



Town of Summerville
Council Meeting
Summerville Municipal Complex
Wednesday, January 13, 2016 at 7:30 p.m.
A G E N D A

Amended

1. **Invocation and Pledge of Allegiance:** *Pastor Rice – St. Luke’s Lutheran Church*
2. **Presentation – Sweet Tea Half Marathon Planning Committee**
3. **Public Comment**
4. **Approval of Minutes of Previous Meetings**
 - a. Council Meeting, December 9, 2015
5. **Approval of Council Committee Reports**
 - a. Finance Committee Report, January 11, 2016
 - b. Planning and Development Committee, January 6, 2016
 - c. Parks and Recreation Committee, January 6, 2016
6. **Petitions**
 - a. Authorization to accept the petition and have first reading of an ordinance to annex Dorchester County TMS#s 135-16-00-014, -015, & -016 located at 1625 Central Avenue, owned by Thomas Mizell currently zoned R4, Multifamily to be zoned B3, General Business
 - b. Authorization to accept the petition and have first reading of an ordinance to annex Dorchester County TMS# 146-13-04-001 located at 245 Judith Drive, owned by Lakes of Summerville, LLC currently zoned R2, Residential to be zoned PUD, Planned Unit Development and amend the existing PUD include this parcel for use as a home owners’ association common area with the proposed addition of an amenity boat storage facility
7. **Pending Bills and Resolutions**
 - a. *Second and final reading of an ordinance to amend Chapter 2, Article II of the Code of Laws of the Town of Summerville entitled “Mayor” and “Council meetings”*
 - b. *Second and final reading of an ordinance to amend Chapter 2, Article IV of the Code of Laws of the Town of Summerville entitled “Town Administrator”*
8. **Introduction of Bills and Resolutions**
 - a. Introduction and first reading of an ordinance to adopt a revised fee schedule for the Blackwell Sports Complex
 - b. A Resolution authorizing signers of town checking accounts
 - c. *Introduction and first reading of an ordinance to provide for the issuance and sale of G.O. refunding bonds of 2016*
 - d. *Introduction and first reading of an ordinance to amend Chapter 2, Section 2-92 entitled “Date and hour of regular meetings”*

9. Miscellaneous

- a. Election of Mayor Pro-Tem
- b. Appointment of ad hoc committee to review town ordinances
- c. *Authorization to issue a purchase order to Kubota in the amount of \$68,984 for a track loader on state contract to be paid from budgeted stormwater capital funds*
- d. *Discussion of Bear Island/Sheep Island Road alternative*
- e. *Appointment of Standing Committees*

10. Adjourn

William C. Collins, Mayor

Council Members:

Terry Jenkins, Mayor Pro Tem
Walter Bailey
Aaron Brown
Kima Garten-Schmidt
Bob Jackson
William McIntosh



Clerk-Treasurer

Lisa L. Wallace

Town Attorney

G. Waring Parker

Town of Summerville
COUNCIL MEETING MINUTES
DECEMBER 9, 2015

ATTENDANCE

Present: Mayor Bill Collins and Council members Walter Bailey, Aaron Brown, Kima Garten-Schmidt, Bob Jackson, Terry Jenkins and Bill McIntosh. Also present were Lisa Wallace, Director of Administrative Services & Clerk-Treasurer, and G.W. Parker, Town Attorney. Members of the press and the public were duly notified of the meeting and were also present.

CALL TO ORDER

The regular monthly meeting of Summerville Town Council was called to order at 7:30 p.m. on Wednesday, December 9, 2015. Mayor Collins opened the meeting with a statement for his final meeting as Mayor. Councilman Jenkins also made a statement for his final meeting as town councilmember. Mayor Collins then asked Ms. Garten-Schmidt to provide the invocation which was followed by the Pledge of Allegiance.

PRESENTATION OF EMPLOYEE LENGTH OF SERVICE AWARDS

Human Resource Manager, Cynthia Brown, announced that there were 25 recipients of the employee length of service awards this year. She called each member forward and Mayor Collins presented them with their length of service awards (list attached).

PUBLIC COMMENTS

Nicholas Hayes of 319 Dupont Way asked council to consider a resolution entitled, Dump Trump. Robert Pratt of 423 Sumter Avenue thanked council for the Summerville Vision Plan and spoke in support of the proposed hotel/convention center and the proposed Bear Island Road project. Joyce Delk of 208 Essex Drive asked council to wait until January before any new boards or committees are appointed or a new organizational chart adopted. Eugene Lemeau of 233 Garden Grove Drive asked council to postpone the appointments of the citizens' boards and commissions and the standing committees of council. Peter Gorman of S. Magnolia Street stated that residents have come out to defend democracy and asked residents in support to stand. He added that council is exploiting a code error by making appointments to the citizens' boards and council committees before the new Mayor is sworn-in and asked that this council extend the same courtesy that was given to Mayor Collins when he took office. Ethel Campbell, representing the Community Resource Center located at 116 W. 2nd North St. thanked council for the grant that enables them hold a Kwanza festival in Summerville on December 26 – January 1 and extended an invitation to all the residents of Summerville.

Kathy Kcuick of 127 Avonshire asked council to reconsider the Bear Island Road extension through the Weatherstone subdivision and consider an alternate route adding that the Weatherstone residents were not aware of this proposed road when they purchased their homes. Zandrina Riley of 102 Daisy Circle spoke about her concerns with the recycling changes and asked why these changes were made. Carolyn Gorman of 313 S. Magnolia stated that the town has quadrupled its debt over the next 20 years primarily due to two recent bond issues for the hotel project and proposed new road project. She reported that the hotel project is still in litigation and that they will be looking into whether the contract with Berkeley County can bind a future council. Franklin Smith of 521 Central Avenue said in the spirit of the birth of his Savior, he wanted to remind people of the teachings in the bible and quoted some scripture. He also commended Council for listening to the citizens and postponing the decision on the responsibilities of the Mayor. Adrian Kwist of 109 Reynolds Road stated that he finds all of the negative political news about this council very disturbing. He said that the citizens do not want division and this appears to be retaliation because of the recent election. Charlie Stoudenmire of 309 W. Carolina Avenue said that he is proud of the current election officials and previous elected officials and asked that the newly elected officials be given an opportunity to be successful also. Mike Murpree of W. 2nd South Street reported on traffic statistics in the local area adding that Sheep Island Road is a good start and thanked council for their participation in this process. Robbie Robbins thanked council for their vision and leadership and thanked particularly Mayor Bill Collins for advancing the ball on the Berlin G. Myers Parkway. Thadius Kcuick of 127 Avonshire stated that he is representing over 800 residents of Summerville who are against the Bear Island Road extension. He stated that safety would be compromised and it would degrade the lifestyle of the residents of Weatherstone. William Harbeson of 403 W. 2nd South Street agreed that there are traffic issues but the proposed road does not need to go through Weatherstone. Frank Freeman of 108 King Charles Circle stated that council may want to consider having their meetings on a different night of the week so they could attend bible study. He stated that the public comments portion of the meeting seems to be something that has to be endured until the real business of the meeting. He read the oath of office and reminded council of their responsibility to the public. Fran Harbeson 403 W. 2nd South Street stated that she is concerned about the recycling issue and is bothered that WastePro has been taking items that she thought she was recycling to the landfill without her knowledge. She was also concerned that the town voted to extend the contract with WastePro. Homer Gonzales spoke about stormwater ponds and retention in the Weatherstone subdivision and said that the proposed road is going to destroy their neighborhood and wetlands. There being no further public comments, the Mayor declared that portion of the meeting closed.

PUBLIC HEARING: 2015 BUDGET AMENDMENT

Mr. Jackson made a motion, seconded by Mr. Jenkins, to open the public hearing on the proposed 2015 budget amendment. Finance Director, Belinda Harper, outlined the proposed changes for the 2015 budget and asked if there were any questions. There being no further questions, the public hearing was closed on motion of Mr. Bailey, seconded by Mr. Jenkins.

PUBLIC HEARING: 2016 BUDGET

Mr. Brown made a motion, seconded by Ms. Garten-Schmidt, to open the public hearing on the proposed 2016 budget. Finance Director, Belinda Harper, provided an overview of the budget including the new capital items and personnel planned for 2016. An audience member asked about the proposed tennis pro position. Ms. Harper explained that the position is going from a contracted position to a full-time paid position and that funds generated from the tennis program will be used to fund the position. Doyle Best added that the tennis program has been in place since 2011 and the tennis pro is currently paid a percentage of the revenue but will now be paid an annual salary which is approximately 75% of what she is generating. Mr. Gorman spoke about his concerns that the administrative side of the budget has grown while the service side has not. There were also some questions about the proposed annexation coordinator position. Director of Planning and Economic Development Director, Madelyn Robinson, explained that this is a position that council has requested over the last several years and that the town has finally been able to fund in 2016. She added that this person would work closely with areas interested in annexing in to the town. Mr. Jenkins made a motion, seconded by Mr. Bailey, to close the public hearing and the motion carried.

PUBLIC HEARING: APPLICATION FEE FOR SPECIAL EVENTS PERMIT

Ms. Garten-Schmidt made a motion, seconded by Mr. Jackson, to open the public hearing on the proposed application fee for special events permits. Special Events Coordinator and Public Information Officer, Tiffany Norton, gave a brief explanation of the fee explaining that it is consistent with neighboring municipalities. Mayor Collins called for any questions. There being none, the public hearing was closed on motion of Mr. Brown, seconded by Mr. Jenkins.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

Mr. McIntosh made a motion, seconded by Mr. Jackson, to approve the minutes of the November 11, 2015 council meeting as presented. The motion carried unanimously.

APPROVAL OF COUNCIL COMMITTEE REPORTS

Mr. McIntosh made a motion, seconded by Mr. Jenkins, to approve the November 9, 2015 Finance Committee report as submitted. The motion carried unanimously.

PETITIONS

There were no petitions for annexation.

PENDING BILLS AND RESOLUTIONS

Mr. McIntosh made a motion, seconded by Mr. Jackson, to have second and final reading of an ordinance to rezone TMS # 137-07-02-005 located at 309 W. Richardson Avenue from R2, "Single Family Residential" to R1, "Single Family Residential". The motion carried unanimously.

Mr. McIntosh made a motion, seconded by Mr. Bailey, to have second and final reading of an ordinance to adopt a capital improvements plan for the Town of Summerville. The motion carried unanimously.

Mr. Brown made a motion, seconded by Mr. Jackson, to have second and final reading of an ordinance to adopt a revised development impact fee ordinance for the Town of Summerville. The motion carried unanimously.

Mr. Jackson made a motion, seconded by Mr. Bailey, to have second and final reading of an ordinance authorizing a quit-claim deed for unimproved right-of-way on West Third South Street. Mr. Jenkins recused himself citing a conflict of interest. The motion carried unanimously with Mr. Jenkins abstaining.

Mr. McIntosh made a motion, seconded by Mr. Brown, to have second and final reading of an ordinance to approve the FY 2015 budget amendment. The motion carried unanimously.

Mr. Jenkins made a motion, seconded by Ms. Garten-Schmidt, to have second and final reading of an ordinance to approve the FY 2016 budget. The motion carried unanimously.

Mr. Bailey made a motion, seconded by Mr. Jackson, to have second and final reading of an ordinance revising the special event permit application and associated fee schedule. The motion carried unanimously.

INTRODUCTION OF NEW BILLS AND RESOLUTIONS

Mr. Jackson made a motion, seconded by Ms. Garten-Schmidt, to approve a Resolution adopting the 2015 Dorchester County Multi-Jurisdictional Hazard Mitigation Plan. The motion carried unanimously.

Mr. Bailey made a motion, seconded by Mr. Jenkins, to approve a Resolution adopting a revised organizational chart. Mr. Jenkins, Mr. Bailey, Ms. Garten-Schmidt, Mr. Jackson, Mr. McIntosh and Mayor Collins approved the motion. Mr. Brown opposed the motion stating he did not want to make any organizational changes until the new Mayor is seated. The motion carried.

Mr. Bailey made a motion, seconded by Mr. Jenkins, to confirm the Mayor's nominations to the citizens' boards and commissions (list attached). Mr. Jackson made a motion to amend the motion and moved to approve the reappointments only and not move forward with the new appointment until the new Mayor is seated. Mr. Brown seconded that motion. Mr. Jackson and Mr. Brown voted in favor of the motion and Mr. Jenkins, Mr. Bailey, Ms. Garten-Schmidt, Mr. McIntosh and Mayor Collins voted against the motion and the motion failed. Mayor Collins then called for a vote on the original motion to confirm the Mayor's nominations as presented. Mr. Jenkins, Mr. Bailey, Ms. Garten-Schmidt, Mr. Jackson, Mr. McIntosh, and Mayor Collins voted in favor of the motion. Mr. Brown opposed reiterating that these appointments should not be made until the new Mayor is seated. The motion carried.

Mayor Collins announced that regarding his appointment of the standing committees of council, he is leaving them exactly as they have been with the exception of replacing

Terry Jenkins with Ms. Czarnik on the Public Works and Public Safety Committees; however Ms. Garten-Schmidt will serve as Chairman of the Public Works Committee due to her seniority on Council. The newly appointed standing committees are as follows. Public Safety Committee: Walter Bailey, Chairman with Aaron Brown and Christine Czarnik; Public Works Committee: Kima Garten-Schmidt, Chairman with Bill McIntosh and Christine Czarnik; Planning and Development Committee: Bill McIntosh, Chairman with Walter Bailey and Bob Jackson; Parks and Recreation Committee: Bob Jackson, Chairman with Aaron Brown and Kima Garten-Schmidt

ADJOURN

There being no further business, the meeting adjourned at 9:25 p.m.

Respectfully submitted,

Lisa Wallace, Director of Administrative Services
Clerk and Treasurer

APPROVED:

William Wiley Johnson, Mayor

**TOWN OF SUMMERVILLE
FINANCE COMMITTEE REPORT
JANUARY 11, 2016**

The Finance Committee met at 8:00 a.m. on Monday, January 11, 2016 in the Council Chambers of the Summerville Municipal Complex. Present were Mayor Wiley Johnson and Council members Walter Bailey, Aaron Brown, Christine Czarnik, Kima Garten-Schmidt, Bob Jackson, and Bill McIntosh. Also present were Town Attorney, G.W. Parker, Director of Administrative Services and Interim Town Administrator, Lisa Wallace and Finance Director Belinda Harper. Other staff members, members of the press and members of the public were also present.

Presentation of Financial Report	Belinda Harper presented the December 2015 financial report. The report was accepted as information.
Presentation from First Tryon Advisors	David Cheatwood of First Tryon Advisors presented the finance committee with a refunding analysis of the town's general obligation bond, series 2007 and the potential savings to the town.
Presentation from Michael Baker International	Town Engineer, Russ Cornette, provided a brief history of the Bear Island/Sheep Island Road project and introduced John Walsh of Michael Baker International. Mr. Walsh and his colleagues provided an alternative analysis of the Bear Island/Sheep Island Road project.
Approval of Financial Requisitions	<p>Mr. Jackson made a motion, seconded by Mr. Garten-Schmidt, to issue a purchase order in the amount of \$123,000 to Stantec for the development of a Unified Development Ordinance to be paid from budgeted professional fees. The motion carried unanimously.</p> <p>Mr. Bailey made a motion, seconded by Mr. Jackson, to consider the next 6 items all together. The motion carried unanimously. Mr. Brown then made a motion, seconded by Ms. Garten-Schmidt, to authorize the following: a purchase order in the amount of \$271,241 to Butler Chrysler Dodge for (11) 2015 Dodge Chargers on state contract; a purchase order in the amount of \$54,846 to Vic Bailey Ford for (2) Ford Explorers on state contract; a purchase order in the amount of \$49,772 to Watch Guard for (9) In-Car Video Systems on state contract; a purchase order in the amount of \$43,166 to Motorola for (10) APX 6500 Radios on state contract; a purchase order in the amount of \$61,512 to West Chatham Warning Devices for outfitting of (13) police vehicles on state contract; and a purchase order in the amount of \$36,748 to Love Chevrolet for (1) Chevrolet Tahoe on state contract for the Fire Department, all of which are to be paid from budgeted capital funds. The motion carried unanimously.</p>
Discussion of Council Committee Reports	Mr. McIntosh gave the report of the January 6, 2016 Planning and Development Committee meeting. Mr. Jackson gave the report of the January 6, 2016 Parks and Recreation Committee meeting. Mr. Jackson made a motion, seconded by Ms. Garten-Schmidt, to authorize construction documents and the solicitation of bids for Phase I of the

	<p>Hutchinson Square Renovation project. The motion carried unanimously.</p>
Discussion of Proposed/Upcoming Council Agenda Items	<p>Mr. Bailey made a motion, seconded by Mr. McIntosh, to add second reading of the proposed ordinances related to the responsibilities of the Town Administrator and the Mayor and Council. During discussion, Mr. Jackson stated that he sent everyone a copy of an amended version of the ordinance that he would like to be considered. Ms. Garten-Schmidt agreed that they should be added to the agenda so council could discuss them. Mayor Johnson stated that it is his desire to appoint an ad hoc committee to review all of the ordinances and requested that these items not be added to the agenda until the ad hoc committee has done their review. Mr. Bailey stated that it may be a good idea to review all of the ordinances but that process will take a long time. Mayor Johnson then called for the vote. Mr. Bailey, Ms. Garten-Schmidt, Mr. Jackson and Mr. McIntosh voted in favor of the motion, Ms. Czarnik, Mr. Brown and Mayor Johnson voted against the motion. The motion carried.</p> <p>Ms. Wallace reported that, if there were no objections, first reading of the ordinance authorizing the refunding of the 2007 series general obligation bonds will be added to the agenda for Wednesday night.</p>
Miscellaneous	<p>Mayor Johnson asked if anyone had questions or comments about the proposed ad for the town administrator position. Mr. Bailey suggested that it should reference local government experience rather than municipal government experience only and also that it should point out that Summerville is a council form of government. Mayor Johnson felt that the applications should go to the H.R. Department first and then to the municipal clerk.</p> <p>There was also discussion about the finance committee meeting schedule. Mayor Johnson suggested that the finance committee meetings be held the first Wednesday of the month at 6:30 p.m. and the Council meeting be held the second Wednesday of the month at 6:30 p.m., rather than 7:30 p.m. There was no objection to this proposal. Mayor Johnson pointed out that the change of time for the Council meeting would have to be done by ordinance.</p> <p>Mayor Johnson updated council on the status of the agreement with Old Fort Fire Department and announced that he would be meeting with representatives of Old Fort Fire Department to work out an agreement suitable for Summerville that council would consider at a later date.</p> <p>Ms. Garten-Schmidt reported on problems with fireworks noting areas of the county that are donut holes and have different laws regulating the use of fireworks. She requested that staff contact the county to</p>

	consider similar legislation. Mayor Johnson indicated that he would broach this subject with the county and the police department.
Executive Session	Mr. Brown made a motion, seconded by Mr. Jackson, to enter into executive session at 9:32 a.m. to discuss legal matters related to pending litigation, Croft vs. Town of Summerville, and contractual matters related to the Dorchester Hotel project and gap loan. The Finance Committee returned to public session at 10:17 a.m. and announced that no action was taken.
Adjourn	There being no further business, the meeting adjourned at 10:18 a.m.

