

**A RESOLUTION APPROVING THE INCURRING OF GENERAL OBLIGATION DEBT IN AN AMOUNT NOT EXCEEDING \$11,250,000 AND AUTHORIZING A PETITION TO THE COUNTY COUNCIL OF GREENVILLE COUNTY PURSUANT TO SECTION 6-11-830 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED.**

**BE IT RESOLVED** by the Boiling Springs Fire District Commission (the "*Commission*"), the governing body of the Boiling Springs Fire District, South Carolina (the "*District*"), in meeting duly assembled:

**ARTICLE I**

**FINDINGS OF FACT**

**Section 1.1 Findings.** Incident to the adoption of this resolution (this "*Resolution*"), the Commission has made the following findings of fact:

(a) The District was created as a special purpose district established in Greenville County, South Carolina (the "*County*"), as a body politic and corporate pursuant to the provisions of Act No. 916 of the Acts and Joint Resolutions of the General Assembly of the State of South Carolina for the year 1970, as amended. The District is located wholly within the County and was established for the purpose of providing fire service within its boundaries.

(b) In carrying out its functions and duties, the Commission has determined that a need exists at the present time to issue general obligation bonds of the District (the "*Bonds*") in order to defray: (i) the costs of (A) designing, constructing, renovating, equipping, and decommissioning fire station facilities, (B) purchasing or rehabilitating real property on which such fire station facilities may be located, and (C) acquiring personal property and other capital assets of the District necessary for the operations of the District ((A) thorough (C), the "*Project*"), and (ii) the costs of issuance of the Bonds . The Commission estimates that the costs of the Project, together with the costs of issuance of the Bonds, will not exceed \$11,250,000.

(c) The County Council of Greenville County, South Carolina (the "*County Council*"), as the governing body of Greenville County, South Carolina (the "*County*"), is empowered by Sections 6-11-810 through 6-11-1050, inclusive, of the Code of Laws of South Carolina 1976, as amended (the "*Enabling Act*"), to authorize the governing body of any special purpose district to issue general obligations bonds, the proceeds of which shall be used in furtherance of any power or function committed to such special purpose district and in effect on March 7, 1973.

(d) Pursuant to Section 6-11-830 of the Enabling Act, the County Council, upon petition of the Commission, may determine that it is in the interest of the District to raise moneys for the furtherance of any power or function of the District and order a public hearing to be held upon the question of the issuance of the Bonds.

(e) In order to finance the costs of the Project, the Commission has determined that it is necessary to issue the Bonds, either as a single issue or as several, separate issues, and in such

amount and at such times as may be determined at the time of issuance thereof by the Commission, not to exceed an aggregate principal amount of \$11,250,000. The Commission adopts this Resolution to evidence the Commission's approval of the issuance of the Bonds to defray the costs of the Project and to authorize a petition to the County Council with regard to the issuance of the Bonds. The maximum principal amount of the Bonds approved hereby may be issued within the debt limit of the District as permitted in Article X, Section 14(7) of the Constitution of the State of South Carolina, 1895, as amended.

## ARTICLE II

### REIMBURSEMENT DECLARATION

**Section 2.1 Reimbursement Declaration.** The Commission hereby declares the intention of the District to reimburse itself for a portion of the original expenditures associated with the Project with the proceeds of the Bonds in a maximum aggregate principal amount reasonably expected not to exceed \$11,250,000.

**Section 2.2 Reimbursement Findings.** To that end, the Commission determines and declares as follows:

(a) No funds from any sources other than the Bonds may be, are, or are reasonably expected to be, reserved, allocated on a long-term basis or otherwise set aside by the District pursuant to the budget or financial policies of the District for the financing of the portion of the costs of acquisition, construction, and equipping of the Project to be funded with the Bonds.

(b) The District reasonably expects that all or a portion of the original expenditures incurred for the Project and the issuance of the Bonds will be paid prior to the date of issuance of the Bonds.

(c) The District intends and reasonably expects to reimburse itself for all such expenditures paid by it with respect to the Project prior to the issuance of the Bonds, from the proceeds of the Bonds, and such intention is consistent with the budgetary and financial circumstances of the District.

