

RESOLUTION NO. ____

A RESOLUTION CALLING FOR PUBLIC HEARINGS TO BE HELD ON THE QUESTION OF THE ESTABLISHMENT OF THE BEREA FIRE SERVICE AREA, GANTT FIRE SERVICE AREA, PARKER FIRE SERVICE AREA, TAYLORS FIRE SERVICE AREA, AND WADE HAMPTON FIRE SERVICE AREA AND OTHER MATTERS RELATING THERETO.

NOW THEREFORE, BE IT RESOLVED, by the County Council of Greenville County (the “*County Council*”), the governing body of Greenville County, South Carolina (the “*County*”), in meeting duly assembled:

Section 1 Findings. The County Council makes the following findings of fact in connection with the adoption of this resolution (this “*Resolution*”):

(a) Pursuant to the provisions of Title 4, Chapter 19 of the Code of Laws of South Carolina 1976, as amended (the “*Fire Service Area Act*”), the County Council is empowered to establish, operate, and maintain a system of fire protection within designated areas of the County in order to provide the residents and property owners who reside and own property located within the designated areas with fire protection service (“*Fire Service*”).

(b) Pursuant to various acts and joint resolutions of the General Assembly of South Carolina, there have been created within the County several special purpose districts authorized to provide Fire Service, sewer collection service, and other governmental services within their respective boundaries: namely, Berea Public Service District (“*Berea*”); Gantt Fire, Sewer and Police District (“*Gantt*”); Parker Sewer and Fire Sub-District (“*Parker*”); Taylors Fire and Sewer District (“*Taylors*”); and Wade Hampton Fire and Sewer District (“*Wade Hampton*”, and collectively with Berea, Gantt, Parker, and Taylors, the “*Fire/Sewer Districts*”).

(c) Pursuant to Title 6, Chapter 11, Article 3 of the Code of Laws of South Carolina 1976, as amended, the County Council has determined to consider the consolidation (the “*Consolidation*”) of the Fire/Sewer Districts into the Metropolitan Sewer Subdistrict (“*Metro*”), such that upon the effective date of the Consolidation, as determined in accordance with the Consolidation Ordinance, Metro would be reconstituted to succeed to the powers, geographic boundaries, property interests, and liabilities of the Fire/Sewer Districts and the corporate existence of the Fire/Sewer Districts would cease.

(d) The County Council has determined, as a fact and after appropriate investigation, that, in the event that the Consolidation is approved, Fire Service may be effectively and efficiently delivered in the geographic boundaries for Fire Service of each of the Fire/Sewer Districts through the respective establishment of the “Berea Fire Service Area,” “Gantt Fire Service Area,” “Parker Fire Service Area,” “Taylors Fire Service Area,” and “Wade

Hampton Fire Service Area” (each a “*Fire Service Area*”) to serve as a replacement for the Fire/Sewer Districts.

(e) Being minded to consider the establishment of the Fire Service Areas, the County Council has determined to conduct public hearings on the question of the creation of the Fire Service Areas, respectively, in accordance with the provisions of Section 4-19-20 of the Fire Service Area Act.

Section 2 Description and Funding.

(a) Description of Fire Service Areas. If established, the boundaries of the Fire Service Areas shall be coterminous with the former boundaries of each Fire/Sewer District, respectively, as shown on the map attached to this Ordinance at **Exhibit A**.

(b) Ad Valorem Taxes and Rates and Charges. If established, the County Council will be authorized to levy an *ad valorem* tax within any or all of the Fire Service Areas in each fiscal year in such amount as the County Council may determine to respectively provide for the operation and maintenance of the Fire Service Areas. The County Council may further determine from year to year to impose rates and charges within any or all of the Fire Service Areas to respectively defray the cost of the operation and maintenance thereof.

(c) General Obligation Bonds. If established, in order to raise monies to (i) establish, maintain, and operate a fire protection system, (ii) purchase the necessary fire-fighting equipment, and (iii) construct, acquire, and build the necessary fire stations and acquire sites for such stations within any or all the Fire Service Areas, the County may issue, without election and from time to time, general obligation bonds of the County on behalf of any of the Fire Service Areas, such bonds to be payable from a special *ad valorem* tax levied within the applicable Fire Service Area, and further secured by a pledge of the full faith and credit of the County.

Section 3 Order for Public Hearing.