Respectfully submitted,

Lisa Wallace
Director of Administrative Services
Clerk/Treasurer

PLANNING AND DEVELOPMENT COMMITTEE

REPORT for

January 6, 2016

4:00 PM

TOWN HALL – BOARDROOM A

200 S. Main Street, Summerville, SC

The Planning and Development Committee of Town Council met on January 6*, 2016 at 4:00 PM immediately following the Parks and Recreation Committee of Town Council. The meeting was held in the Training Room, Town Hall, 200 S. Main Street, Summerville, SC. Committee members present included Bob Jackson, Council District 6; Bill McIntosh, Council District 4, Chairman; and, Walter Bailey, Council District 3. Staff members present included Madelyn Robinson, AICP, Director of Planning & Economic Development; Jessi Shuler, AICP, Zoning Administrator; and, Meredith Detsch, Planner.

The meeting was called to order at 4:24 PM by Mr. McIntosh following the adjournment of the Parks and Recreation Committee.

New Business:

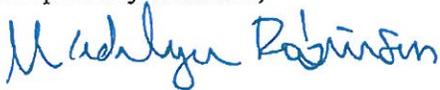
The first item under new business was the request to annex Dorchester County TMS#s 135-16-00-014, -015, & -016, 3 lots, located at 1625 Central Avenue, owned by Thomas Mizell currently zoned R4, Multifamily in Dorchester County and will be zoned B3, General Business upon annexation into the Town of Summerville's municipal limits (future Council District 4). Ms. Robinson stated that the Planning Commission held a public hearing and made a recommendation for approval at their December 21, 2015 meeting. Ms. Robinson provided a brief review of the request and confirmed there were no public comments offered at the public hearing. Mr. McIntosh asked what the total acreage included and Ms. Robinson provided information from the petition that stated approximately 1.25 acres total. Mr. Jackson asked if there were any thoughts regarding the B2 zoning classification. Mr. McIntosh and Mr. Jackson asked for a clarification of allowable uses in the B2 vs. the B3 zoning classifications and staff provided that information. Mr. McIntosh stated that the Town would not want to lose the opportunity to annex the parcels. Ms. Robinson also provided that all utilities were in place and that the adjacent side street, Cotton Hill, served as a staging roadway for Knightsville Elementary in the morning and afternoons for student drop off and pick up. The Committee asked what the surrounding zoning and uses included and staff stated R4 for the County that allowed apartments, mobile homes, single family homes; and, the parcels that were in Town were zoned B3. Adjacent and immediate nearby uses included single family homes, a mobile home park, mobile homes, retail, grocery, restaurants, gas station, etc. The Committee asked if the County's R4 allowed a mobile home park and Ms. Robinson responded that staff does not have that information and that if not, the mobile home park across Central Avenue from the subject properties could be grandfathered. Following discussion by the Committee and transitional areas/uses, Mr. Bailey suggested that staff speak with the applicants prior to the Council meeting and ask if there would be a consideration of the B2 classification instead. Mr. Jackson made a motion to send the request to Town Council for approval of the annexation with the request of the applicant to consider the B2 zoning classification with Mr. Bailey making the second. The motion carried.

The second item was the request to annex Dorchester County TMS#146-13-04-001, approximately 0.34 acres, located at 245 Judith Court, owned by Lakes of Summerville, LLC, zoned R2 Residential in Dorchester County and to be zoned PUD, Planned Unit Development upon annexation into the Town of Summerville's municipal limits (future Council District 3). Ms. Robinson added that the existing PUD for the Lakes of Summerville development would be amended to include this parcel for use as a home owners' association common area with the proposed amenity of a boat storage facility. She also added that this

parcel provided an access to one of SCPW's water towers and included a water line as well. Ms. Robinson stated that the Planning Commission held a public hearing and made a recommendation for approval at their December 21, 2015 meeting and provided that the public had asked for clarification on the property boundaries and if SCPW could access their water tower through another available access from Miles Jamison Road. Mr. McIntosh asked how the Planning Commission responded on the access and Ms. Robinson provided that the Commission stated that discussion would have to be negotiated between the property owner and SCPW. Ms. Robinson also stated that boats were already being stored on the property and the developer would be building a privacy fence on the perimeter of the property and would not be removing any of the existing vegetative buffers. The Committee asked if the entire Lakes of Summerville development was in the Town and Ms. Shuler responded that no, there are several lots that are actually in the Town of Lincolnville that were originally planned as common area. Mr. Jackson made a motion to send the request to Town Council for approval with Mr. Bailey making the second. The motion carried.

Following no additional business or discussion, the meeting was adjourned at 4:37 PM with a motion by Mr. Jackson and a second by Mr. Bailey.

Respectfully submitted,



Madelyn Robinson, AICP
Director of Planning & Economic Development

January 7, 2016

*date correction make Jan. 11, 2016



TOWN OF SUMMERVILLE PARKS & RECREATION DEPARTMENT

"Creating Sense of Place Through Parks & Play"

TO: Parks & Recreation Committee

CC: Russ Cornette, Public Works Director

FROM: Doyle Best, Parks & Recreation Manager

DATE: January 7, 2016

RE: January 2016 Parks & Recreation Committee Meeting Minutes

The Parks & Recreation Committee met on Wednesday, January 6, 2016 in the second floor training room of the Town Hall Annex / Administrative Offices building. Present at the meeting were committee chairman/council member Bob Jackson, committee/council members Aaron Brown and Kima Garten-Schmidt, and Parks & Recreation Manager, Doyle Best. Members of the press were duly notified and present. Chairman Jackson called the meeting to order at 4:00 PM.

The first agenda item was construction documents for Phase 1 of the Hutchinson Square Renovation project. Mr. Best provided a brief overview of the construction documents, to include new electrical and irrigation systems, upgraded lighting, an entry sign into the square, and new sidewalk along Little Main business front. Mr. Jackson requested for staff to make a board with the overall plan and artist rendering to be placed downstairs for visitors to see. Ms. Garten-Schmidt made a motion (seconded by Mr. Brown) to forward the item full council for approval of the construction documents and authorize staff to solicit bids for the project. The motion passed unanimously.

The second agenda item was the creation of a spring youth flag football program. Mr. Best provided a brief overview of the proposed program, including fee schedules for registration and sponsorships, as well as anticipated expenses and revenues. Ms. Garten-Schmidt made a motion (seconded by Mr. Brown) to forward this item to full council for approval of the fee schedule. The motion passed unanimously.

Before adjourning, Mr. Jackson requested that Mr. Best provide an update on the Jessen Boat Landing Project. Mr. Best informed the committee that the boardwalk renovations and covered shelters over the fishing areas had been completed. However, one section of the boardwalk had been damaged during the flooding and contractors were back on site as of January 6 to begin repair work. Another portion of this project is to install a non-motorized boat launch. Staff is working with CPW to install the launch near their pump

station, so as to allow paddlers to launch into slower currents and not conflict with the motorized boat launch.

With no other business to discuss, the meeting adjourned at 4:23 PM.

Respectfully submitted,



Doyle Best
Parks & Recreation Manager

ORDINANCE

TO ANNEX TO, AND INCORPORATE WITHIN THE CORPORATE LIMITS OF THE TOWN OF SUMMERVILLE, THESE PARCELS OWNED BY THOMAS K. MIZELL ADJACENT TO THE BOUNDARY LINE OF THE TOWN, AS DESCRIBED ON THE DEED AND PREPARED PLAT ATTACHED HERETO AND INCORPORATED BY REFERENCE:

WHEREAS, the owner of the real estate designated as Dorchester County TMS #s 135-16-00-014, -015 and -016, located at 1625 Central Avenue described as 3 lots (1.25 acres total), has petitioned the Town Council of the Town of Summerville to annex into the Town of Summerville.

NOW, THEREFORE BE IT ORDAINED by the Mayor and Members of Town Council duly assembled;

SECTION I. That the described lands on the attached deed and prepared plat, contiguous to the boundary of the Town of Summerville is hereby annexed to, taken into and made a part of the Town of Summerville and including the public roadway (s) immediately adjacent to the property lines of the parcels for the purposes of providing public service to the parcels.

SECTION II. That the properties above described and hereby annexed shall be Zoned B3 "General Business" and be classified as B3 "General Business" under the Zoning Ordinance of the Town of Summerville.

Ratified this _____ day of _____, 2016 A.D.

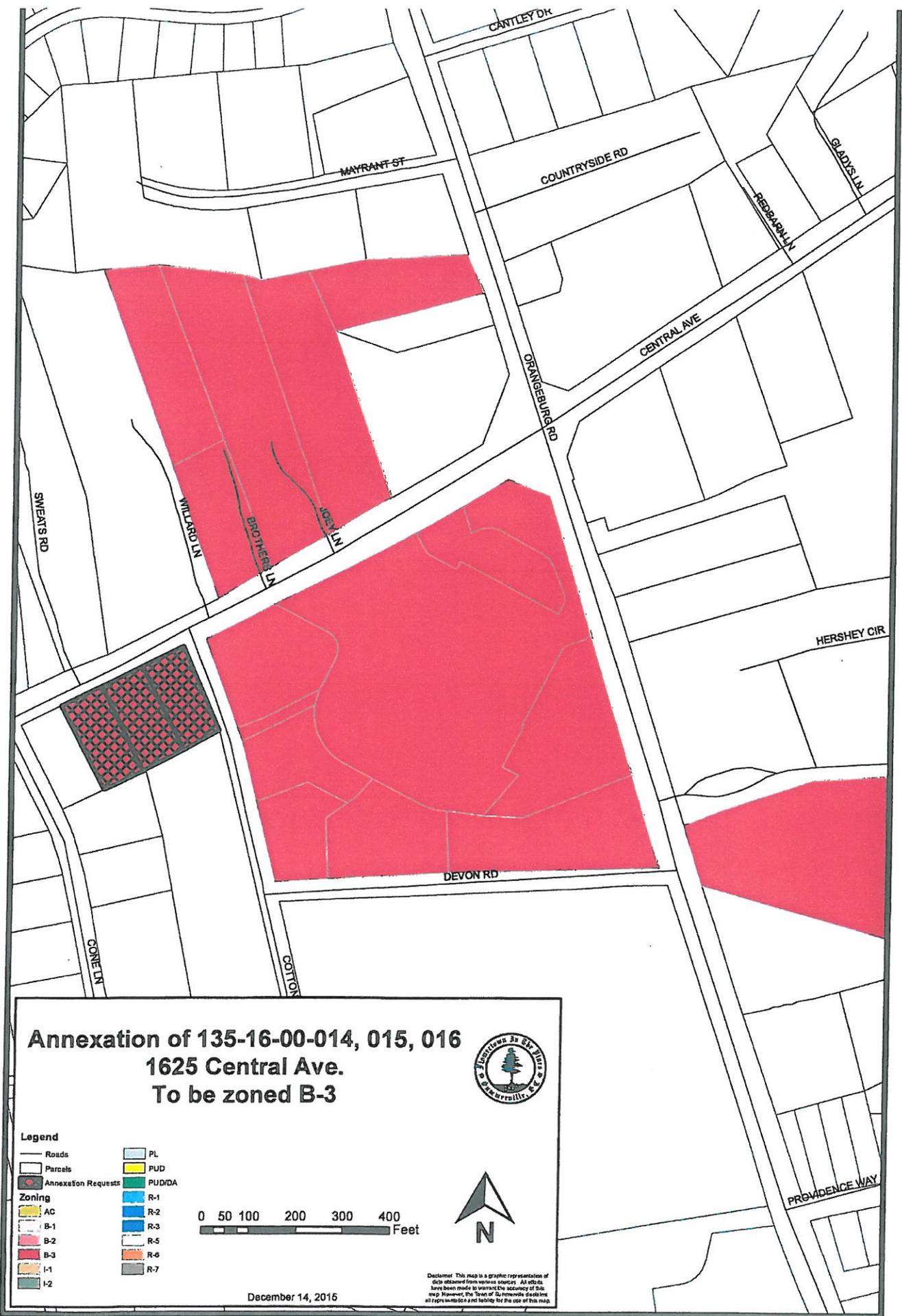
Wiley Johnson, Mayor

Lisa Wallace, Clerk to Council

PUBLIC HEARING: December 21, 2015

FIRST READING: January 13, 2016

SECOND READING: _____



**Annexation of 135-16-00-014, 015, 016
1625 Central Ave.
To be zoned B-3**



- Legend**
- Roads
 - ▭ Parcels
 - ▭ Annexation Requests
- Zoning**
- ▭ AC
 - ▭ B-1
 - ▭ B-2
 - ▭ B-3
 - ▭ I-1
 - ▭ I-2
 - ▭ PL
 - ▭ PUD
 - ▭ PUD/DA
 - ▭ R-1
 - ▭ R-2
 - ▭ R-3
 - ▭ R-5
 - ▭ R-6
 - ▭ R-7



Disclaimer: This map is a graphic representation of data obtained from various sources. All entities have been made to warrant the accuracy of this map. However, the Town of Greenville disclaims all representation and liability for the use of this map.

December 14, 2015

ORDINANCE

TO ANNEX TO, AND INCORPORATE WITHIN THE CORPORATE LIMITS OF THE TOWN OF SUMMERVILLE, THIS PARCEL OWNED BY LAKES OF SUMMERVILLE, LLC, ADJACENT TO THE BOUNDARY LINE OF THE TOWN, AS DESCRIBED ON THE DEED AND PREPARED PLAT ATTACHED HERETO AND INCORPORATED BY REFERENCE AND TO AMEND THE EXISTING PLANNED UNIT DEVELOPMENT FOR THE LAKES OF SUMMERVILLE TO INCLUDE THIS PARCEL FOR PURPOSES BELOW:

WHEREAS, the owner of the real estate designated as Dorchester County TMS # 146-13-04-001, located at 245 Judith Court described as 0.34 acres, has petitioned the Town Council of the Town of Summerville to annex into the Town of Summerville and to amend the existing Planned Unit Development for the Lakes of Summerville to include this parcel.

NOW, THEREFORE BE IT ORDAINED by the Mayor and Members of Town Council duly assembled;

SECTION I. That the described lands on the attached deed and prepared plat, contiguous to the boundary of the Town of Summerville is hereby annexed to, taken into and made a part of the Town of Summerville and including the public roadway (s) immediately adjacent to the property lines of the parcels for the purposes of providing public service to the parcels.

SECTION II. That the existing Planned Unit Development for the Lakes of Summerville be amended to include the described lands on the attached deed and prepared plat to be used for the purposes of a homeowners' association common area with the proposed use of an amenity of a boat storage facility.

SECTION III. That the property above described and hereby annexed shall be Zoned PUD "Planned Unit Development" and be classified as PUD "Planned Unit Development" under the Zoning Ordinance of the Town of Summerville; and, that the existing PUD for the Lakes of Summerville be amended to include this parcel to be used as described herein.

Ratified this _____ day of _____, 2016 A.D.