(d) The District intends and reasonably expects to reimburse itself for all such expenditures no later than 18 months after the later of (i) the date the original expenditure is paid, or (ii) the date the Project is placed in service or abandoned for federal income tax purposes, but in no event more than 3 years after the original expenditure is paid.

(e) All of the costs to be paid or reimbursed from the proceeds of the Bonds will be for costs incurred in connection with the issuance of the Bonds or will, at the time of payment thereof, be properly chargeable to the capital account of the Project (or would be so chargeable with a proper election) under general federal income tax principles.

(f) This Resolution shall constitute a declaration of official intent under United States Department of the Treasury Regulation Section 1.150-2.

**ARTICLE III**

**SUBMISSION OF PETITION**

**Section 3.1 Petition.** A petition, in a form substantially similar to that form attached hereto as **Exhibit A**, shall be presented to the County Council in accordance with and for the purposes set forth in Section 6-11-830 of the Enabling Act. The Chairperson (or in her absence the Vice Chairman) of and Secretary to the Commission are hereby authorized and directed to cause said petition to be delivered to County Council.

**DONE IN MEETING DULY ASSEMBLED**, this 14th day of June 2022.



Attest:

A handwritten signature in black ink, appearing to read "Cedric Brown".

Cedric Brown, Secretary  
Boiling Springs Fire District Commission

A handwritten signature in blue ink, appearing to read "Tonja Faulkenberry".

Tonja Faulkenberry, Chairperson  
Boiling Springs Fire District Commission

**PETITION OF THE BOILING SPRINGS FIRE DISTRICT COMMISSION TO THE GOVERNING BODY OF GREENVILLE COUNTY, SOUTH CAROLINA, PURSUANT TO TITLE 6, CHAPTER 11, ARTICLE 5 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED.**

1. Boiling Springs Fire District, South Carolina (the “*District*”), was created as a special purpose district established in Greenville County, South Carolina (the “*County*”), as a body politic and corporate pursuant to the provisions of Act No. 916 of the Acts and Joint Resolutions of the General Assembly of the State of South Carolina for the year 1970, as amended. The District is located entirely within the County.

2. In carrying out its functions and duties, the Boiling Springs Fire District Commission (the “*Commission*”), the governing body of the District, has determined that a need exists at the present time to issue general obligation bonds of the District (the “*Bonds*”) in order to defray: (i) the costs of (A) designing, constructing, renovating, equipping, and decommissioning fire station facilities, (B) purchasing or rehabilitating real property on which such fire station facilities may be located, and (C) acquiring personal property and other capital assets of the District necessary for the operations of the District ((A) thorough (C), the “*Project*”), and (ii) the costs of issuance of the Bonds. The Commission estimates that the costs of the Project, together with the costs of issuance of the Bonds, will not exceed \$11,250,000.

3. In order to defray the costs of the Project, the District proposes to issue the Bonds in a principal amount not exceeding \$11,250,000, which Bonds may be issued as a single issue or from time to time as several separate issues as the Commission may determine.

4. The County Council of Greenville County, South Carolina (the “*County Council*”), the governing body of the County, is empowered by Sections 6-11-810 through 6-11-1050, inclusive, of the Code of Laws of South Carolina 1976, as amended (the “*Enabling Act*”), to authorize the issuance of general obligation bonds by the District pursuant to the provisions of the Enabling Act. The principal amount of the Bonds the Commission intends for the District to issue does not exceed the general obligation bond debt limit of the District, as established pursuant to Article X, Section 14(7) of the Constitution of the State of South Carolina, 1895, as amended.

5. Pursuant to Section 6-11-830 of the Enabling Act, if the County Council, upon petition of the Commission, determines that it may be in the best interest of the District to raise moneys for the furtherance of any power or function of the District, the County Council may order a public hearing to be held upon the question of the issuance of the Bonds.

**WHEREFORE**, the Commission respectfully requests that the County Council order a public hearing to be held on the question of authorizing the issuance of an amount not exceeding \$11,250,000 of the Bonds of the District, and thereafter approve such issuance by ordinance, which Bonds may be issued as a single issue or from time to time as several separate issues as the Commission may determine.

**BOILING SPRINGS FIRE DISTRICT COMMISSION**