

A RESOLUTION

TO APPROVE THE MEMORANDUMS OF UNDERSTANDING AND AGREEMENT BETWEEN THE COUNTY OF GREENVILLE AND THE SOUTH CAROLINA ASSOCIATION OF COUNTIES RELATING TO THE SOUTH CAROLINA ASSOCIATION OF COUNTIES BEING AUTHORIZED AND DESIGNATED AS THE CLAIMANT AGENT FOR COUNTY DEPARTMENTS PURSUANT TO THE SETOFF DEBT COLLECTION ACT OF 2003, AS AMENDED, AND THE GOVERNMENTAL ENTERPRISE ACCOUNTS RECEIVABLE PROGRAM, AS SET FORTH IN § 12-4-580 (2003) AND TO AUTHORIZE THE COUNTY TAX COLLECTOR TO USE THE PROCEDURES PROVIDED IN CHAPTER 56, TITLE 12 AS THE INITIAL STEP IN THE COLLECTION OF DELINQUENT TAXES.

WHEREAS, the Setoff Debt Collection Act of 2003, South Carolina Code § 12-56-10, as amended, and the Governmental Enterprise Accounts Receivable program as set forth in § 12-4-580 (2003), allows the South Carolina Department of Revenue to render assistance in the collection of delinquent accounts or debts owing to the County; and,

WHEREAS, the County wishes to increase the collection rate of debts that are due and owing to County Departments by availing itself of the Setoff Debt Collection Act of 2003, as amended, and the Governmental Enterprise Accounts Receivable program as set forth in § 12-4-580 (2003); and,

WHEREAS, the Council passed Resolution 93-025 in 1993 approving a Memorandum of Understanding and Agreement designating the South Carolina Association of Counties to serve as the County's claimant agent; and,

WHEREAS, Greenville County EMS currently participates in the Setoff Debt and GEAR Programs; and,

WHEREAS, a new Resolution and Memorandums of Understanding and Agreement are necessary to allow other county departments to participate in the Setoff Debt and GEAR programs; and,

WHEREAS, S.C. Code Ann. § 12-51-40(e) authorizes the County Tax Collector, subject to the prior approval of the county governing body, to use the procedures provided in Chapter 56, Title 12 (The Setoff Debt Collection Act), as the initial step in the collection of delinquent taxes; and,

WHEREAS, the County Council has reviewed and approves the Memorandums of Understanding and Agreement designating the South Carolina Association of Counties to serve as the County's claimant agent;

NOW, THEREFORE, BE IT RESOLVED, by Greenville County that the Memorandums of Understanding and Agreement between the County and the South Carolina Association of Counties relating to the Association serving as the County's claimant agent for County Departments pursuant to the Setoff Debt Collection Act of 2003, as amended, and the Governmental Enterprise Accounts Receivable program as set forth in § 12-4-580 (2003) is approved. Copies of the Memorandums of Understanding and Agreement are incorporated herein by reference.

DONE IN REGULAR MEETING THIS ____ DAY OF _____, 2017.

Herman G. Kirven, Jr., Chairman
Greenville County Council

Joseph Kernell,
County Administrator

ATTEST:

Theresa Kizer
Clerk to Council