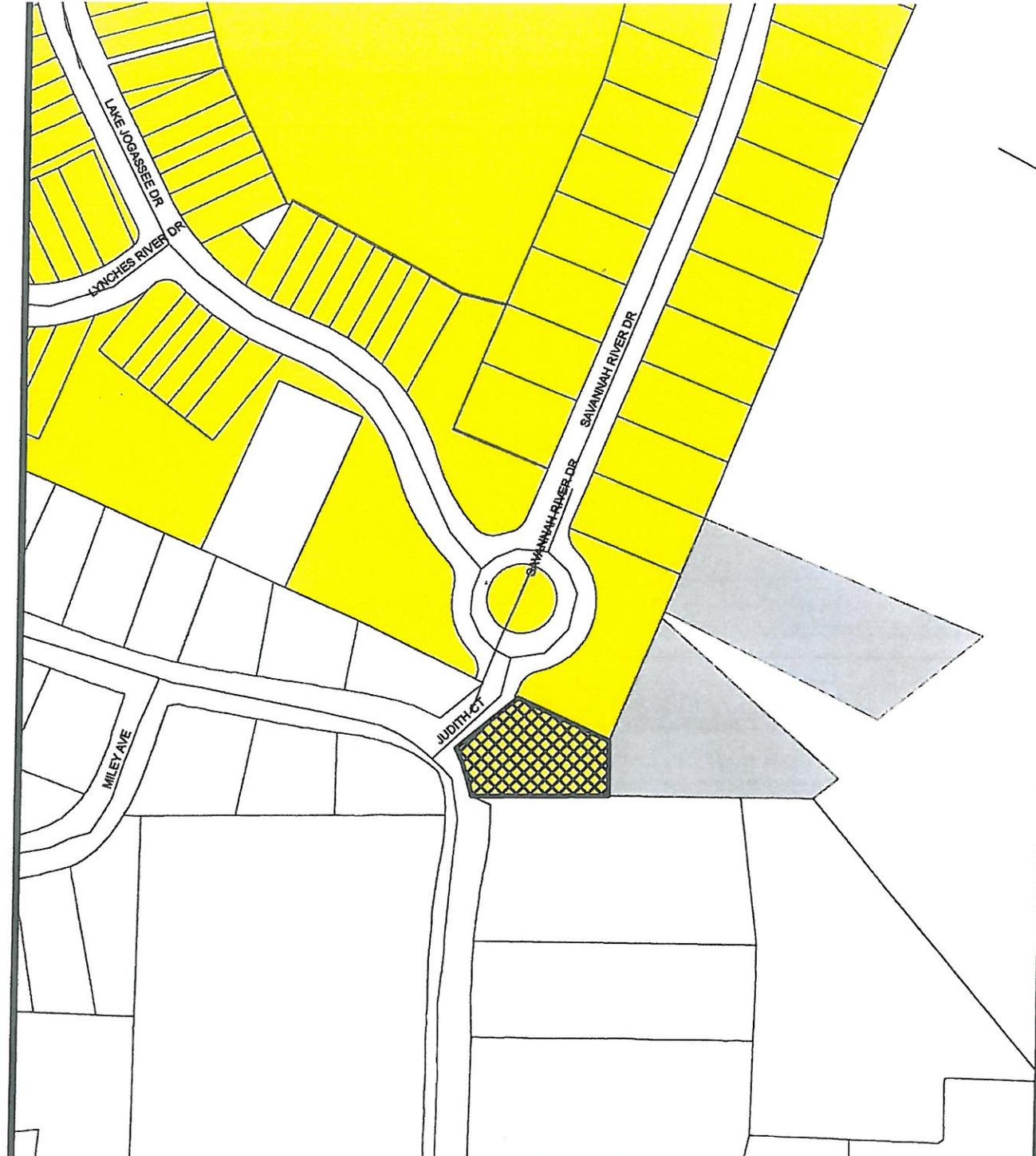
Wiley Johnson, Mayor

Lisa Wallace, Clerk to Council

PUBLIC HEARING: December 21, 2015

FIRST READING: January 13, 2016

SECOND READING: _____

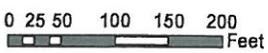


**Annexation of 146-13-04-001
245 Judith Drive
To be zoned PUD,
Planned Development District**



Legend

Parcels	PL
Annexation Request	PUD
Zoning	PUD/DA
AC	R-1
B-1	R-2
B-2	R-3
B-3	R-5
I-1	R-6
I-2	R-7



Disclaimer: This map is a graphic representation of data obtained from various sources. All efforts have been made to warrant the accuracy of this map. However, the Town of Sumnerville disclaims all representation and liability for the use of this map.

December 14, 2015

**AN ORDINANCE AMEND CHAPTER 2, ARTICLE II, DIVISIONS 2 AND 3 OF
THE CODE OF ORDINANCES OF THE TOWN OF SUMMERVILLE
ENTITLED "MAYOR" AND "COUNCIL MEETINGS"**

BE IT HEREBY ORDAINED BY the Mayor and Council of the Town of Summerville, in a meeting duly assembled, that the Code of Laws of the Town of Summerville be hereby amended by amending sections 2-61, 2-62, 2-63, 2-66, 2-69, 2-94, 2-95, and 2-97 as follows:

Sec. 2-61. - To be chief executive officer.

The mayor shall ~~be the chief executive officer of the town.~~ perform the duties of chief executive officer of the town in a manner consistent with these ordinances and state law.

Sec. 2-62. - Direction of executive officers.

The mayor shall *not* have ~~power authority~~ to give ~~such~~ direction to the town administrator, or ~~in the absence of the administrator~~, to any of the *division heads* or department heads of the town ~~as authorized by state law or town ordinances, or as delegated by the town council.~~ *unless such authority is given by a majority vote of town council.*

~~Sec. 2-63. — Duties relative to subordinate officers.~~

~~The mayor shall inspect the conduct of all subordinate officers in the exercise and discharge of their duties and, as far as in the mayor's power, cause all negligence, carelessness and positive violation of duty to be duly prosecuted and punished.~~

Sec. 2-63. – *Authority to add items to agenda.*

During the finance committee meeting held prior to any regularly scheduled meeting, any two members of council shall have the authority to add any item to the agenda for all regular meetings of town council.

Ordinance No. _____

Page 2

Sec. 2-64. – Inspection of books and records.

The mayor *or any town council member* shall have power to inspect such of the books, papers and records of the public officers of the town, and of the boards and committees under the authority of the council, as may in the mayor's *or council member's* judgement be of assistance to the mayor *or council member* in the discharge of such officer's duties.

Sec. 2-65. – Authority to require officers to furnish reports.

The mayor *and town council* may *together* call upon any officer of the town and members of the boards to furnish, in writing, any information connected with any of their respective offices.

Sec. 2-66. – Suppression of riots and preservation of order.

It shall be the duty of the mayor to take prompt measures for the suppression of riots and for the preservation of good order in the town, for which purpose the mayor shall have the power to require all the town officers and, ~~if necessary, the citizens,~~ to aid and assist such officers.

Sec. 2-69. - Compensation of mayor and members of town council.

(a) Mayor: *The annual compensation for the Mayor shall be \$15,000 effective as of the first Wednesday, of January 2018; and*

~~(1)The salary of the current mayor is increased to \$45,000.00 effective as of the first Wednesday of January 2014; and~~

~~(2) The increase in the current mayor's salary to \$45,000.00 shall revert to \$15,000.00 as of December 31, 2015, unless addressed by town council after the seating of the three members elected in the November 2013 election.~~

(b) *Council*: The annual compensation of town council members shall be \$7,500.00.

(c) Compensation of the mayor and town council shall be paid biweekly.

Sec. 2-94. - Required attendance. Modified

It shall be the duty of the council members to attend the regular meetings of the council and, when notified, to attend all special meetings called by the mayor or a majority of the council. ~~The mayor shall have the power to excuse members if, in his discretion, conditions warrant.~~

Sec. 2-95. - Presiding officer; quorum.

Immediately at the hour appointed for a council meeting, the ~~mayor~~ *presiding officer* shall take the chair and, if a quorum is present, proceed to business. A majority of the seven members of the council (four) shall constitute a quorum.

Sec. 2-97. - Order of business.

The order of the proceedings of the council at regular meetings of the council shall be as follows:

- (1) Invocation and Pledge of Allegiance;
- (2) Public comments;
- (3) Approval of the minutes of the last regular meetings and any special meetings held subsequent to the last regular meeting;
- (4) Petitions for annexation;

- (5) Reports from committees;
- (6) Second reading of pending bills;
- (7) Introduction of bills and resolutions;
- (8) Miscellaneous business;
- (9) Adjournment.

~~The council shall have the authority, by a simple majority, to add or delete items from the agenda.~~

Sec. 2-98. - Addressing council by member.

- (a) Every member of the council, when about to speak, shall address the mayor as "Mr. Mayor" or "Madam Mayor," as the case may be, and in speaking shall avoid all disrespect to the council and all personalities, and shall confine remarks to the subject under consideration.
- (b) Citizens addressing the council during the "public comments" portion of the meeting must provide their name and address and shall do so only after being recognized by the ~~mayor~~ or presiding officer. Public comments are limited to five minutes or less unless otherwise specifically authorized by the ~~mayor~~ or presiding officer. Citizens' remarks should be directed to the council itself, rather than the audience or specific individuals in the audience. The ~~mayor~~ *presiding officer* may direct that extended comments are provided in writing.

2-99. – Recognition of speakers.

The member or citizen during public comments who shall rise or seek recognition of the chair first shall be first heard. If several members or citizens, during public comments, shall rise at the same time, the ~~mayor~~ *presiding officer* shall determine who shall speak first.

Ordinance No. _____

Page 5

Done this _____ day of _____, 2015, at Summerville, South Carolina.

William C. Collins, Mayor

Attested to:

Lisa Wallace, Clerk of Council

**AN ORDINANCE AMEND CHAPTER 2, ARTICLE II, DIVISIONS 2 AND 3 OF
THE CODE OF ORDINANCES OF THE TOWN OF SUMMERVILLE
ENTITLED "MAYOR" AND "COUNCIL MEETINGS"**

BE IT HEREBY ORDAINED BY the Mayor and Council of the Town of Summerville, in a meeting duly assembled, that the Code of Laws of the Town of Summerville be hereby amended by amending sections 2-61, 2-62, 2-63, 2-66, 2-69, 2-94, 2-95, and 2-97 as follows:

Sec. 2-61. - To be chief executive officer.

The mayor shall perform as the chief executive officer of the town in a manner consistent with the ordinances and state law.

Sec. 2-62. – Duties relative to subordinate officers.

The mayor shall monitor the conduct of all subordinate officers in the exercise and discharge of their duties and, notify the administrator and council of offense for proper disposition.

Sec. 2-63. – *Authority to add items to agenda.*

Prior to agenda being published or at finance committee meeting, any two members of council shall have the authority to add any item to the agenda for all regular meetings of town council.

Emails sent to Mayor and Council will be confirmation.

Ordinance No. _____

Page 2

Sec. 2-64. – Inspection of books and records.

The mayor *or any town council member* shall have power to inspect such of the books, papers and records of the public officers of the town, and of the boards and committees under the

authority of the council, as may in the mayor's *or council member's* judgement be of assistance to the mayor *or council member* in the discharge of such officer's duties.

Sec. 2-65. – Authority to require officers to furnish reports.

The mayor and *council may* call upon the administer to provide that any officer of the town and members of the boards to furnish, in writing, any information connected with any of their respective offices.

Sec. 2-69. - Compensation of mayor and members of town council.

(a) Mayor: *The annual compensation for the Mayor shall be \$15,000 effective as of the first Wednesday, of January 2018; and*

(b) Council: The annual compensation of town council members shall be \$7,500.00.

(c) Compensation of the mayor and town council shall be paid biweekly.

Sec. 2-94. - Required attendance. Modified

It shall be the duty of the council members to attend the regular meetings of the council and, when notified, to attend all special meetings called by the mayor or a majority of the council.

Sec. 2-95. - Presiding officer; quorum.

Immediately at the hour appointed for a council meeting, the mayor **or** presiding *officer* shall take the chair and, if a quorum is present, proceed to business. A majority of the seven members of the council (four) shall constitute a quorum.

Sec. 2-97. - Order of business.

The order of the proceedings of the council at regular meetings of the council shall be as follows:

- (1) Invocation and Pledge of Allegiance;
- (2) Public comments;
- (3) Approval of the minutes of the last regular meetings and any special meetings held subsequent to the last regular meeting;
- (4) Petitions for annexation;

Ordinance No. _____

Page 4

- (5) Reports from committees;
- (6) Second reading of pending bills;
- (7) Introduction of bills and resolutions;
- (8) Miscellaneous business;
- (9) Adjournment.

Sec. 2-98. - Addressing council by member.

- (a) Every member of the council, when about to speak, shall address the mayor as "Mr. Mayor" or "Madam Mayor," as the case may be, and in speaking shall avoid all disrespect to the council and all personalities, and shall confine remarks to the subject under consideration.
- (b) Citizens addressing the council during the "public comments" portion of the meeting must provide their name and address and shall do so only after being recognized by the **mayor or** presiding officer. Public comments are limited to five minutes or less unless otherwise specifically authorized by the **mayor or** presiding officer. Citizens' remarks should be directed to the council itself, rather than the audience or specific individuals in the audience. The mayor **or** *presiding officer* may direct that extended comments are provided in writing.

2-99. – Recognition of speakers.

The member or citizen during public comments who shall rise or seek recognition of the chair first shall be first heard. If several members or citizens, during public comments, shall rise at the same time, the mayor or *presiding officer* shall determine who shall speak first.

Ordinance No. _____

Page 5

Done this _____ day of _____, 2015, at Summerville, South Carolina.

William C. Collins, Mayor

Attested to:

Lisa Wallace, Clerk of Council

Bob draft concept

**AN ORDINANCE AMEND CHAPTER 2, ARTICLE IV, DIVISION 2 OF THE
CODE OF ORDINANCES FOR THE TOWN OF SUMMERVILLE ENTITLED
"TOWN ADMINISTRATOR"**

BE IT HEREBY ORDAINED BY the Mayor and Council of the Town of Summerville, in a meeting duly assembled, that the Code of Laws of the Town of Summerville be hereby amended by amending sections 2-213, 2-214, and 2-215 as follows:

Sec. 2-213. - Supervision.

The town administrator reports directly to the mayor and town council as a whole. ~~In addition, the administrator reports specifically to the mayor on day to day operational and other matters concerning the town.~~ The administrator shall also compile information, investigate problems, perform administrative services and offer advice to the mayor and individual members of town council as requested by such councilmembers; provided, however, that in any situation where the administrator deems it appropriate, such request for administrative assistance may be presented to the entire town council for approval.

Sec. 2-214. - General duties, responsibilities and delegation of authority.

The town administrator performs such duties as directed by the mayor and council. Additional duties of the administrator include, but are not limited to, the following:

- (1) Supervise preparation of and submit to town council not later than November 1 of each year a balanced, proposed annual budget for the ensuing fiscal year.
- (2) Recommend organizational changes and assist in formulation of internal plans, programs and policies of the town for consideration of the town council.

- (3) Supervise all appointed *division heads*, department heads and their departments as well as any nondepartment head employees reporting directly to the administrator. Plan, direct, monitor and coordinate activities of all town departments and functions.
- (4) Coordinates the activities of town government with all other agencies, including other town agencies, county, state and federal agencies.
- (5) Appoint, with the approval of the town council, *division heads and* department heads; ~~Suspend department heads~~, and, with the prior approval of town council, *suspend or* dismiss *division heads and* department heads. Suspend other employees or dismiss employees after consulting with their department head.
- (6) Administer the annual budget after adoption by the town council. Administer the town personnel and purchasing policies. Reviews and approves policies and procedures for the town financial operations, investments, debt service and for the administrative functions and operational activities of the town, including police, fire, street, planning, stormwater, parks and recreation, vehicle maintenance and other functions of the town.
- (7) With the assistance of the finance director, monitor the financial condition of the town, estimate present and future financial needs, and report regularly to the town council on the financial condition and needs of the town.
- (8) Authorize changes in departmental budget line items, provided that the overall departmental appropriation does not change.
- (9) Review all legal matters affecting the town and serve as the primary point of contact with the town attorney.
- (10) Implement the policies and directives of the town council. Attend all council meetings unless excused by the mayor or unless out of town on town business or too ill to attend such meeting.

(11) Delegate to other employees under the administrator's supervision the authority to exercise specific official duties and responsibilities as may be appropriate. With the approval of the mayor *and council*, the administrator may also designate a qualified employee of the town to act during the administrator's absence. In the absence of the administrator where no such designation has been made, the mayor *and council* may designate an acting administrator.

(12) Select and employ, with the approval of the town council, a person to serve as assistant town administrator, provided that the town council has included funding for such provision in the annual budget.

Sec. 2-215. - Authority.

Except for purposes of inquiry or routine reporting of problems including constituent requests, *the mayor and* individual members of the town council shall deal with employees of the town only through the administrator. In order to avoid potential liability, deviation from town policies and practices, and conflicting instruction, no member of the town council, *including the mayor*, shall give orders, directions or instructions directly to town employees other than the administrator. ~~The mayor shall, where practicable, also issue orders and directives through the town administrator; provided, however, that when the mayor deems necessary and in the best interests of the town, the mayor may deal directly with town department heads.~~

Done this _____ day of _____, 2015, at Summerville, South Carolina.

William C. Collins, Mayor

Attested to:

Lisa Wallace, Clerk of Council

ORDINANCE NO. _____

**AN ORDINANCE AMEND CHAPTER 2, ARTICLE IV, DIVISION 2 OF THE
CODE OF ORDINANCES FOR THE TOWN OF SUMMERVILLE ENTITLED
"TOWN ADMINISTRATOR"**

BE IT HEREBY ORDAINED BY the Mayor and Council of the Town of Summerville, in a meeting duly assembled, that the Code of Laws of the Town of Summerville be hereby amended by amending sections 2-213, 2-214, and 2-215 as follows:

Sec. 2-213. - Supervision.