(a) The County Council has determined to order public hearings (each a “*Public Hearing*”) to be held upon the questions of the establishment of each of the Fire Service Areas.

(b) The Public Hearings shall be held on November 23, 2020, at 4:00 p.m., via a Zoom electronic meeting. The notice of the Public Hearings, the form of which is attached to this Resolution at **Exhibit B**, (the “*Notice of Public Hearing*”), shall provide instructions for those who wish to participate or view the Public Hearings. A Notice of Public Hearing pertaining to the establishment of each of the Fire Service Areas shall be published once a week for three successive weeks in *The Greenville News*, which is a newspaper of general circulation in the County. The first publication of such Notices of Public Hearing shall not be less than sixteen days prior to the hearing date.

(c) The Public Hearings pertaining to the establishment of each of the Fire Service Areas shall be conducted publicly on the date and at the place above stated and both proponents and opponents of the establishment of the Fire Service Area shall be given a full opportunity to be heard in person or by counsel.

(d) Following the Public Hearing, the County Council shall determine whether and to what extent the Fire Service Areas shall be established.

Section 4 Further Action. The Chairman, the County Administrator of the County, the County Attorney of the County (the “*County Attorney*”), and the Clerk to County Council (the “*Clerk*”) are hereby authorized and empowered to take all necessary action to provide for the holding of the Public Hearings in accordance with the provisions of the Fire Service Area Act. The Clerk, with the advice of the County Attorney, is further authorized to approve of changes to the form of the Notice of Public Hearing as are necessary to comply with the provisions of the Fire Service Area Act, the South Carolina Freedom of Information Act, or other South Carolina laws or County procedures.

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Done in meeting duly assembled this 3rd day of November 2020.

GREENVILLE COUNTY, SOUTH CAROLINA

(SEAL)

Chairman of County Council

County Administrator

Attest:

Clerk to County Council

EXHIBIT A

Boundaries of the Fire Service Areas

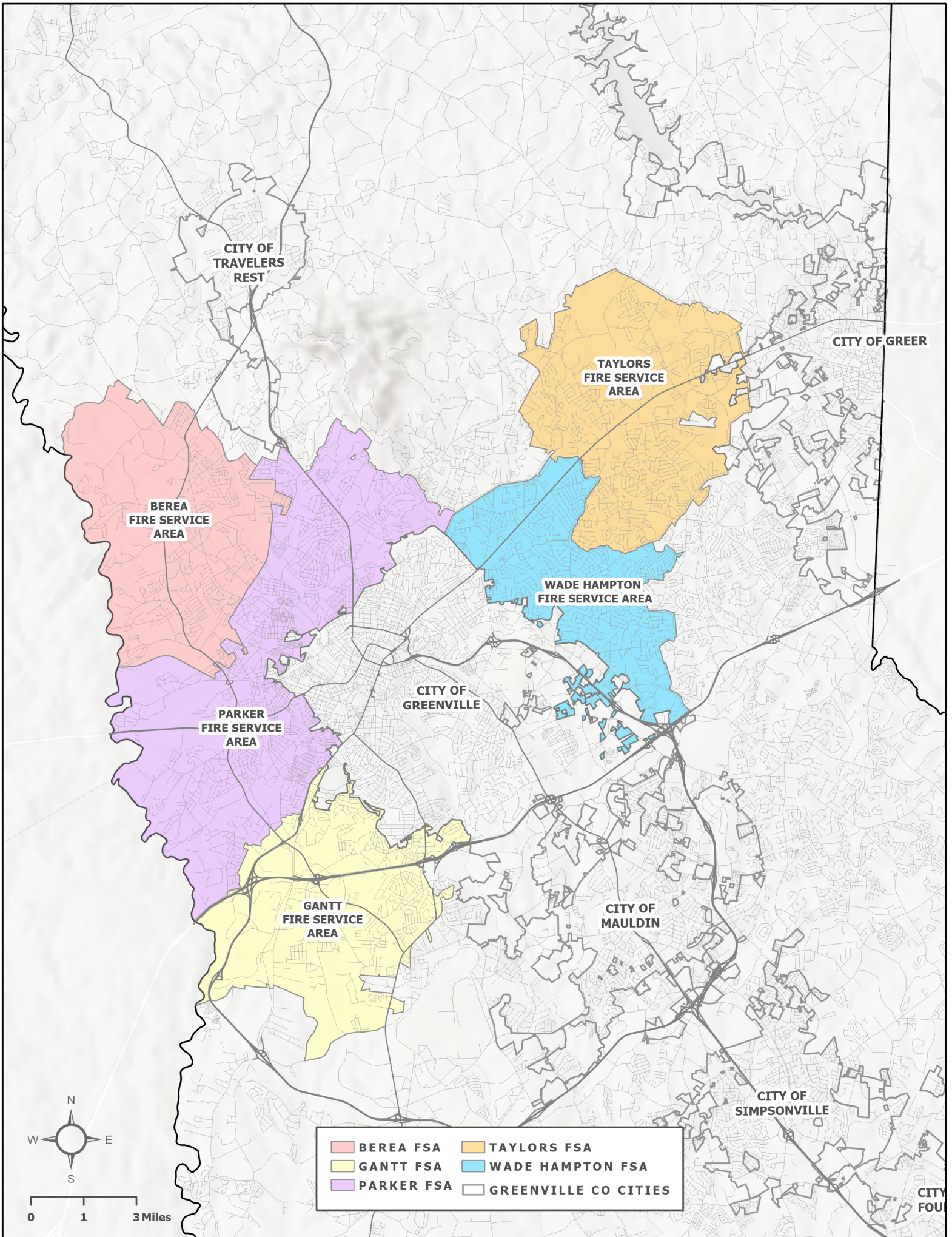


EXHIBIT B

Form of Notice of Public Hearing [To be updated for each Fire Service Area]

A PUBLIC HEARING SHALL BE HELD ON THE ON THE QUESTION OF THE ESTABLISHMENT OF THE [NAME] FIRE SERVICE AREA.

By resolution adopted November 3, 2020, the County Council of Greenville County (the “*County Council*”), the governing body of Greenville County, South Carolina (the “*County*”), determined to consider the establishment of the “[NAME] Fire Service Area” (the “*Fire Service Area*”) pursuant to the provisions of Title 4, Chapter 19 of the Code of Laws of South Carolina 1976, as amended (the “*Fire Service Area Act*”). As required by Section 4-19-20 of the Fire Service Area Act, you are advised of the following:

1. **Public Hearing.** The County Council has ordered that a public hearing be held on the question of the establishment of the Fire Service Area (the “*Public Hearing*”). The Public Hearing shall be held via a Zoom electronic meeting on November 23, 2020, at 4:00 p.m., the live-stream of which may be accessed at the following web address: www.greenvillecounty.org/livestream.aspx. Anyone wishing to speak at the Public Hearing must register at the following web address, which may also be accessed from the County’s website: www.greenvillecounty.org/apps/Citizencomments. Registration for the Public Hearing will begin at 9:00 a.m., Friday, November 13, 2020, at which time the preceding web address shall become accessible, until 5:00 p.m., Sunday, November 22, 2020. The Public Hearing shall be conducted publicly in the manner above stated and both proponents and opponents of the establishment of the Fire Service Area shall be given a full opportunity to be heard. Following the Public Hearing, the County Council shall determine whether the Fire Service Area shall be established.

2. **Description of Fire Service Area.** If established, the boundaries of the Fire Service Area shall comprise, embrace, and consist of the former boundaries for Fire Service of [AFFECTED FIRE/SEWER DISTRICT]. A map of the boundaries of the Fire Service Area has been placed on file with the Clerk to County Council and is available for review at the County’s offices during normal business hours.

(b) **Ad Valorem Taxes and Rates and Charges.** If established, the County Council will be authorized levy an *ad valorem* tax in each fiscal year in such amount as the County Council may determine to provide for the operation and maintenance of the Fire Service Area. The County Council may further determine from year to year to impose rates and charges within the Fire Service Area to defray the cost of the operation and maintenance thereof.

(c) **General Obligation Bonds.** If established, in order to raise monies to establish, maintain, and operate a fire protection system within the Fire Service Area, to purchase the necessary fire-fighting equipment, and to construct, acquire, and build the necessary fire

stations and acquire sites for such stations within the Fire Service Area, the County may issue, without election and from time to time, general obligation bonds of the County on behalf of the Fire Service Area, such bonds to be payable from a special *ad valorem* tax levied within the Fire Service Area, and further secured by the full faith and credit of the County.

COUNTY COUNCIL OF GREENVILLE COUNTY

Publication Instructions:

To be published once per week for three successive weeks in the Greenville News, with the first publication occurring at least 16 days prior to the date of the Public Hearing.