinion in the case of Brackenbrook, et al. v. The County of Charleston, et al., Op. No. 25855, Filed August 16, 2004; and

WHEREAS, in Brackenbrook the Supreme Court found that certain taxpayers in Charleston County may seek tax refunds pursuant to the SC Revenue Procedures Act; and

WHEREAS, SC Code Section 12-60-1740 provides that the County Treasurer shall pay refunds of incorrectly collected taxes from, *inter alia*, current collections of the taxing entities which received the taxes; and

WHEREAS, these refunds will have a negative effect upon the revenues of the tax collecting entities in the County of Charleston in this fiscal year; and

WHEREAS, to offset this effect, County Council has determined that it is desirous and proper to reimburse these entities for their loss of revenues;

NOW, THEREFORE, under authority granted by the constitution and statutes of the State of South Carolina, be it ordained by the County Council of Charleston County that Charleston County Ordinance No. 1250 (the Ordinance) is hereby amended as follows:

SECTION 1:

Section 2 of the Ordinance is amended by increasing the General Fund budget amount of \$134,822,963 by \$9,428,000 to \$144,250,963. Specifically, the section entitled County Council is increased by \$9,428,000 from \$2,414,984 to \$11,842,984 so that Section 2 shall read as follows:

ORGANIZATION UNITS:

GENERAL
FUND

PROPRIETARY
FUNDS

SPECIAL
REVENUE
FUNDS

COUNCIL AGENCIES

County Council	\$11,842,984	\$0	\$0
Contributions	243,500	0	0
Internal Auditor	141,130	0	0
Legal	596,230	0	0
Salary Adjustment	2,078,217	0	0
State Agencies	1,921,582	0	0

ORGANIZATION UNITS:

<u>GENERAL</u>	<u>PROPRIETARY</u>	<u>SPECIAL</u>
<u>FUND</u>	<u>FUNDS</u>	<u>REVENUE</u>
		<u>FUNDS</u>

ELECTED OFFICIALS

Auditor	1,563,037	0	0
Clerk of Court	2,285,828	0	481,095
Coroner	442,484	0	14,688
Legislative Delegation	142,000	0	0
Probate Courts	1,082,284	0	159,000
Register Mesne Conveyance	1,628,704	0	0
Sheriff	40,574,100	0	1,385,243
Solicitor	3,187,950	0	1,120,348
Treasurer	1,298,703	0	0

APPOINTED OFFICIALS

Election Commission	0	0	0
Library	0	0	12,331,052
Master-In-Equity	375,250	0	0
Medical Examiners Commission	287,000	0	0
Veterans Affairs	202,645	0	0
Voter Registration	0	0	0

ADMINISTRATOR

Administrator	765,470	0	0
Economic Development	587,597	0	458,387
Information Technology Services	6,877,693	0	20,000

CHIEF DEPUTY ADMINISTRATOR

Chief Deputy Administrator	453,919	0	217,222
Building Services	1,114,390	0	0
Capital Projects Administration	1,171,476	0	0
Emergency Preparedness	319,146	0	2,500
Emergency Services	10,346,279	0	1,505,781
Facilities Management	9,048,991	0	0
Magistrates Courts	3,723,835	0	204,748
Planning	1,499,103	979,760	0
Public Works	9,809,052	0	371,000
Radio Communications	1,432,793	0	0
Solid Waste	0	30,558,888	0
Safety & Risk Management	1,722,627	2,880,000	0

CHIEF FINANCIAL OFFICER

Chief Financial Officer	\$340,337	\$0	\$0
Assessor	2,393,286	0	0
Budget	445,753	0	0
Business License/User Fee	348,506	825,997	3,932,420
Controller	877,202	0	0
Delinquent Tax	887,612	0	0
Department of Alcohol and Other Drug Abuse Services	0	10,193,034	0
Grants Administration	631,280	0	6,491,809
Human Resources	1,075,730	14,838,000	0
Internal Services	405,525	14,642,601	0
Medically Indigent Assistance Program	1,152,548	0	0
Procurement Services	642,128	1,166,864	0

INTERFUND TRANSFERS OUT 16,285,057 650,000 2,451,755

TOTAL \$144,250,963 \$76,735,144 \$31,147,048

SECTION 2:

Section 18(b) of the Ordinance is amended to read as follows:

(b) Funds derived from the sale of real property shall be placed in the Capital Proceeds Capital Projects Fund, and these funds shall be expended only for capital outlays or contributions to other taxing entities for the specific purpose of offsetting tax refunds and related interest costs after specific resolution of Council.

SECTION 3:

If any provision of this ordinance or its application to any circumstance is held by a court of competent jurisdiction to be invalid for any reason, this holding does not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are severable.

SECTION 4:

This ordinance shall take effect upon approval after Third Reading.