The town administrator reports directly to the mayor and town council as a whole. **In addition, the administrator shall communicate with the mayor on day to day operational and other matters concerning the town.** The administrator shall also compile information, investigate problems, perform administrative services and offer advice to the mayor and individual members of town council as requested by such councilmembers; provided, however, that in any situation where the administrator deems it appropriate, such request for administrative assistance may be presented to the entire town council for approval.

Sec. 2-214. - General duties, responsibilities and delegation of authority.

The town administrator performs such duties as directed by the mayor and council. Additional duties of the administrator include, but are not limited to, the following:

- (1) Supervise preparation of and submit to town council not later than November 1 of each year a balanced, proposed annual budget for the ensuing fiscal year.
- (2) Recommend organizational changes and assist in formulation of internal plans, programs and policies of the town for consideration of the town council.

Ordinance No. _____

Page 2

- (3) Supervise all appointed *division heads*, department heads and their departments as well as any nondepartment head employees reporting directly to the administrator. Plan, direct, monitor and coordinate activities of all town departments and functions.
- (4) Coordinates the activities of town government with all other agencies, including other town agencies, county, state and federal agencies.
- (5) Appoint, with the approval of the town council, *division heads and department heads*; ~~Suspend department heads~~, and, with the prior approval of town council, *suspend or dismiss division heads and department heads*. Suspend other employees or dismiss employees after consulting with their department head.
- (6) Administer the annual budget after adoption by the town council. Administer the town personnel and purchasing policies. Reviews and approves policies and procedures for the town financial operations, investments, debt service and for the administrative functions and operational activities of the town, including police, fire, street, planning, stormwater, parks and recreation, vehicle maintenance and other functions of the town.
- (7) With the assistance of the finance director, monitor the financial condition of the town, estimate present and future financial needs, and report regularly to the town council on the financial condition and needs of the town.
- (8) Authorize changes in departmental budget line items, provided that the overall departmental appropriation does not change.
- (9) Review all legal matters affecting the town and serve as the primary point of contact with the town attorney.
- (10) Implement the policies and directives of the town council. Attend all council meetings unless excused by the mayor or unless out of town on town business or too ill to attend such meeting.

Ordinance No. _____

Page 3

(11) Delegate to other employees under the administrator's supervision the authority to exercise specific official duties and responsibilities as may be appropriate. With the approval of the mayor *and council*, the administrator may also designate a qualified employee of the town to act during the administrator's absence. In the absence of the administrator where no such designation has been made, the mayor *and council* may designate an acting administrator.

(12) Select and employ, with the approval of the town council, a person to serve as assistant town administrator, provided that the town council has included funding for such provision in the annual budget.

Sec. 2-215. - Authority.

Except for purposes of inquiry or routine reporting of problems including constituent requests, *the mayor and* individual members of the town council shall deal with employees of the town only through the administrator. In order to avoid potential liability, deviation from town policies and practices, and conflicting instruction, no member of the town council, *or the mayor*, shall give orders, directions or instructions directly to town employees other than the administrator. ~~The mayor shall, where practicable, also issue orders and directives through the town administrator; provided, however, that when the mayor deems necessary and in the best interests of the town, the mayor may deal directly with town department heads.~~

Done this _____ day of _____, 2015, at Summerville, South Carolina.

William C. Collins, Mayor

Attested to:

Ordinance # _____

AN ORDINANCE TO ADOPT A USER FEE AND REVISED FEE SCHEDULE FOR THE BLACKWELL SPORTS COMPLEX

WHEREAS, section 6-1-330 of the S.C. Code requires that the imposition of user fees be done by ordinance and that fees collected must be used to pay costs related to the provision of the service or program; and

WHEREAS, the Town of Summerville desires to create a youth flag football program and implement an associated fee schedule; and

WHEREAS, Section 18-36 of the Code of Laws of the Town of Summerville states that league fees, tournament fees, and other associated fees associated with the Blackwell Sports Complex will be on file in the Finance Director's office.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council members of the Town of Summerville, in Council assembled, that the Blackwell Sports Complex schedule of fees is hereby amended to include the addition of fees associated with the youth flag football program.

Ratified this ____ day of _____, 2016.

Public Hearing _____

First Reading _____

Second Reading _____

Approved: _____
Wiley Johnson, Mayor

Attest: _____
Lisa L. Wallace, Clerk/Treasurer



TOWN OF SUMMERVILLE PARKS & RECREATION DEPARTMENT

"Creating Sense of Place Through Parks & Play"

TO: Lisa Wallace, Interim Administrator
CC: Russ Cornette, Public Works Director
FROM: Doyle Best, Parks & Recreation Manager
DATE: January 7, 2016
RE: Parks & Recreation Fee Schedule

Tournament Deposit

Security Deposit \$100.00/event

Prior to reserving any dates at the Jerry Blackwell Sports Complex, the hosting organization must submit a security deposit. If a tournament is cancelled within 48 hours of the scheduled start date, the Town of Summerville will retain the security deposit. The Town of Summerville reserves the right to consider extenuating circumstances (ex: inclement weather) in deciding to retain security deposit. If a security deposit is retained, another deposit must be submitted or any remaining dates for the hosting organization will be relinquished.

Tournament Fees

1-14 Teams	\$75.00 per field/day
15-19 Teams	\$50.00 per field/day
20+ Teams	No Tournament Fee

To help offset the costs of facility operation, the hosting organization is required to pay a tournament fee based on the number of teams participating in the tournament. This fee may be paid in advance or may be deducted from the hosting organization's portion of net gate fees.

Gate Fees

Adult Admission	\$5.00/day
Student/Senior Admission	\$3.00/day

For gated tournaments, Town of Summerville Parks & Recreation Department is entitled to one half of net gate receipts, where net gate receipts are equal to gross gate fees collected less ticket booth attendant wages and admission taxes.

Practice Fees

Unless fields are scheduled for tournaments, games, or sanctioned practices, or closed due to weather or maintenance, fields are open for use free of charge on a first come, first served basis. If lights are needed for practice, there is a \$15/hour charge that must be scheduled and paid in advance.

League Registration Fees**Adult Leagues**

Adult Softball	\$475.00/team <i>(Additional sanctioning fee may apply)</i>
Adult Ultimate Frisbee	\$40/player

***Note: The Summerville Men's Church Softball League utilizes the Jerry Blackwell Sports Complex for their games and is charged \$175/team. SMCSL collects their own registration fees, supplies their own equipment, sets their own schedule, and provides their own game officials. The Town of Summerville is only responsible for providing fields for their games. Any practices held by the SMCSL are subject to the \$15/hour light fee.

Youth Leagues

Youth Flag Football	\$40.00/Resident \$60.00/Non-Resident
Youth Team Sponsorship	\$250.00/Team

Updated: January 2016

Town of Summerville, S.C.

A Resolution

WHEREAS, the Town of Summerville maintains various checking accounts in order to meet generally accepted accounting requirements and internal control systems; and

WHEREAS, it is the policy of the Town to require two signatures on all checks written on such checking accounts, and to have a minimum of four Town employees and/or officials who are authorized to be one of the two co-signers; and

WHEREAS, banks have requirements that a resolution of Council be required when the names of signers are changed or when new accounts are opened and the Town wishes to minimize the paperwork associated with such transactions.

NOW, THEREFORE BE IT RESOLVED, by the Town Council of Summerville duly assembled that the Mayor and Clerk/Treasurer of the Town are authorized to execute such individual bank resolutions on behalf of the Town as they deem necessary and appropriate; and

BE IT FURTHER RESOLVED, that the authorized signers of the Town checks shall be the Mayor, Mayor Pro-Tem, Town Administrator and Clerk/Treasurer and that the signatures of any two of the foregoing designated signers shall be required on all checks drawn on such accounts.

DONE at Summerville, S.C. this 11^h day of January, 2016.

Wiley Johnson, Mayor

ATTEST:

Lisa L. Wallace, Clerk/Treasurer

AN ORDINANCE

TO PROVIDE FOR THE ISSUANCE AND SALE OF NOT EXCEEDING SEVEN MILLION FIVE HUNDRED THOUSAND DOLLARS (\$7,500,000) GENERAL OBLIGATION REFUNDING BONDS OF 2016 OF THE TOWN OF SUMMERVILLE, SOUTH CAROLINA; TO PRESCRIBE THE PURPOSES FOR WHICH THE PROCEEDS SHALL BE EXPENDED; TO PROVIDE FOR THE PAYMENT THEREOF; AND OTHER MATTERS RELATING THERETO.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SUMMERVILLE, SOUTH CAROLINA, IN MEETING DULY ASSEMBLED:

As an incident to the enactment of this Ordinance and the issuance of the bonds provided for herein, the Town Council of The Town of Summerville, South Carolina (hereinafter called the "Town Council"), the governing body of The Town of Summerville, South Carolina (hereinafter called the "Town"), and the body to which is delegated the administrative duties of the Town, finds that the facts set forth herein exist and the statements made with respect thereto are true and correct.

WHEREAS, by virtue of Article 5, Chapter 21, Title 5 of the Code of Laws of South Carolina 1976, as amended and continued by Section 11-27-40 of the Code of Laws of South Carolina 1976, as amended (herein referred to as the "Municipal Bond Act"), Town Council is authorized to issue general obligation bonds of the Town for the purpose of defraying the cost of any purpose for which the Town may, under applicable constitutional provisions, issue bonds or levy taxes, in any amount not exceeding the constitutional debt limit applicable to the Town; and

WHEREAS, pursuant to the authorizations of Article X of the South Carolina Constitution and the Municipal Bond Act, the Town Council has heretofore issued its General Obligation Bonds of 2007 (the "Series 2007 Bonds"), in the original principal amount of \$8,500,000, for the purpose of defraying the cost of certain capital improvements in the Town; and

WHEREAS, as of March 1, 2016 there will remain outstanding \$6,995,000 aggregate principal amount of the Series 2007 Bonds, \$210,000 of which matures on March 1, 2017 and the remainder of which is subject to redemption in whole or in part at any time on and after March 1, 2017 at a price of 101% of the principal amount thereof; and

WHEREAS, by virtue of Article 5, Chapter 15, Title 11 of the Code of Laws of South Carolina 1976, as amended (the "Refunding Act"), the Town is authorized to effect the refunding of any of its outstanding bonds provided that a savings can be effected through refunding, and for such amounts as shall be required to provide for the payment of all outstanding bonds maturing subsequent to the date on which the refunding bonds shall be issued and such further amount as shall be required to effect the payment of any redemption premium of the outstanding bonds, the amount required to fund interest on the outstanding bonds to the date fixed for redemption, and any deposits required in connection with the refunding bonds, and expenses incurred by the Town Council in connection with the issuance of the refunding bonds; and

WHEREAS, the Town Council has determined after due investigation that a savings can be effected through the refunding of all or a portion of the Series 2007 Bonds in the event that refunding bonds are sold at low enough interest rates; and

WHEREAS, by virtue of Article X, Section 14 of the South Carolina Constitution, the Municipal Bond Act and the Refunding Act, for the purposes of providing funds to refund all or a portion of the Series 2007 Bonds and subject to an eight per centum (8%) constitutional debt limit, the Town is authorized to issue its general obligation bonds.

The bonds authorized herein to refund the Series 2007 Bonds may be issued without any additional effect upon the constitutional debt limitation applicable to the Town because the bonds are being issued to fund a valid indebtedness of the Town.

Consequently, the Town may issue without an election the general obligation bonds herein authorized without violating the limitation of Section 14 of Article X of the South Carolina Constitution.

NOW, THEREFORE, on the basis of the foregoing authorizations and for the purpose of raising the sum of not exceeding Seven Million Five Hundred Thousand Dollars (\$7,500,000) to be expended for the purposes set forth above, the Town Council enacts this Ordinance to effect the issuance and sale of not exceeding \$7,500,000 of General Obligation Refunding Bonds of 2016 of the Town in one or more series and in one or more years.

ARTICLE I DEFINITIONS

Section 1 Defined Terms.

The terms defined in this Article (except as herein otherwise expressly provided or unless the context otherwise requires) for all purposes of this Ordinance shall have the respective meanings specified in this Article.

“Authenticating Agent” shall mean U.S. Bank, National Association.

“Authorized Investments” mean and include investments permitted by Section 6-5-10, Code of Laws of South Carolina, 1976, as amended.

“Bonds” shall mean the General Obligation Refunding Bonds of 2016 of the Town authorized to be issued hereunder in the aggregate principal amount of not exceeding \$7,500,000.

“Bond Registrar” or “Registrar” shall mean U.S. Bank, National Association.

“Bondholder” or “Holder” or “Holders of Bonds” or “Owner” or similar term means, when used with respect to a Bond or Bonds, any person who shall be registered as the owner of any Bond Outstanding.

“Books of Registry” shall mean the registration books maintained by the Bond Registrar in accordance with Section 11 of Article II hereof.

“Clerk” shall mean the clerk of the Town Council or, in her absence, the acting clerk.

“Closing Date” shall mean the date upon which there is an exchange of the Bonds for the proceeds representing the purchase price of the Bonds by the Original Purchaser.

“Code” shall mean the Internal Revenue Code of 1986, as amended.

“Debt Service” shall mean the scheduled amount of interest and amortization of principal payable on the Bonds during the period of computation, excluding amounts scheduled during such period which relate to principal which has been retired before the beginning of such period.

“DTC” means The Depository Trust Company, a limited purpose trust company organized under the laws of the State of New York, and its successors and assigns.

“Fiscal Agents” shall mean the Paying Agent, the Bond Registrar and the Authenticating Agent.

“Gross Proceeds” shall mean the sum of the following amounts:

(i) original proceeds, namely, net amounts received by or for the Town as a result of the sale of the Bonds, excluding original proceeds which become transferred proceeds (determined in accordance with applicable Regulations) of obligations issued to refund in whole or in part the Bonds;

(ii) investment proceeds, namely, amounts received at any time by or for the Town, such as interest and dividends, resulting from the investment of any original proceeds (as referenced in clause (i) above) or investment proceeds (as referenced in this clause (ii)) in Nonpurpose Investments, increased by any profits and decreased (if necessary, below zero) by any losses on such investments, excluding investment proceeds which become transferred proceeds (determined in accordance with applicable Regulations) of obligations issued to refund in whole or in part the Bonds;

(iii) transferred proceeds, namely, original proceeds of the Series 2007 Bonds, and interest earnings and profits less losses resulting from investment of such original proceeds in Nonpurpose Investments, which are deemed to become proceeds of the Bonds ratably as original proceeds of the Bonds, and interest earnings and profits resulting from investment of such original proceeds in Nonpurpose Investments, discharge the outstanding principal of the Series 2007 Bonds, all on the date of such ratable discharge;

(iv) sinking fund proceeds, namely, amounts, other than original proceeds, investment proceeds or transferred proceeds (as referenced in clauses (i) through (iii) above) of the Bonds, which are held in the Sinking Fund Account and any other fund to the extent that the Town reasonably expects to use such other fund to pay Debt Service on the Bonds;

(v) Investment Property pledged as security for payment of Debt Service on the Bonds by the Town;

(vi) amounts, other than as specified in this definition, used to pay Debt Service on the Bonds; and

(vii) amounts received as a result of investing amounts described in this definition.

“Interest Payment Date” shall mean any March 1 or September 1, commencing September 1, 2016.

“Investment Property” shall mean any security (as that term is defined in Section 165(g)(2)(A) or (B) of the Code), obligation, annuity contract or investment-type property, excluding, however, obligations (i) the interest on which is excluded from gross income, under Section 103 of the Code, for federal income tax purposes and (ii) which are not “specified private activity bonds” as defined in Section 57(a)(5)(C) of the Code.

“Letter of Representations” means the Letter of Representations from the Town and the Registrar and Paying Agent to DTC, with respect to the Bonds, which shall be deemed to be a part of this Ordinance and shall be the binding obligation of the Town and the Registrar and Paying Agent.

“Mayor” shall mean the Mayor of the Town of Summerville or, in his absence, the mayor pro tempore of the Town.

“Municipal Bond Act” shall mean Article 5, Chapter 21, Title 5 of the Code of Laws of South Carolina 1976, as amended and continued by Section 11-27-40 of the Code of Laws of South Carolina 1976, as amended.

“Net Proceeds,” when used with reference to the Bonds, shall mean the face amount of the Bonds, plus accrued interest and premium, if any.

“Nominee” means the nominee of the Securities Depository which shall be the Owner of the Bonds while held under a book-entry only system and any successor appointed by the Securities Depository. The initial Nominee shall be Cede & Co.

“Nonpurpose Investment” shall mean any Investment Property which is acquired with the Gross Proceeds of the Bonds and is not acquired in order to carry out the governmental purpose of the Bonds.

“Ordinance” shall mean this Ordinance as from time to time amended or supplemented by one or more supplemental ordinances enacted in accordance with the provisions of Article VII hereof.

“Original Purchaser” shall mean the first purchaser of the Bonds from the Town.

“Paying Agent” shall mean U.S. Bank, National Association.

“Private Business Use” shall mean use directly or indirectly in a trade or business carried on by a natural person or in any activity carried on by a person other than a natural person, excluding, however, use by a state or local governmental unit and use as a member of the general public.

“Refunding Act” shall mean collectively Title 11, Chapter 15, Article 5 and Title 11, Chapter 21 of the Code of Laws of South Carolina 1976, as amended.

“Regulations” shall mean temporary and permanent regulations promulgated under the Code.

