

A RESOLUTION OF GREENVILLE COUNTY COUNCIL

CALLING FOR A PUBLIC HEARING TO BE HELD ON THE ISSUANCE OF \$6,500,000 GENERAL OBLIGATION BONDS OF THE PELHAM-BATESVILLE FIRE DISTRICT, SOUTH CAROLINA; PROVIDING FOR THE PUBLICATION OF THE NOTICE OF SUCH PUBLIC HEARING; AND GENERALLY APPROVING OTHER MATTERS RELATING THERETO.

WHEREAS, the Pelham-Batesville Fire District, South Carolina (hereinafter called the "*District*") is a special purpose district located within both Greenville County, South Carolina (the "*County*") and Spartanburg County, South Carolina ("*Spartanburg County*", and together with the County, the "*Counties*"); the District was created by Act No. 554 of the Acts and Joint Resolutions of the General Assembly of the State of South Carolina for the year 1971, as amended, which is now codified at Title 4, Chapter 23, Article 3 of the Code of Laws of South Carolina 1976, as amended, and is authorized, inter alia, to acquire and operate such facilities as shall be required for the provision of fire protection services within the boundaries of the District and to do all things necessary or convenient to carry out such authority; and

WHEREAS, the County Council of Greenville County, the governing body of the County (the "*County Council*"), based upon the receipt of a petition from the District dated March 7, 2017 and subject to the results of the Hearing (as defined below), may authorize the issuance of general obligation bonds in the principal amount of \$6,500,000 (the "*Bonds*") to defray the costs of: (1) the development, construction, and outfitting of a new headquarters and fire station building of the District, to include areas for: meeting facilities; training and community events; office and administrative areas; crew quarters; apparatus bays and apparatus and facility support areas; and furniture, fixtures and equipment (collectively, the "*Improvements*"); and (2) paying costs of issuance of the Bonds; and

WHEREAS, the County Council has lawful authority, pursuant to Title 6, Chapter 11, Article 5 of the Code of Laws of South Carolina, 1976, as amended (the "*Enabling Act*") to authorize the issuance of the Bonds; and

WHEREAS, the Counties, pursuant to Section 6-11-890 of the Enabling Act, may condition their approval of the Bonds upon the results of a successful referendum to be held in the District. The Counties have policies in place that generally require the holding of a referendum as a condition precedent to the issuance of any indebtedness of a special purpose district; and

WHEREAS, in consideration of Section 6-11-890 of the Enabling Act, the Counties' referendum policies and the potential difficulty of holding a referendum across the District in both Counties, the District has requested for special legislation to be considered by the South Carolina General Assembly (the "*Special Legislation*") which, if adopted, will further authorize the issuance of the Bonds to finance the costs of the Improvements. In lieu of the holding of a referendum, the District is requesting both Counties to make the issuance of the Bonds contingent on the adoption and approval of the Special Legislation; and

WHEREAS, should the Special Legislation fail to be adopted, the approval of the

Bonds by the Counties may, instead, be conditioned upon the results of a referendum to be held in the District.

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

SECTION 1. The County Council finds that it may be in the interest of the District to raise moneys for the purpose of providing for the Improvements. In that connection, the County Council hereby orders a public hearing to be held upon the question of whether the issuance of the Bonds shall be approved.

SECTION 2. A public hearing shall be held on the aforesaid question in the Greenville County Council Chambers in the Greenville County Square located at 301 University Ridge, Greenville, South Carolina 29601, at 6:00 p.m. on April 18, 2017 (the "**Hearing**"), and the notice of the Hearing attached hereto as Exhibit A shall be published once a week for three (3) successive weeks in *The Greenville News*, which is a newspaper of general circulation in the County. The first such publication shall not be less than sixteen (16) days prior to the date of the Hearing.

SECTION 3. The aforesaid Hearing shall be conducted publicly at the time and place above stated and both proponents and opponents of the issuance of the Bonds shall be given a full opportunity to be heard in person or by counsel.

SECTION 4. Following the aforesaid Hearing, the County Council shall determine whether and to what extent the Bonds should be issued.

SECTION 5. The Chairman of the County Council and/or the County Administrator of the County are hereby authorized and empowered to take all necessary action to provide for the holding of the aforesaid Hearing in accordance with the provisions of the Enabling Act.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

DONE AT GREENVILLE, SOUTH CAROLINA, this 21st day of March, 2017.

(SEAL)

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

Joseph M. Kernell
County Administrator

ATTEST:

Theresa B. Kizer
Clerk to Council

NOTICE OF PUBLIC HEARING

A PUBLIC HEARING SHALL BE HELD TO DETERMINE WHETHER THE PELHAM-BATESVILLE FIRE DISTRICT, SOUTH CAROLINA SHALL BE AUTHORIZED TO ISSUE ITS \$6,500,000 GENERAL OBLIGATION BONDS

The County Council of Greenville County (hereinafter called the "*County Council*"), which is the governing body of Greenville County, South Carolina (the "*County*"), is considering whether the Pelham-Batesville Fire District, South Carolina (hereinafter called the "*District*") shall be authorized to issue general obligation bonds. On March 21, 2017, the County Council adopted a resolution authorizing the holding of a public hearing on such matter. As required by Section 6-11-840 of the Code of Laws of South Carolina 1976, as amended, you are advised of the following:

1. A public hearing shall be held in the County Council's chambers in the Greenville County Square located at 301 University Ridge, Greenville, South Carolina 29601, on April 18, 2017 at 6:00 p.m.
2. The District is located both within the County and Spartanburg County, South Carolina and was originally established for the purpose of providing fire protection services within its boundaries.
3. The District has informed the County that it requires funds to defray the costs of the development, construction, and outfitting of a new headquarters and fire station building of the District, to include areas for: meeting facilities; training and community events; office and administrative areas; crew quarters; apparatus bays and apparatus and facility support areas; and furniture, fixtures and equipment (collectively, the "*Improvements*"). The District estimates that the cost of the Improvements will be approximately \$6,500,000.
4. The District proposes the issuance of general obligation bonds of the District in the principal amount of \$6,500,000, in a single series or multiple series, to defray the costs of the Improvements and costs of issuance associated therewith (the "*Bonds*").
5. For the payment of principal and interest of the Bonds as they respectively mature and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of the District shall be irrevocably pledged, and there shall be levied on all taxable property in the District ad valorem taxes in an amount sufficient to pay principal and interest on the Bonds as the same fall due.

The aforesaid hearing shall be conducted publicly and both proponents and opponents of the proposed action shall be given full opportunity to be heard in person or by counsel. Following the hearing, the County Council shall, by ordinance, make a finding as to whether and to what extent the Bonds should be issued.

GREENVILLE COUNTY COUNCIL