“Securities Depository” means the administrator of the book-entry only system for the Bonds, as further described in Article 2, Section 2(b) hereof and any successor appointed as provided in Article 2, Section 2(b) hereof. The initial Securities Depository shall be DTC.

“Series 2007 Bonds” shall mean the Town's outstanding General Obligation Bonds of 2007.

“Series 2007 Ordinance” shall mean the ordinance authorizing the Series 2007 Bonds enacted by the Town Council on February 14, 2007.

“Series 2007 Paying Agent” shall mean TD Bank, N.A., successor in trust to Carolina First Bank, as paying agent for the Series 2007 Bonds.

“Sinking Fund Account” shall mean the sinking fund account established and held by the Director of Finance of The Town of Summerville designed to provide for the payment of the principal of, premium, if any, and interest on the Bonds, as the same respectively fall due.

“Town” shall mean The Town of Summerville, South Carolina, a body politic and corporate and a municipal corporation under the laws of the State of South Carolina.

“Town Council” shall mean the Town Council of The Town of Summerville, South Carolina, and any successor governing board of the Town.

“Yield” shall mean that yield which, when used in computing the present worth of all payments of principal and interest (or other payments in the case of Nonpurpose Investments which require payments in a form not characterized as principal and interest) on a Nonpurpose Investment or on the Bonds produces an amount equal to the Purchase Price of such Nonpurpose Investment or the Bonds, all computed as prescribed in applicable Regulations.

Section 2 General Rules of Interpretation.

(a) Articles, Sections, and Paragraphs mentioned by number are the respective Articles, Sections, and Paragraphs of this Ordinance so numbered.

(b) Except as otherwise expressly provided or unless the context otherwise requires, words importing persons include firms, associations, and corporations, and the masculine includes the feminine and the neuter.

(c) Words importing the redemption or redeeming or calling for redemption of a bond do not include or connote the payment of such Bond at its stated maturity or the purchase of such Bond.

(d) Words importing the singular number include the plural number and *vice versa*.

ARTICLE II
ISSUANCE OF BONDS

Section 1 Authorization of Bonds, Denominations, and Maturities.

Pursuant to the provisions of the Enabling Act and for the purposes set forth above, there shall be issued not exceeding Seven Million Five Hundred Thousand (\$7,500,000) Dollars of General Obligation Bonds of 2016 of the Town of Summerville. The Bonds shall be originally dated the date of their delivery, shall be in fully-registered form, shall be in denominations of \$5,000 each or any integral multiple thereof, and shall be numbered from R-1 upward. The Bonds shall mature on March 1 in annual series or installments, as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2017	\$250,000	2028	\$340,000
2018	250,000	2029	350,000
2019	260,000	2030	360,000
2020	265,000	2031	370,000
2021	270,000	2032	385,000
2022	285,000	2033	400,000
2023	290,000	2034	415,000
2024	300,000	2035	430,000
2025	310,000	2036	445,000
2026	325,000	2037	460,000
2027	330,000		

The Town reserves the right, in its sole discretion, either to decrease or increase the principal amount of the Bonds maturing in any year (all calculations to be rounded to the near \$5,000), provided that any such decrease or increase shall not exceed 20% of the Bonds maturing in such year and the aggregate principal amount of the Bonds will not exceed \$7,500,000. Such adjustment(s), if any, shall be made within 24 hours of the award of the Bonds.

Section 2 Optional Redemption of Bonds.

The Bonds maturing on and after March 1, 2027 shall be subject to redemption on and after March 1, 2026, at the option of the Town, in whole or in part at any time, at par plus accrued interest to the date fixed for redemption.

Section 3 Interest Rates on Bonds.

The Bonds shall bear such rate or rates of interest, payable on the Interest Payment Dates, beginning the dated date of the Bond, as shall, at the sale of the Bonds, reflect the lowest true interest cost to the Town, at a price of not less than par, but:

- (a) all bonds of the same maturity shall bear the same rate of interest;
- (b) no rate of interest named shall be more than 4% higher than the lowest rate of interest named;
- (c) each interest rate named shall be a multiple of 1/100th or 1/8th of one per centum (1%); and
- (d) any premium offered must be paid in cash as a part of the purchase price.

For the purposes of this Section 3, interest cost shall mean the aggregate of interest on all Bonds from the dated date of the Bonds until their respective maturities, less any sum named by way of premium.

Section 4 Medium of Payment.

Both the principal of and interest on the Bonds shall be payable in any coin or currency of the United States of America which is, at the time of payment, legal tender for the payment of public and private debts.

Section 5 Place of Payments; Paying Agent.

Principal of the Bonds, when due, shall be payable at the principal office of the Paying Agent. Interest on any Bond shall be payable by check or draft mailed on each Interest Payment Date to the person in whose name such Bond is registered at the close of business on the fifteenth day (whether or not a business day) of the calendar month next preceding such Interest Payment Date (the Regular Record Date) by the Paying Agent.

Section 6 Execution of Bonds; Designation of Authenticating Agent.

The Bonds shall be executed in the name of the Town by the Mayor of the Town of Summerville, attested by the Clerk and authenticated by an authorized officer of the Paying Agent as authenticating agent (the Authenticating Agent), provided that at least one of such signatures shall be a manual signature, and the seal of the Town shall be impressed or reproduced on each Bond. Any facsimile signature appearing on the Bonds may be those of the officers who are in office on the date of enactment of this ordinance. The Bonds shall be executed in respect of any manual signature by the person or persons holding office when such Bonds are ready for delivery. The execution of the Bonds in this fashion shall be valid and effectual notwithstanding changes in the personnel of any of the above offices subsequent to their execution. No Bond shall be of any force and effect unless and until authenticated by an authorized officer of the Authenticating Agent.

Section 7 Form of Bonds; Designation of Bond Registrar.

(a) The Bonds shall be issued in fully registered form, and all principal and interest due thereunder shall be payable only to the registered owner thereof. The Paying Agent shall serve as Bond Registrar (the Bond Registrar), and the Town Council hereby directs the Bond Registrar to maintain, at the Town's expense, the Books of Registry for the registration or transfer of the Bonds.

(b) The form of the Bonds and assignment provisions to be endorsed thereon shall be substantially as set forth in Exhibit A attached hereto and made a part of this Ordinance.

(c) A copy of the approving legal opinion to be rendered may be printed on the back of each Bond, and preceding the same, a certificate of authentication shall appear, which shall be signed on behalf of the Town by a facsimile of the signature of the Clerk. Such certificate of authentication shall be in form substantially as follows:

IT IS HEREBY CERTIFIED that the following is a true and correct copy of the complete legal opinion of Messrs. Haynsworth Sinkler Boyd, P.A., Attorneys and Counsellors at Law, Charleston, South Carolina, the original of which was manually executed, dated, and issued as of the date of the delivery of an payment for the Bonds, and a copy of which is on file with the Paying Agent.

TOWN OF SUMMERVILLE, SOUTH
CAROLINA

By: _____
Clerk of the Town Council of the Town of
Summerville, South Carolina

Section 8 Registration and Transfers of Bonds; Persons Treated as Owners.

(a) Each Bond shall be fully-registered, and no Bond may be transferred except by the registered owner thereof in person or by his attorney duly authorized in writing, upon surrender thereof together with a written instrument of transfer satisfactory to the Bond Registrar duly executed by the registered owner or his duly authorized attorney. Upon the transfer of any such registered Bond or Bonds, the Town shall execute and the Authenticating Agent shall authenticate and deliver, subject to the provisions of Section 11 of this Article, in the name of the transferee, a new registered Bond or Bonds of the same aggregate principal amount as the unpaid principal amount of the Surrendered Bond or Bonds.

(b) Any bondholder requesting any transfer shall pay any tax or other governmental charge required to be paid with respect thereto. Any purported assignment in contravention of the foregoing requirements shall be, as to the Town, absolutely null and void. The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of the principal of and interest on such Bonds shall be made only to or upon the order of the registered owner or his legal representative. All such payments shall be valid and effective to satisfy and discharge the liability of the Town upon such Bond to the extent of the sum or sums so paid. No person other than the registered owner shall have any right to receive payments, pursue remedies, enforce obligations or exercise or enjoy any other rights under any Bond against the Town. Notwithstanding the foregoing, nothing herein shall limit the rights of a person having a beneficial interest in any Bond as against a person (including the registered owner) other than the Town, as in the case where the registered owner is a trustee or nominee for two or more beneficial owners of an interest in any Bond.

(c) In the event that any Bond or portion thereof is duly called for redemption, the Bond Registrar shall not be required to exchange or transfer such Bond or portion of Bond after the Regular Record Date next preceding the date fixed for such redemption.

Section 9 Mutilated, Lost or Stolen Bonds.

In the event any Bond is mutilated, lost, stolen or destroyed, the Town may execute and the Authenticating Agent may authenticate a new Bond of like date, maturity, interest rate, and denomination as that mutilated, lost, stolen or destroyed; provided that, in the case of any mutilated Bond, such mutilated Bond shall first be surrendered to the Paying Agent, and in the case of any lost, stolen or destroyed Bond, there shall be first furnished to the Town and the Paying Agent evidence of such loss, theft, or destruction satisfactory to the Town and the Paying Agent, together with indemnity satisfactory to them, provided that in the case of a holder which is a bank or insurance company, the agreement of such bank or insurance company to indemnify shall be sufficient. In the event any such Bond shall have

matured, instead of issuing a duplicate Bond, the Town may pay the same without surrender thereof. The Town, the Paying Agent and the Authenticating Agent may charge the holder or owner of such Bond with their reasonable fees and expenses in this connection.

Section 10 Exchange of Bonds.

Subject to the provisions of Section 8 of this Article, the Bonds, upon surrender thereof to the Bond Registrar with a written instrument of transfer satisfactory to the Bond Registrar, duly executed by the registered owner or his duly authorized attorney, may, at the option of the registered owner thereof, and upon payment by such registered owner of any charge which the Paying Agent, the Authenticating Agent or the Bond Registrar may make as provided in Section 11 of this Article, be exchanged for a principal amount of Bonds of any other authorized denominations equal to the unpaid principal amount of surrendered Bonds.

Section 11 Regulations with Respect to Exchanges and Transfers.

In all cases in which the privilege of exchanging or transferring the Bonds is exercised, the Town shall execute and the Authenticating Agent shall authenticate and deliver the Bonds in accordance with the provisions of this Ordinance. All Bonds surrendered in any such exchanges or transfers shall forthwith be cancelled by the Paying Agent. There shall be no charge for such exchange or transfer of the Bonds except that the Paying Agent, the Bond Registrar and the Authenticating Agent may make a charge sufficient to reimburse it for any tax or other governmental charge required to be paid with respect to such exchange or transfer.

Section 12 Temporary Bonds.

The Bonds may be initially issued in temporary form, exchangeable for definitive Bonds to be delivered as soon as practicable. The temporary Bonds may be printed, lithographed or typewritten, shall be of such denominations as may be determined by the Town Council, shall be without coupons, and may contain such reference to any of the provisions of this Ordinance as may be appropriate. Every temporary Bond shall be executed by the Town upon the same conditions and in substantially the same manner as the definitive Bonds. If the Town issues temporary Bonds, it will execute and furnish definitive Bonds without delay, and thereupon the temporary Bonds shall be surrendered for cancellation at the principal office of the Paying Agent and the Paying Agent shall deliver and exchange for such temporary Bonds an equal, aggregate principal amount of definitive Bonds of like maturity or maturities and interest rate or rates. Until so exchanged, the temporary Bonds shall be entitled to the same benefits under this Ordinance as definitive Bonds under this Ordinance.

Section 13 Book-Entry System; Recording and Transfer of Ownership of Bonds.

(a) Unless otherwise agreed to by the Town and the Original Purchaser, and except as provided in paragraph (c) below, the Bonds shall be held under a book-entry only system administered in the name of the Nominee. Payment of interest on any Bonds registered in the name of the Nominee shall be made by New York Clearing House or equivalent next day funds to the account of the Nominee on the Interest for the Bonds at the address indicated for the Nominee on the registration books kept by the Bond Registrar.

(b) The Bonds shall be initially issued in the form of separate, single, authenticated fully-registered Bonds in the amount of each separately stated maturity of the Bonds. Upon initial issuance, the ownership of each such Bond shall be registered on the registration books kept by the Bond Registrar

in the name of the Nominee. The Bond Registrar and Paying Agent and the Town may treat the Securities Depository (or the Nominee) as the sole and exclusive owner of the Bonds registered in the name of the Nominee for the purpose of (A) paying the principal of, or interest on, the Bonds, (B) giving any notice permitted or required to be given to Owners of Bonds hereunder, (C) registering the transfer of Bonds, (D) obtaining any consent or other action to be taken by the Owners of the Bonds and for all other purposes whatsoever; and neither the Bond Registrar and Paying Agent nor the Town shall be affected by any notice to the contrary. Neither the Bond Registrar and Paying Agent nor the Town shall have any responsibility or obligation to any Participant, any Beneficial Owner or any other person claiming a beneficial ownership interest in the Bonds under or through the Securities Depository or any Participant, or any other person which is not shown on the registration books of the Bond Registrar as being an Owner of Bonds, with respect to (E) the accuracy of any records maintained by the Securities Depository or any Participant; (F) the payment to the Securities Depository, any Participant or any Beneficial Owner of any amount in respect of the principal of, or interest on, the Bonds; (G) any notice which is permitted or required to be given to Owners of the Bonds hereunder; (H) the selection by the Securities Depository or any Participant or any other person to receive payment in the event of a partial redemption of the Bonds; or (I) any consent given or other action taken by the Securities Depository as such Owner. The Paying Agent shall pay all principal of and premium, if any, and interest on the Bonds only to the Securities Depository (or the Nominee), and all such payments shall be valid and effectual with respect to the principal of and premium, if any, and interest on the Bonds to the extent of the sum or sums so paid. Except as provided in paragraph (c) below, no person other than the Securities Depository shall receive an authenticated bond. Upon delivery by the Securities Depository to the Bond Registrar and Paying Agent of written notice to the effect that the Securities Depository has determined to substitute a new Nominee in place of Cede & Co., the Bonds shall be transferable to such new Nominee in accordance with the provisions hereof.

(c) In the event the Town determines that it is in the best interests of the Town not to continue the book-entry only system of transfer with respect to the Bonds, or that the interests of the Beneficial Owners might be adversely affected in the book-entry only system of transfer is continued with respect to the Bonds, then the Town may notify the Securities Depository and the Bond Registrar and Paying Agent, whereupon the Securities Depository will notify the Participants of the availability through the Securities Depository of bonds. In such event, the Bond Registrar and Paying Agent shall issue, transfer and exchange bonds as requested by the Securities Depository and any Participant or Beneficial Owner in appropriate amounts in accordance herewith. The Securities Depository may determine to discontinue providing its services with respect to the Bonds at any time by giving notice to the Town and the Bond Registrar and Paying Agent and discharging its responsibilities with respect thereto under applicable law or the Town may determine that the Securities Depository is incapable of discharging its duties as such and may so advise the Securities Depository. In either such event, the Town shall either (A) establish its own book-entry system, (B) select another Securities Depository, or (C) deliver bonds as provided herein and as requested by any Participant or Beneficial Owner. In the event the Town determines it in the best interest of the Town, and notwithstanding any provision of this Ordinance to the contrary, the Bonds may initially be issued in fully registered form as determined by the Mayor under such terms and conditions as shall be set forth in a certificate to be executed by him, such execution to be conclusive evidence of approval thereof.

(d) Notwithstanding anything in this Ordinance to the contrary, the Town and the Bond Registrar and Paying Agent hereby agree as follows with respect to the Bonds, if and to the extent any Bond is registered in the name of "Cede & Co." as nominee of DTC: (A) the Bond Registrar and Paying Agent shall give DTC all special notices required by the Letter of Representations at the times, in the forms and by the means required by the Letter of Representations; (B) the Bond Registrar and Paying Agent shall make payments to Cede & Co. at the times and by the means specified in the Letter of

Representations; (C) Cede & Co. shall not be required to surrender Bonds which have been partially paid or prepaid to the extent permitted by the Letter of Representations; and (D) the Bond Registrar and Paying Agent shall set a special record date (and shall notify the registered owners of the Bonds thereof in writing) prior to soliciting any Holder consent or vote, such notice to be not less than fifteen (15) calendar days prior to such record date (any Bond transferred by a registered owner subsequent to the establishment of the special record date and prior to obtaining such consent or vote shall have attached to it a copy of the notice of Holders by the Bond Registrar and Paying Agent).

(e) The Town and the Bond Registrar and Paying Agent will recognize DTC or its nominee as the Holder for all purposes hereunder, including notices and voting.

(f) Whenever, during the term of the Bonds, beneficial ownership thereof is determined by a book entry at DTC, the requirements in this Ordinance of holding, delivering or transferring Bonds shall be deemed modified to require the appropriate person to meet the requirements of DTC as to registering or transferring the book entry to produce the same effect.

ARTICLE III SECURITY FOR BONDS

Section 1 Pledge of Full Faith, Credit, and Taxing Power.

For the payment of the principal and interest on the Bonds as the same respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit, and taxing power of the Town are irrevocably pledged, and there shall be levied annually by the Auditor of Dorchester County, and collected by the Treasurer of Dorchester County, in the same manner as other Town taxes are levied and collected, a tax, without limit, on all taxable property in the Town, sufficient to pay the principal and interest of the Bonds as they respectively mature, and to create such sinking fund as may be necessary therefor.

Section 2 Levy and Collection of Taxes.

The Auditor and Treasurer of Dorchester County, South Carolina shall be notified of this issue of Bonds and directed to levy and collect, respectively, upon all taxable property in the Town, an annual tax, without limit, sufficient to meet the payment of the principal of and interest on the Bonds, as the same respectively mature, and to create such sinking fund as may be necessary therefor.

ARTICLE IV SALE OF BONDS; DISPOSITION OF PROCEEDS OF SALE

Section 1 Sale of Bonds.

(a) The Bonds shall be sold at public sale, at not less than par and accrued interest to the date of delivery. Bids shall be received until such time and date and at such place to be selected by the Mayor; and the Mayor is authorized to reject any and all bids or to accept the lowest bid on behalf of the Town Council. The Bonds shall be advertised for sale in:

THE POST AND COURIER, a newspaper published in the City of Charleston, South Carolina, and having general circulation in the State of South Carolina; or

THE BOND BUYER, a financial journal published in the City of New York, State of New York;

which shall appear at least once, not less than seven days before the date set for the sale.

(b) On behalf of the Town, the Mayor is hereby authorized to sell the Bonds in one or more series without further action by Town Council. Town Council recognizes that the issuance of bonds for the purpose of refunding a portion of the Series 2007 Bonds may become inadvisable if interest rates rise before the sale, and that it may be advantageous, nevertheless, to proceed promptly with the sale of bonds to refund a portion of the Series 2007 Bonds before any further increase may occur. Accordingly, the Mayor is hereby authorized on behalf of the Town to sell less than all of the Bonds authorized herein to accomplish a partial refunding of the Series 2007 Bonds. In exercising this discretion, the Mayor may rely on the advice of the financial advisor to the Town.

Section 2 Disposition of Proceeds of Sale of Bonds.

(a) There is hereby created a separate account to be named the “Bond Fund” or such other name as shall be determined by the Mayor to be held by the Director of Finance of the Town. Various accounts may be established within the Bond Fund in order to comply with any requirements of federal or State law, including arbitrage rebate requirements.

(b) The proceeds derived from the sale of the Bonds issued pursuant to this Ordinance shall be expended and made use of by the Town Council as follows:

(i) A portion of the proceeds derived from the sale of the Bonds shall be applied to the cost of issuing the Bonds; and

(ii) The remaining proceeds derived from the sale of the Bonds shall be deposited with the Series 2007 Paying Agent (or such other financial institution which shall be designated by the Mayor as escrow agent) in an irrevocable trust pursuant to Article VI of the Series 2007 Ordinance and used to pay when due the principal of, redemption premium and interest on the Series 2007 Bonds through and including their date of redemption.

(c) No purchaser or holder of the Bonds shall be liable for the proper application of the proceeds thereof.

Section 3 Notice of Redemption of Series 2007 Bonds.

The Town hereby irrevocably binds and obligates itself to give notice of redemption of the Series 2007 Bonds, or a portion thereof, at such time and in such manner as required by the Series 2007 Ordinance and hereby further authorizes and empower the Series 2007 Paying Agent to cause such notice of redemption to be given in its name and on its behalf provided the Bonds are sold.

ARTICLE V
TAX EXEMPTION OF BONDS

Section 1 Exemption from State Taxes.

Both the principal of and interest on the Bonds shall be exempt from all state, municipal, school district, and all other taxes or assessments of the State of South Carolina, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise, except inheritance, estate, or transfer taxes.

Section 2 Federal Guarantee Prohibition.

The Town shall not take any action or permit or suffer any action to be taken if the result of the same would be to cause the Bonds to be “federally guaranteed” within the meaning of Section 149(b) of the Code and the Regulations.

Section 3 Private Business Use Limitation.

In the event any Net Proceeds of the Bonds are used for a Private Business Use, the Town shall assure that (i) not in excess of ten percent (10%) of the Net Proceeds of the Bonds is used for a Private Business Use if, in addition, the payment of more than ten percent (10%) of the principal or ten percent (10%) of the interest due on the Bonds during the term thereof is, under the terms of the Bonds or any underlying arrangement, directly or indirectly, secured by any interest in property used or to be used for a Private Business Use or in payments in respect of property used or to be used for a Private Business Use or is to be derived from payments, whether or not to the Town, in respect of property or borrowed money used or to be used for a Private Business Use; and (ii) in the event that both (a) in excess of five percent (5%) of the Net Proceeds of the Bonds is used for a Private Business Use, and (b) an amount in excess of five percent (5%) of the principal or five percent (5%) of the interest due on the Bonds during the term thereof is, under the terms of the Bonds or any underlying arrangement, directly or indirectly, secured by any interest in property used or to be used for a Private Business Use or in payments in respect of property used or to be used for a Private Business Use or is to be derived from payments, whether or not to the Town, in respect of property or borrowed money used or to be used for a Private Business Use, then the excess over five percent (5%) of Net Proceeds of the Bonds used for a Private Business Use shall be used for a Private Business Use related to the governmental use of a portion of the facilities financed or refinanced with the proceeds of the Bonds and shall not exceed the proceeds used for the governmental use of the portion of such facilities to which such Private Business Use is related.

Section 4 Private Loan Limitation.

In the event any Net Proceeds of the Bonds is used to make or finance a loan to persons other than state or local government units, the Town shall assure that not in excess of five percent (5%) of the Net Proceeds of the Bonds is used, directly or indirectly, for such purpose.

Section 5 No Arbitrage.

The Town shall not take, or permit or suffer to be taken, any action with respect to the Gross Proceeds of the Bonds which would cause the Bonds to be “arbitrage bonds” within the meaning of Section 148(a) of the Code and Regulations.

Section 6 Ability to Meet Requirements of Certain State and Federal Requirements.

The Town will take such action as is necessary to preserve the exclusion from gross income for federal income tax purposes of interest earned on the Bonds.

Pursuant to Section 11-1-85, Code of Laws of South Carolina, 1976, as amended, the Town shall file an independent audit with a central repository and to file with a central repository event specific information within thirty days of an event adversely affecting more than five percent of revenue or its tax base.

The Town hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate, the form of which is attached hereto as Exhibit B. Notwithstanding any other provision of this Ordinance, failure of the Town to comply with the Continuing Disclosure Certificate shall not be considered an event of default with respect to the Bonds; however, any Holder of the Bonds may take such actions as may be necessary and appropriate, including seeking mandamus or specific performance by court order, to cause the Town to comply with its obligations under this Section. The Continuing Disclosure Certificate shall be executed by the Mayor prior to the delivery of the Bonds and shall be in such form as is set forth in Exhibit B hereto, together with such modifications and amendments thereto as shall be deemed necessary by the Mayor, upon advice of counsel. The execution of the Continuing Disclosure Certificate shall constitute conclusive evidence of the approval by the person executing the same of any and all modifications and amendments thereto.

Section 7 Designation as Qualified Tax Exempt Obligations. (a) The Town Council makes the following findings with respect to the Bonds.

(i) The Bonds are not "private activity bonds" as defined in Section 141 of the Code.

(ii) The Town does not reasonably anticipate the amount of "qualified tax exempt obligations" (other than private activity bonds which are not qualified 501(c)(3) bonds) which will be issued by the Town during the calendar year ending December 31, 2016 to exceed \$10,000,000.

(iii) For purposes of this paragraph (a), the Town and all subordinate entities thereof are treated as a single issuer.

(b) On the basis of the foregoing, the Town Council hereby designates the Bonds as "Qualified Tax Exempt Obligations" within the meaning of Section 265(b)(3)(B)(ii) of the Code.

ARTICLE VI
DEFEASANCE

Section 1 Release of Ordinance.

(a) If all of the Bonds issued pursuant to this Ordinance shall have been paid and discharged, then the obligations of the Town under this Ordinance, and all other rights granted hereby, shall cease and determine. Bonds shall be deemed to have been paid and discharged within the meaning of this Article under each of the following circumstances:

(i) If the Paying Agent shall hold, at the stated maturities of such Bonds, in trust and irrevocably appropriated thereto, moneys for the full payment thereof; or

(ii) If default in the payment of the principal of such Bonds or the interest thereon shall have occurred, and thereafter tender of such payment shall have been made, and the Paying Agent shall hold, in trust and irrevocably appropriated thereto, sufficient moneys for the payment thereof to the date of the tender of such payment; or

(iii) If the Town shall have deposited with the Paying Agent, in an irrevocable trust, either moneys in an amount which shall be sufficient, or direct general obligations of the United States of America, which are not subject to redemption by the issuer prior to the date of maturity or redemption of the Bonds to be defeased, as the case may be, the principal of and interest on which, when due, and without reinvestment thereof, will provide moneys, which, together with the moneys, if any, deposited with the Paying Agent at the same time, shall be sufficient to pay, when due, the principal, interest, and redemption premium or premiums, if any, due and to become due on and prior to the maturity date or dates, or, if the Town shall elect to redeem such Bonds prior to their stated maturities, and shall have irrevocably bound and obligated itself to give notice of redemption thereof in the manner provided by Section 7 of Article II hereof, on and prior to the redemption date or dates of such Bonds, as the case may be; or

(iv) If there shall have been deposited with the Paying Agent either moneys in an amount which shall be sufficient, or direct general obligations of the United States of America the principal of and interest on which, when due, will provide moneys which, together with the moneys, if any, deposited with the Paying Agent at the same time, shall be sufficient to pay, when due, the principal and interest due and to become due on the Bonds on the maturity thereof.

(b) In addition to the above requirements of paragraphs (i), (ii), (iii), or (iv), in order for this Ordinance to be discharged, all other fees, expenses and charges of the Fiscal Agents shall have been paid in full at such time.

(c) Notwithstanding the satisfaction and discharge of this Ordinance, the Paying Agent shall continue to be obligated to hold in trust any moneys or investments then held by the Paying Agent for the payment of the principal of, premium, if any, and interest on the Bonds, and to pay to the owners of Bonds the funds so held by the Paying Agent as and when such payment becomes due.

(d) Any release under this Section shall be without prejudice to the rights of the Fiscal Agents to be paid reasonable compensation for all services rendered under this Ordinance and all reasonable expenses, charges and other disbursements and those of their respective attorneys, agents and employees, incurred on and about the administration of trusts by this Ordinance created and the performance of the powers and duties under this Ordinance of the Fiscal Agents.

Section 2 Deposit of Moneys.

Any moneys which at any time shall be deposited with the Paying Agent by or on behalf of the Town for the purpose of paying and discharging any Bonds shall be and are hereby assigned, transferred, and set over to the Paying Agent in trust for the respective holders of such Bonds, and such moneys shall be and are hereby irrevocably appropriated to the payment and discharge thereof. If, through lapse of time or otherwise, the holders of such Bonds shall no longer be entitled to enforce payment of their

obligations, then, in such event, it shall be the duty of the Paying Agent to transfer such funds to the Town.

Section 3 Notice of Release of Ordinance.

(a) In the event any of the Bonds are not to be redeemed within the sixty (60) days next succeeding the date the deposit required by Section 1(a) (iii) or (iv) of this Article is made, the Town shall give the Paying Agent irrevocable instructions to mail, as soon as practicable by registered or certified mail, a notice to the owners of such Bonds at the addresses shown on the Books of Registry that (i) the deposit required by subparagraph (a) (iii) or (a)(iv) of Section 1 of this Article has been made with the Paying Agent, and (ii) the Bonds are deemed to have been paid in accordance with this Article and stating such maturity or redemption dates upon which moneys are to be available for the payment of the principal of, and premium, if any, and interest on the Bonds.

(b) The Town covenants and agrees that any moneys which it shall deposit with the Paying Agent shall be deemed to be deposited in accordance with, and subject to, the applicable provisions of this Article, and whenever it shall have elected to redeem Bonds, it will irrevocably bind and obligate itself to give notice of redemption thereof, and will further authorize and empower the Paying Agent to cause such notice of redemption to be given in its name and on its behalf.

ARTICLE VII
AMENDING AND SUPPLEMENTING OF ORDINANCE

Section 1 Amending and Supplementing of Ordinance Without Consent of Holders of Bonds.

(a) The Town Council, from time to time and at any time and without the consent or concurrence of any holder of any Bond, may enact an ordinance amendatory hereof or supplemental hereto, if the provisions of such supplemental ordinance shall not materially adversely affect the rights of the holders of the Bonds then outstanding, for any one or more of the following purposes:

1. To make any changes or corrections in this Ordinance as to which the Town Council shall have been advised by counsel that the same are verbal corrections or changes or are required for the purpose of curing or correcting any ambiguity or defective or inconsistent provision or omission or mistake or manifest error contained in this Ordinance, or to insert in this Ordinance such provisions clarifying matters or questions arising under this Ordinance as are necessary or desirable;

2. To add additional covenants and agreements of the Town for the purpose of further securing the payment of the Bonds;

3. To surrender any right, power or privilege reserved to or conferred upon the Town by the terms of this Ordinance;

4. To grant or confer upon the bondholders any additional right, remedies, powers, authority or security that lawfully may be granted to or conferred upon them; or

5. To make such additions, deletions or modifications as may be necessary to assure compliance with Section 148(f) of the Code relating to required rebate to the United

States or otherwise as may be necessary to assure the exclusion from gross income of interest on the Bonds for purposes of federal income taxation.

(b) The Town shall not enact any supplemental ordinance authorized by the foregoing provisions of this Section unless in the opinion of counsel (which opinion may be combined with the opinion required by Section 4 hereof) the enactment of such supplemental ordinance is permitted by the foregoing provisions of this Section and the provisions of such supplemental ordinance do not adversely affect the rights of the holders of the Bonds then outstanding.

Section 2 Amending and Supplementing of Ordinance With Consent of Holders of Bonds.

(a) With the consent of the holders of not less than a majority in principal amount of the Bonds then outstanding the Town Council from time to time and at any time may enact an ordinance amendatory hereof or supplemental hereto for the purpose of adding any provisions to, or changing in any manner or eliminating any of the provisions of, this Ordinance, or modifying or amending the rights and obligations of the Town under this Ordinance, or modifying or amending in any manner the rights of the holders of the Bonds then outstanding; provided, however, that, without the specific consent of the holder of each such Bond which would be affected thereby, no supplemental ordinance amending or supplementing the provisions hereof shall: (i) change the fixed maturity date of any Bond or the dates for the payment of interest thereon or the terms of the redemption thereof, or reduce the principal amount of any Bond or the rate of interest thereon or the redemption price (or the redemption premium) payable upon the redemption or prepayment thereof; (ii) in any way limit or alter the pledge of the full faith, credit and taxing power as security for the Bonds as provided in Article III hereof; (iii) reduce the aforesaid percentage of Bonds, the holders of which are required to consent to any supplemental ordinance amending or supplementing the provisions of this Ordinance; or (iv) give to any Bond or Bonds any preference over any other Bond or Bonds secured hereby. Nothing in this paragraph contained, however, shall be construed as making necessary the approval of the holders of the Bonds of the enactment of any supplemental ordinance authorized by the provisions of Section 1 of this Article.

(b) It shall not be necessary that the consents of the holders of the Bonds approve the particular form of wording of the proposed amendment or supplement or of the supplemental ordinance affecting such amending or supplementing hereof pursuant to this Section. The Town shall mail a notice at least once, not more than thirty (30) days after the effective date of such amendment or supplement of such amendment or supplement postage prepaid, to each holder of Bonds then outstanding at his address, if any, appearing upon the Books of Registry and to the Paying Agent, but failure to mail copies of such notice to any of the holders shall not affect the validity of the supplemental ordinance effecting such amendments or supplements or the consents thereto. Nothing in this paragraph contained, however, shall be construed as requiring the giving of notice of any amendment or supplement of this Ordinance authorized by Section 1 of this Article. No action or proceeding to set aside or invalidate such supplemental ordinance or any of the proceedings for its enactment shall be instituted or maintained unless such action or proceeding is commenced within sixty (60) days after the mailing of the notice required by this paragraph.

Section 3 Notation Upon Bonds; New Bonds Issued Upon Amendments.

Bonds delivered after the effective date of any action taken as provided in this Article may bear a notation as to such action, by endorsement or otherwise and in form approved by the Town. In that case, upon demand of the holder of any Bond outstanding after such effective date and upon the presentation of the Bond for such purpose at the office of the Paying Agent, and at such additional offices, if any, as the Town may select and designate for that purpose, a suitable notation shall be made on such Bond. If

the Town shall so determine, new Bonds, so modified as in the opinion of the Town upon the advice of counsel to conform to the amendments or supplements made pursuant to this Article, shall be prepared, executed, and delivered, and upon demand of the holder of any Bond then outstanding shall be exchanged without cost to such holder for Bonds then outstanding, upon surrender of such outstanding Bonds.

Section 4 Effectiveness of Supplemental Ordinance.

Upon the enactment (pursuant to this Article and applicable law) by the Town Council of any supplemental ordinance amending or supplementing the provisions of this Ordinance and the delivery to the Paying Agent and the Town Council of an opinion of bond counsel that such supplemental ordinance is in due form and has been duly enacted in accordance with the provisions hereof and applicable law and that the provisions thereof are valid and binding upon the Town, or upon such later date as may be specified in such supplemental ordinance, (a) this Ordinance and the Bonds shall be modified and amended in accordance with such supplemental ordinance, (b) the respective rights, limitations of rights, obligations, duties, and immunities under this Ordinance of the Town, the Fiscal Agents, and the holders of the Bonds shall thereafter be determined, exercised, and enforced under this Ordinance subject in all respects to such modifications and amendments, and (c) all of the terms and conditions of any such supplemental ordinance shall be a part of the terms and conditions of the Bonds and of this Ordinance for any and all purposes.

Section 5 Supplemental Ordinance Affecting Fiscal Agents.

No supplemental ordinance changing, amending or modifying any of the rights, duties and obligations of any Fiscal Agent appointed by or pursuant to the provisions of this Ordinance may be enacted by the Town Council or be consented to by the holders of the Bonds without written consent of such Fiscal Agent affected thereby.

ARTICLE VIII
CONCERNING THE FISCAL AGENTS

Section 1 Fiscal Agents; Appointment and Acceptance of Duties.

The Paying Agent, the Bond Registrar and the Authenticating Agent shall accept the duties and trusts imposed upon them by this Ordinance and shall agree in writing to perform such trusts but only upon the terms and conditions set forth in this Article VIII. Similarly, each financial institution appointed as a successor Paying Agent, Bond Registrar and Authenticating Agent shall signify its acceptance of the duties and trusts imposed by this Ordinance by a written acceptance.

Section 2 Responsibilities of Fiscal Agents.

The recitals of fact contained herein and in the Bonds shall be taken as the statements of the Town and no Fiscal Agent shall be deemed to assume any responsibility for the correctness of the same except in respect of the authentication certificate of the Authenticating Agent endorsed on the Bonds. No Fiscal Agent shall be deemed to make any representations as to the validity or sufficiency of this Ordinance or of any Bonds or as to the security afforded by this Ordinance, and no Fiscal Agent shall incur any liability in respect thereof. No Fiscal Agent shall be under any responsibility or duty with respect to the application of any moneys paid to any other Fiscal Agent. No Fiscal Agent shall be under any obligation or duty to perform any act which would involve it in expense or liability or to institute or

defend any suit in respect hereof or to advance any of its own moneys, unless indemnified to its reasonable satisfaction. No Fiscal Agent shall be liable in connection with the performance of its duties hereunder except for its own negligence or willful misconduct.

Section 3 Evidence on Which Fiscal Agents May Act.

(a) Each Fiscal Agent, upon receipt of any notice, resolution, request, consent order, certificate, report, opinion, Bond, or other paper or document furnished to it pursuant to any provision of this Ordinance, shall examine such instrument to determine whether it conforms to the requirements of this Ordinance and shall be protected in acting upon any such instrument believed by it to be genuine and to have been signed or presented by the proper party or parties. Each Fiscal Agent may consult with counsel, who may or may not be of counsel to the Town, and the opinion of such counsel shall be full and complete authorization and protection in respect of any action taken or suffered by it under this Ordinance in good faith and in accordance therewith.

(b) Whenever any Fiscal Agent shall deem it necessary or desirable that a matter be proved or established prior to taking or suffering any action under this Ordinance, such matter (unless other evidence in respect thereof be therein specifically prescribed) may be deemed to be conclusively proved and established by a certificate of the Mayor, and such certificate shall be full warrant for any action taken or suffered in good faith under the provisions of this Ordinance; but in its discretion the Fiscal Agent may in lieu thereof accept other evidence of such fact or matter or may require such further or additional evidence as it may deem reasonable.

(c) Except as otherwise expressly provided in this Ordinance any request, order, notice or other direction required or permitted to be furnished pursuant to any provision thereof by the Town to any Fiscal Agent shall be sufficiently executed if executed in the name of the Town by the Mayor.

Section 4 Compensation.

The Town shall pay to each Fiscal Agent from time to time reasonable compensation based on the then standard fee schedule of the Fiscal Agent for all services rendered under this Ordinance, and also all reasonable expenses, charges, counsel fees and other disbursements, including those of its attorneys, agents, and employees, incurred in and about the performance of their powers and duties under this Ordinance. Subject to the provisions of Section 2 of this Article VIII, the Town further agrees to indemnify and save each Fiscal Agent harmless against any liabilities which it may incur in the exercise and performance of its powers and duties hereunder and which are not due to its negligence or willful misconduct; provided, however, that any specific agreement between the Town and a Fiscal Agent with respect to the compensation of such Fiscal Agent shall control the compensation to be paid to such Fiscal Agent.

Section 5 Certain Permitted Acts.

Any Fiscal Agent may become the owner or underwriter of any Bonds, notes, or other obligations of the Town, or conduct any banking activities with respect to the Town, with the same rights it would have if it were not a Fiscal Agent. To the extent permitted by law, any Fiscal Agent may act as depositary for and permit any of its officers or directors to effect or aid in any reorganization growing out of the enforcement of the Bonds or this Ordinance.

Section 6 Resignation of Any Fiscal Agent.

Any Fiscal Agent may at any time resign and be discharged of the duties and obligations created by this Ordinance by giving not less than sixty (60) days' written notice to the Town and not less than thirty (30) days' written notice to the registered holders of the Bonds (as established by the Books of Registry) prior to the next succeeding Interest Payment Date, and such resignation shall take effect upon the date specified in such notice unless a successor shall have been appointed previously by the Town pursuant to Section 8 of this Article VIII in which event such resignation shall take effect immediately upon the appointment of such successor. In no event, however, shall such a resignation take effect until a successor has been appointed.

Section 7 Removal of Fiscal Agent.

Any Fiscal Agent may be removed at any time by an instrument or concurrent instruments in writing, filed with the Town and such Fiscal Agent, and signed by the registered owners representing a majority in principal amount of the Bonds then outstanding or their attorneys in fact duly authorized.

Section 8 Appointment of Successor Fiscal Agents.

(a) In case any Fiscal Agent hereunder shall resign or be removed, or be dissolved, or shall be in the course of dissolution or liquidation, or otherwise become incapable of acting hereunder, or in case it shall be taken under the control of any public officer or officers, or of a receiver appointed by a court, a successor shall be appointed by the Town. Every such Fiscal Agent appointed pursuant to the provisions of this Section 8 shall be a trust company or bank organized under the laws of the United States of America or any state thereof and which is in good standing, within or outside the State of South Carolina, having a stockholders' equity of not less than \$25,000,000 if there be such an institution willing, qualified and able to accept the trust upon reasonable and customary terms.

(b) If in a proper case no appointment of a successor Fiscal Agent shall be made by the Town pursuant to the foregoing provisions of this Section 8 within forty-five (45) days after any Fiscal Agent shall have given to the Town written notice as provided in Section 6 of this Article VIII or after a vacancy in the office of such Fiscal Agent shall have occurred by reason of its removal or inability to act, the former Fiscal Agent or any registered owner may apply to any court of competent jurisdiction to appoint a successor. The court may thereupon, after such notice, if any, as such court may deem proper, appoint a successor.

Section 9 Transfer of Rights and Property to Successor.

Any successor Fiscal Agent appointed under this Ordinance shall execute, acknowledge and deliver to its predecessor, and also to the Town, an instrument accepting such appointment, and thereupon such successor, without any further act, deed or conveyance, shall become fully vested with all moneys, estates, properties, rights, powers, duties and obligations of such predecessor Fiscal Agent, with like effect as if originally named in such capacity; but the Fiscal Agent ceasing to act shall nevertheless, at the request of the Town, or at the written request of the successor Fiscal Agent, execute, acknowledge, and deliver such instruments of conveyance and further assurance and do such other things as may reasonably be required for more fully and certainly vesting and confirming in such successor Fiscal Agent all the right, title, and interest of the predecessor Fiscal Agent in and to any property held by it under this Ordinance, and shall pay over, assign, and deliver to the successor Fiscal Agent any money or other property subject to the trusts and conditions herein set forth. Should any deed, conveyance, or instrument in writing, from the Town be required by such successor Fiscal Agent for more fully and

certainly vesting in and confirming to such successor any such estates, rights, powers, and duties, any and all such deeds, conveyances, and instruments in writing shall, on request, and so far as may be authorized by law, be executed, acknowledged, and delivered by the Town. Any such successor Fiscal Agent shall promptly notify the other Fiscal Agents, if any, of its appointment as Fiscal Agent.

Section 10 Merger or Consolidation.

Any corporation into which any Fiscal Agent may be merged or converted or with which it may be consolidated or any corporation resulting from any merger, conversion or consolidation to which it may be party or any corporation to which any Fiscal Agent may sell or transfer all or substantially all of its corporate trust business, provided such corporation shall be a bank or trust company organized under the laws of the United States of America or any state thereof, and shall be authorized by law to perform all the duties imposed upon it by this Ordinance, shall be the successor to such Fiscal Agent without the execution or filing of any paper or the performance of any further act.

Section 11 Adoption of Authentication.

In case any of the Bonds contemplated to be issued under this Ordinance shall have been authenticated but not delivered, any successor Authenticating Agent may adopt the certificate of authentication of any predecessor Authenticating Agent so authenticating such Bonds and deliver such Bonds so authenticated. In case any such Bonds shall not have been authenticated, any successor Authenticating Agent may authenticate such Bonds in the name of the predecessor Authenticating Agent or in the name of the successor Authenticating Agent, and in all such cases such certificate shall be of full force and effect.

ARTICLE IX
MISCELLANEOUS

Section 1 Execution of Closing Documents and Certificates.

The Mayor, the Clerk and all other officers and employees of the Town are fully authorized and empowered to take such further action and to execute and deliver such closing documents and such additional documents and certificates as may be necessary and proper in order to complete the issuance of the Bonds herein authorized and the action of such officers or any one or more of them in executing and delivering any of such documents, in such form as he or they shall approve, is hereby fully authorized. In addition, the Town hereby designates Haynsworth Sinkler Boyd, P.A. as Bond Counsel and First Tryon Advisors as Financial Advisor in connection with the issuance of the Bonds.

Section 2 Mayor Pro Tempore May Act in Mayor's Absence; Acting Clerk May Act in Clerk's Absence.

In the absence of the Mayor, the mayor pro tempore of the Town is fully authorized to exercise all powers vested in the Mayor under this Ordinance. In the absence of the Clerk, the acting clerk of the Town Council is fully authorized to exercise all powers and take all actions vested in the Clerk under this Ordinance.

Section 3 Official Statement.

The Town Council hereby authorizes the use of an official statement of the Town relating to the Bonds which shall be used in connection with the sale of the Bonds. Such official statement shall be in the form approved by the Mayor, upon the advice of bond counsel. The Mayor is hereby authorized and directed to execute copies of such official statement and deliver the same to the Original Purchaser of the Bonds, which execution and delivery shall be conclusive evidence of the Town Council's approval of such official statement.

Section 4 Benefits of Ordinance Limited to the Town and Holders of the Bonds.

With the exception of rights or benefits herein expressly conferred, nothing expressed or mentioned in or to be implied from this Ordinance or the Bonds is intended or should be construed to confer upon or give to any person other than the Town and the holders of the Bonds, any legal or equitable right, remedy or claim under or by reason of or in respect to this Ordinance or any covenant, condition, stipulation, promise, agreement or provision herein contained. This Ordinance and all of the covenants, conditions, stipulations, promises, agreements and provisions hereof are intended to be and shall be for and inure to the sole and exclusive benefit of the Town and the holders from time to time of the Bonds as herein and therein provided.

Section 5 Ordinance Binding Upon Successors or Assigns of the Town.

All the terms, provisions, conditions, covenants, warranties and agreements contained in this Ordinance shall be binding upon the successors and assigns of the Town and shall inure to the benefit of the holders of the Bonds.

Section 6 No Personal Liability.

No recourse shall be had for the enforcement of any obligation, covenant, promise or agreement of the Town contained in this Ordinance or the Bonds, against any member of the Town Council, any officer or employee, as such, in his or her individual capacity, past, present, or future, of the Town, either directly or through the Town, whether by virtue of any constitutional provision, statute or rule of law, or by the enforcement of any assessment or penalty or otherwise, it being expressly agreed and understood that this Ordinance and the Bonds are solely corporate obligations, and that no personal liability whatsoever shall attach to, or be incurred by, any member, officer, or employee as such, past, present, or future, of the Town, either directly or by reason of any of the obligations, covenants, promises, or agreements entered into between the Town and the bondholders or to be implied therefrom as being supplemental hereto or thereto, and that all personal liability of that character against every such member, officer and employee is, by the enactment of this Ordinance and the execution of the Bonds, and as a condition of, and as a part of the consideration for, the enactment of this Ordinance and the execution of the Bonds, expressly waived and released. The immunity of members, officers, and employees of the Town under the provisions contained in this Section shall survive the termination of this Ordinance.

Section 7 Effect of Saturdays, Sundays and Legal Holidays.

Whenever this Ordinance requires any action to be taken on a Saturday, Sunday, legal holiday, or bank holiday in the State of South Carolina or in a state where the office of any Fiscal Agent is located, such action shall be taken on the first business day occurring thereafter. Whenever in this Ordinance the time within which any action is required to be taken or within which any right will lapse or expire shall terminate on a Saturday, Sunday, legal holiday, or bank holiday in the State of South Carolina or in a

state where the office of any Fiscal Agent is located, such time shall continue to run until midnight on the next succeeding business day.

Section 8 Partial Invalidity.

(a) If any one or more of the covenants or agreements or portions thereof provided in this Ordinance on the part of the Town or any Fiscal Agent to be performed should be determined by a court of competent jurisdiction to be contrary to law, then such covenant or covenants, or such agreement or agreements, or such portions thereof, shall be deemed severable from the remaining covenants and agreements or portions thereof provided in this Ordinance and the invalidity thereof shall in no way affect the validity of the other provisions of this Ordinance or of the Bonds, but the holders of the Bonds shall retain all the rights and benefits accorded to them hereunder and under any applicable provisions of law.

(b) If any provisions of this Ordinance shall be held or deemed to be or shall, in fact, be inoperative or unenforceable or invalid as applied in any particular case in any jurisdiction or jurisdictions or in all jurisdictions, or in all cases because it conflicts with any constitution or statute or rule of public policy, or for any other reason, such circumstances shall not have the effect of rendering the provision in question inoperative or unenforceable or invalid in any other case or circumstance, or of rendering any other provision or provisions herein contained inoperative or unenforceable or invalid to any extent whatever.

Section 9 Law and Place of Enforcement of the Ordinance.

This Ordinance shall be construed and interpreted in accordance with the laws of the State of South Carolina and all suits and actions arising out of this Ordinance shall be instituted in a court of competent jurisdiction in that State.

Section 10 Effect of Article and Section Headings and Table of Contents.

The heading or titles of the several Articles and Sections hereof, and any table of contents appended hereto or to copies hereof, shall be solely for convenience of reference and shall not affect the meaning, construction, interpretation or effect of this Ordinance.

Section 11 Repeal of Inconsistent Ordinances and Resolutions.

All ordinances and resolutions of the Town Council, and any part of any ordinance or resolution, inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 12 Codification.

This Ordinance shall be forthwith codified in the Code of The Town of Summerville Ordinances in the manner required by law and the name shall be indexed under the general heading "Bond Issue: not exceeding \$7,500,000 General Obligation Refunding Bonds."

Section 13 Notice of Enactment of Ordinance.

Upon enactment of this Ordinance, as authorized by subsection 8 of Section 11-27-40 of the Code of Laws of South Carolina 1976, as amended, notice, substantially in the form attached hereto as

Exhibit C, of the enactment of this Ordinance shall be published once in a newspaper of general circulation in the Town.

DONE, RATIFIED AND ENACTED this ____ day of _____, 2016.

TOWN OF SUMMERVILLE, SOUTH CAROLINA

Mayor

(SEAL)

ATTEST:

Clerk

First Reading: _____, 2016

Second Reading: _____, 2016

THE BONDS maturing subsequent to _____, shall be subject to redemption at par on and after _____, at the option of the Town, in whole or in part at any time, in the order determined by the Town and by lot as to Bonds or portions of Bonds within a maturity (but only in integral multiples of \$5,000).

THIS BOND is transferable by the Registered Owner in person, or by his legal representatives, successors, or assigns, on the Books of Registry of the Town to be kept for that purpose, at the office of the Paying Agent as Bond Registrar.

ALL PRINCIPAL, interest or other amounts due hereunder shall be payable only to the Registered Owner hereof. This bond may not be transferred except by the Registered Owner hereof in person or by his attorney duly authorized in writing, upon surrender hereof together with a written instrument of transfer satisfactory to the Bond Registrar duly executed by the Registered Owner of this bond at any time. Any purported assignment in contravention of the foregoing requirements shall be, as to the Town, absolutely null and void. The person in whose name this bond shall be registered shall be deemed and regarded as the absolute owner hereof for all purposes, and payment of the principal of and interest on this bond shall be made only to or upon the order of the Registered Owner or his legal representative. All such payments shall be valid and effective to satisfy and discharge the liability of the Town upon this bond to the extent of the sum or sums so paid. No person other than the Registered Owner shall have any right to receive payments, pursue remedies, enforce obligations or exercise or enjoy any other rights under this bond against the Town. Notwithstanding the foregoing, nothing herein shall limit the rights of a person having a beneficial interest in this bond as against a person (including the Registered Owner) other than the Town, as in the case where Registered Owner is a trustee or nominee for two or more beneficial owners of an interest in this bond.

THE ORDINANCE contains provisions defining terms; sets forth the terms and conditions upon which the covenants, agreements and other obligations of the Town made therein may be discharged at or prior to the maturity of this bond with provisions for the payment thereof in the manner set forth in the Ordinance; and sets forth the terms and conditions under which the Ordinance may be amended or modified with or without the consent of the owner of this bond. Reference is hereby made to the Ordinance, to all the provisions of which any owner of this bond by the acceptance hereof thereby assents.

THE BOND REGISTRAR shall not be required to exchange or transfer this bond for the period beginning on the Regular Record Date and ending on the next succeeding Interest Payment Date.

THIS BOND and the interest hereon are exempt from all state, Town, municipal, school district, and all other taxes or assessments of the State of South Carolina, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise, except inheritance, estate, transfer or certain franchise taxes. This bond has been designated by the Town as a "Qualified Tax-Exempt Obligation" pursuant to the provisions of Section 265(b)(3)(B)(ii) of the Internal Revenue Code of 1986, as amended.

IT IS HEREBY CERTIFIED AND RECITED that all acts, conditions, and things required by the Constitution and Laws of the State of South Carolina to exist, to happen, and to be performed precedent to or in the issuance of this bond exist, have happened, and have been done and performed in regular and due time, form, and manner; that the total indebtedness of the Town, including this bond and the issue of which this bond is one, does not exceed any constitutional or statutory limitation thereon;

and that provision has been made for the levy and collection of sufficient annual taxes, without limit, for the payment of the principal and interest hereof, as the same shall fall due.

THIS BOND shall not be entitled to any benefit under the Ordinance (as hereinafter defined) or become valid or obligatory for any purpose until it shall have been authenticated by the execution of the Certificate of Authentication which appears hereon by the manual signature of an authorized officer of the Paying Agent as authenticating agent.

IN WITNESS WHEREOF, THE TOWN OF SUMMERVILLE, SOUTH CAROLINA, has caused this Bond to be signed in its name by the Mayor of the Town of Summerville, by his manual signature, attested by the Clerk of the Town Council of the Town of Summerville, by her manual signature, under the Seal of the Town impressed or reproduced hereon, and this Bond to be dated the date of its delivery.

THE TOWN OF SUMMERVILLE, SOUTH CAROLINA

(SEAL)

By: _____
Mayor

ATTEST:

Clerk to Town Council

CERTIFICATION OF AUTHENTICATION

This Bond is one of the Bonds of the issue designated herein and issued under the provisions of the within-mentioned Ordinance.

By: _____
Authorized Officer

Date of Authentication: _____

(ASSIGNMENT PROVISION TO APPEAR ON THE REVERSE SIDE OF EACH BOND)

The following abbreviations, when used in the inscription on the face of this bond, shall be construed as though they were written out in full according to applicable laws or regulations:

TEN COM - as tenants in common
TEN ENT - as tenants in entireties
JT TENT - as joint tenants with right of survivorship and not as tenants in common

UNIF GIFT MIN ACT _____
(Cust)

Custodian _____
(Minor)

under Uniform Gifts to Minors Act

(State)

Additional abbreviations may also be used, though not in the above list.

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto (Social Security No. or other Identifying Number of Assignee _____) the within Bond of THE TOWN OF SUMMERVILLE, SOUTH CAROLINA, and does hereby irrevocably constitute and appoint _____ to transfer the within Bond on the books kept for registration thereof with full power of substitution in the premises.

DATED: _____

Signature Guaranteed:

NOTICE: Signature(s) must be guaranteed by a member firm of the New York Stock Exchanger or a commercial bank or trust Company.

NOTICE: The signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every Particular, without alteration or enlargement or any change whatever.

EXHIBIT B

CONTINUING DISCLOSURE CERTIFICATE

This Continuing Disclosure Certificate (the “Disclosure Certificate”) is executed and delivered by THE TOWN OF SUMMERVILLE, SOUTH CAROLINA (the “Issuer”), a body politic and corporate and a municipal corporation under the laws of the State of South Carolina, in connection with the issuance of the \$ _____ Town of Summerville, South Carolina, General Obligation Refunding Bonds of 2016 (the “Bonds”), issued by the Issuer pursuant to an ordinance enacted by the Town Council of the Issuer on _____ (the “Ordinance”). The Issuer certifies as follows:

SECTION 1. Purpose of the Disclosure Certificate. This Disclosure Certificate is being executed and delivered by the Issuer for the benefit of the Beneficial Owners of the Bonds and in order to assist the Participating Underwriter (defined herein) in complying with Rule 15c2-12(b)(5) under the Securities and Exchange Act of 1934.

SECTION 2. Definitions. The following capitalized terms shall have the following meanings:

“*Annual Report*” shall mean any Annual Report provided by the Issuer pursuant to, and as described in, Sections 3 and 4 of this Disclosure Certificate.

“*Beneficial Owner*” shall mean any person which (a) has the power, directly or indirectly, to vote or consent with respect to, or to dispose of ownership of, any Bonds (including persons holding Bonds through nominees, depositories or other intermediaries), or (b) is treated as the owner of any Bonds for federal income tax purposes.

“*Disclosure Representative*” shall mean the Mayor of the Issuer or his or her designee, or such other officer or employee as the Issuer shall designate in writing from time to time.

“*Dissemination Agent*” shall mean an agent appointed in accordance with Section 7 herein.

“*Listed Events*” shall mean any of the events listed in Section 5(a) of this Disclosure Certificate.

“*National Repository*” shall mean for purpose of the Rule, the Municipal Securities Rulemaking Board through its Electronic Municipal Market Access (EMMA) system or any other central repository.

“*Official Statement*” shall mean the official statement of the Issuer dated _____, 2016, prepared in connection with the issuance of the Bonds.

“*Participating Underwriter*” shall mean any of the original underwriters of the Bonds required to comply with the Rule in connection with offering of the Bonds.

“*Repository*” shall mean each National Repository and each State Depository, if any.

“*Rule*” shall mean Rule 15c2-12(b)(5) adopted by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as the same may be amended from time to time.

“*State*” shall mean the State of South Carolina.

“*State Depository*” shall mean any public or private repository or entity designated by the State as a state depository for the purpose of the Rule and recognized as such by the Securities and Exchange Commission. As of the date of this Agreement, there is no State Depository.

SECTION 3. Provision of Annual Reports.

(a) The Issuer shall, or shall cause the Dissemination Agent to, provide to each Repository within seven months after the end of the Issuer's fiscal year (presently December 31), commencing with the fiscal year ended December 31, 2015, an Annual Report which is consistent with the requirements of Section 4 of this Disclosure Certificate. The Annual Report may be submitted as a single document or as separate documents comprising a package, and may include by reference other information as provided in Section 4 of this Disclosure Certificate; provided that the audited financial statements of the Issuer may be submitted separately from the balance of the Annual Report and later than the date required above for the filing of the Annual Report if they are not available by that date. If the Issuer's fiscal year changes, it shall give notice of such change in the same manner as for a Listed Event under Section 5(b).

(b) If the Annual Report has not been provided to the Repositories by the date required in subsection (a) above, the Issuer shall send a notice to the Municipal Securities Rulemaking Board and to the State Depository, if any, in substantially the form attached hereto as Exhibit A.

(c) The Issuer shall determine each year prior to the date for providing the Annual Report the name and address of each National Repository and the State Depository, if any.

SECTION 4. Content of Annual Reports. The Issuer's Annual Report shall contain or include by reference the following:

1. The audited financial statements of the Issuer for the prior fiscal year, prepared in accordance with generally accepted accounting principles as promulgated to apply to governmental entities from time to time by the Governmental Accounting Standards Board (or if not in conformity, to be accompanied by a qualitative discussion of the differences in the accounting principles and the impact of the change in the accounting principles on the presentation of the financial information). If the Issuer's audited financial statements are not available by the time the Annual Report is required to be filed pursuant to Section 3(a), the Annual Report shall contain unaudited financial statements in a format similar to the financial statements contained in the final Official Statement, and the audited financial statements shall be filed in the same manner as the Annual Report when they become available.

2. The statistics contained in the tables included under the headings entitled “THE TOWN OF SUMMERVILLE –Fund Balances” and “Outstanding General Obligation Debt” of the Official Statement for the fiscal year then concluded.

3. The statistics contained in the table showing the assessed value of all taxable property within The Town of Summerville included under the heading entitled “THE TOWN OF SUMMERVILLE – Assessed Value” for the fiscal year then concluded.

4. The statistics contained in the table showing the amount of taxes levied and collected included under the heading “THE TOWN OF SUMMERVILLE -- Tax Collection Record” for the fiscal year then concluded.

Any or all of the items listed above may be included by specific reference to other documents, including official statements of debt issues of the Issuer or related public entities, which have been submitted to each of the Repositories or filed with the Securities and Exchange Commission. If the document included by reference is a final official statement, it must be available from the Municipal Securities Rulemaking Board. The Issuer shall clearly identify each such other document so included by reference.

SECTION 5. Reporting of Significant Events.

(a) Pursuant to the provisions of this Section 5, the Issuer shall give, or cause to be given, within 10 business days of the occurrence thereof, (i) to the National Repository and (ii) to the State Depository, if any, notice of the occurrence of any of the following events with respect to the Bonds:

1. Principal and interest payment delinquencies;
2. Non-payment related defaults, if material;
3. Unscheduled draws on debt service reserves reflecting financial difficulties;
4. Unscheduled draws on credit enhancements reflecting financial difficulties;
5. Substitution of credit or liquidity providers, or their failure to perform;
6. Adverse tax opinions or events affecting the tax-exempt status of the Bonds;
7. Modifications to rights of the holders of the Bonds, if material;
8. Bond calls, if material;
9. Defeasances;
10. Release, substitution or sale of property securing repayment of the Bonds, if material;
11. Rating changes;
12. Tender offers;
13. Bankruptcy, insolvency, receivership or similar event of the obligated person;
14. Merger, Consolidation, or acquisition of the obligated person, if material; and
15. Appointment of a successor or additional trustee, or the change of name of a trustee, if material.

(b) Under applicable federal securities laws, upon the occurrence of a Listed Event, the Issuer shall promptly file a notice of such occurrence with each National Repository or the Municipal Securities Rulemaking Board and with each State Depository, if any.

SECTION 6. Termination of Reporting Obligation. The Issuer's obligations under this Disclosure Certificate shall terminate upon the legal defeasance, prior redemption or payment in full of all of the Bonds. If such termination occurs prior to the final maturity of the Bonds, the Issuer shall give notice of such termination in the same manner as for a Listed Event under Section 5(b).

SECTION 7. Dissemination Agent. The Issuer may, from time to time, appoint or engage a Dissemination Agent to assist it in carrying out its obligations under this Disclosure Certificate, and may discharge any such Agent, with or without appointing a successor Dissemination Agent. The Dissemination Agent shall not be responsible in any manner for the content of any notice or report prepared by the Issuer pursuant to this Disclosure Certificate.

SECTION 8. Amendment and Waiver. Notwithstanding any other provision of this Disclosure Certificate, the Issuer may amend this Disclosure Certificate and any provision of this Disclosure Certificate may be waived, provided that the following conditions are satisfied:

(a) If the amendment or waiver relates to the provisions of Sections 3(a), 4, or 5(a), it may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature or status of an obligated person (within the meaning of the Rule) with respect to the Bonds, or the type of business conducted;

(b) The undertaking, as amended or taking into account such waiver, would, in the opinion of nationally recognized bond counsel, have complied with the requirements of the Rule at the time of the original issuance of the Bonds, after taking into account any amendments or interpretations of the Rule, as well as any change in circumstances; and

(c) The amendment or waiver either (i) is approved by the Beneficial Owners of the Bonds in the same manner as provided in the Ordinance for amendments to the Ordinance with the consent of the Beneficial Owners, or (ii) does not, in the opinion of nationally recognized bond counsel, materially impair the interests of the Beneficial Owners of the Bonds.

In the event of any amendment or waiver of a provision of this Disclosure Certificate, the Issuer shall describe such amendment in the next Annual Report and shall include, as applicable, a narrative explanation of the reason for the amendment or waiver and its impact on the type (or, in the case of a change of accounting principles, on the presentation) of financial information or operating data being presented by the Issuer. In addition, if the amendment relates to the accounting principles to be followed in preparing financial statements, (i) notice of such change shall be given in the same manner as for a Listed Event under Section 5(b), and (ii) the Annual Report for the year in which the change is made should present a comparison (in narrative form and also, if feasible, in quantitative form) between the financial statements as prepared on the basis of the new accounting principles and those prepared on the basis of the former accounting principles.

SECTION 9. Additional Information. Nothing in this Disclosure Certificate shall be deemed to prevent the Issuer from disseminating any other information, using the means of dissemination set forth in this Disclosure Certificate or any other means of communication, or including any other information in any Annual Report or notice of occurrence of a Listed Event, in addition to that which is required by this Disclosure Certificate. If the Issuer chooses to include any information in any Annual Report or notice of occurrence of a Listed Event in addition to that which is specifically required by this Disclosure Certificate, the Issuer shall have no obligation under this Disclosure Certificate to update such information or include it in any future Annual Report or notice of occurrence of a Listed Event.

SECTION 10. Default. In the event of a failure of the Issuer to comply with any provision of this Disclosure Certificate, the Beneficial Owners of the Bonds may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the Issuer to comply with its obligations under this Disclosure Certificate. A default under this Disclosure Certificate shall not be deemed an Event of Default under the Ordinance, and the sole remedy under this Disclosure Certificate in the event of any failure of the Issuer to comply with this Disclosure Certificate shall be an action to compel performance.

SECTION 11. Beneficiaries. This Disclosure Certificate shall inure solely to the benefit of the Issuer, the Dissemination Agent, if any, the Participating Underwriter and Beneficial Owners from time to time of the Bonds, and shall create no rights in any other person or entity.

Dated: _____, 2016

THE TOWN OF SUMMERVILLE, SOUTH
CAROLINA

By: _____
Mayor

EXHIBIT A

NOTICE TO REPOSITORIES OF FAILURE TO FILE ANNUAL REPORT

Name of Issuer: The Town of Summerville, South Carolina
Name of Bond Issue: \$_____ General Obligation Refunding Bonds of 2016
Date of Issuance: _____, 2016

NOTICE IS HEREBY GIVEN that The Town of Summerville, South Carolina has not provided an Annual Report with respect to the above-named Bonds as required by Section 3 of the Disclosure Certificate dated _____, 2016. [The Issuer anticipates that the Annual Report will be filed by _____.]

Dated: _____

THE TOWN OF SUMMERVILLE, SOUTH
CAROLINA

By: _____
Title: _____

EXHIBIT C

NOTICE OF ENACTMENT OF ORDINANCE AUTHORIZING ISSUANCE OF NOT EXCEEDING \$7,500,000 GENERAL OBLIGATION REFUNDING BONDS OF 2016 OF THE TOWN OF SUMMERVILLE, SOUTH CAROLINA.

Notice is hereby given that the Town Council of The Town of Summerville has enacted an Ordinance authorizing the issuance in one or more series of not exceeding \$7,500,000 General Obligation Refunding Bonds of 2016 of The Town of Summerville secured by a pledge of the full faith, credit, and taxing power of The Town of Summerville.

This notice is being given pursuant to subsection 8 of Section 11-27-40 of the Code of Laws of South Carolina 1976, as amended, which provides that the initiative and referendum provisions contained in Chapter 9, Title 4, Code of Laws of South Carolina 1976, as amended, should not be applicable to the aforesaid Ordinance unless a notice, signed by not less than five (5) qualified electors, of the intention to seek a referendum, be filed within twenty (20) days following the publication of this notice in the Office of the Clerk of Court for The Town of Summerville and in the Office of the Clerk of Town Council of The Town of Summerville.

By order of the Town Council of the Town of Summerville, South Carolina.

ORDINANCE # _____

TO AMEND CHAPTER 2, SECTION 2-92 OF THE CODE OF LAWS OF THE TOWN OF SUMMERVILLE RELATING TO THE HOUR OF REGULAR COUNCIL MEETINGS

BE IT ORDAINED, by the Mayor and Council of the Town of Summerville that Chapter 2, Section 2-92 of the Code of Laws of the Town of Summerville be amended as follows:

Sec. 2-92. - Date and hour of regular meetings.

The regular meetings of the council shall be held at ~~7:30~~ 6:30 p.m. on the second Wednesday of each month; provided, however that a majority of the council may reschedule the meeting. If a regular meeting is rescheduled, public notice shall be given in accordance with state law.

Done in Summerville, S.C. this _____ day of _____, 2016.

Wiley Johnson, Mayor

ATTEST:

Lisa Wallace, Clerk to Council

Introduction and
First Reading _____, 2016

Second and
Final Reading _____, 2016



STEEN ENTERPRISES

843-889-2292 | CHARLESTON, SC

Kubota



“Family Owned and Operated Since 1980.”

7634 Savannah Highway
 Adams Run, SC 29426
 Phone: (843) 889-2292
 Fax: (843) 889-2994
 Email: steenent@gmail.com

Customer Name: Town Of Summerville Attn: Rob

Phone:

Fax:

Email:

<i>Qty</i>	<i>Make</i>	<i>Model/ Description</i>	<i>Price</i>
1	Kubota	SVL90-2HFC: 90hp track loader, enclosed cab w/air, high flow hydraulics, radio, air ride seat, rear view mirror, q/a forks, 6 way dozer blade	List Price: \$85,155
		State Contract Discount (20%) #5000013440	-\$17,031
		Labor and Set Up	\$860.00

<i>Sub Total</i>	\$68,984.00
<i>Tax</i>	<i>Per county tax</i>
<i>Price to Own</i>	

Salesperson: Brian Semken

Quote Date: 1/8/2016