

A RESOLUTION CALLING FOR A PUBLIC HEARING TO BE HELD UPON THE QUESTION OF CONSOLIDATING EXISTING FIRE PROTECTION DISTRICTS THROUGH THE CREATION OF A SINGLE UNIFIED COUNTY FIRE PROTECTION DISTRICT; AND OTHER MATTERS RELATING THERETO.

**WHEREAS**, the County Council of Pickens County (the "**County Council**"), which is the governing body of Pickens County, South Carolina (the "**County**") is empowered pursuant to Title 4, Chapter 19 of the Code of Laws of South Carolina 1976, as amended (the "**Enabling Act**"), "[t]o establish, operate, and maintain a system of fire protection" within the County;

**WHEREAS**, pursuant to the Enabling Act and Ordinance No. 404 dated June 16, 2008, as amended by Ordinance No. 405 dated August 18, 2008, and Ordinance No. 571 dated June 17, 2019, the County previously established thirteen separate fire service areas within the County (collectively, the "**Fire Districts**");

**WHEREAS**, pursuant to Ordinance No. 509 dated November 2, 2020 (and collectively with Ordinance No. 404, Ordinance No. 405, and Ordinance No. 571, the "**Fire Ordinance**"), ten of the Fire Districts—those that imposed fees or charges for fire service within their respective service areas in lieu of ad valorem taxes—were consolidated into the Pickens Area Fire Protection District (the "**Original Pickens Fire District**");

**WHEREAS**, after such consolidation, in addition to the Original Pickens Fire District, three of the original Fire Districts currently exist in the County: Shady Grove Rural Area Fire Protection District, Vineyards Fire Protection District, and Springs Fire Protection District (collectively, the "**Millage Fire Districts**"), each of which levies *ad valorem* property taxes to fund fire service within their respective service areas;

**WHEREAS**, the Original Pickens Fire District and each of the Millage Fire Districts (a) were each established as county fire service areas under the Enabling Act; (b) currently provide fire protection services within defined areas (as described in the Fire Ordinance); and (c) are operated and managed as an administrative division of the County through its County fire service division;

**WHEREAS**, the County seeks to restructure the organization of fire services in the County by unifying the Original Pickens Fire District and the Millage Fire Districts into a single, unified fire service area under the Enabling Act (the "**Pickens Fire District**"), which it believes will: (a) attract new firefighters (both paid and volunteer); (b) retain existing firefighters (both paid and volunteer); (c) allow for proper training of new and existing firefighters; (d) stabilize service calls and fire station capacity; (e) promote better responsiveness and fire service to taxpayers, residents, and businesses within the County; and (f) more effectively and equitably spread the cost of fire services throughout the unincorporated areas of the County;

**WHEREAS**, the County Council, by terms of the Enabling Act and an ordinance being considered by County Council (the "**Consolidation Ordinance**"), has the power, right and legal authority to amend the Fire Ordinance in order to implement the unification of the Original Pickens Fire District and the Millage Fire Districts into the Pickens Fire District (the "**Consolidation**") and

to further revise, amend and modify other provisions of the Fire Ordinance in order to properly implement such changes;

**WHEREAS**, prior to the adoption of this resolution, County Council considered a resolution entitled, "A RESOLUTION CALLING FOR PUBLIC HEARINGS TO BE HELD UPON THE QUESTIONS OF: (1) CONSOLIDATING EXISTING FIRE PROTECTION DISTRICTS THROUGH THE CREATION OF A SINGLE UNIFIED COUNTY FIRE PROTECTION DISTRICT, AND (2) AMENDING THE PICKENS COUNTY FISCAL YEAR 2021-22 BUDGET; AND OTHER MATTERS RELATING THERETO" (the "*Original Resolution*");

**WHEREAS**, in lieu of adopting the Original Resolution, the County Council determined to split the public hearings for the Consolidation, and a that certain supplemental budget amendment to the County's fiscal year 2021-22 budget, as contemplated by the Consolidation Ordinance and authorized separate approval resolutions therefor;

**WHEREAS**, in light of such action, this resolution was authorized to independently approve the public hearing for the Consolidation.

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

**Section 1** The County Council believes that it is in the interest of the County and the residents and taxpayers of the Original Pickens Fire District and the Millage Fire Districts to undertake the Consolidation as of July 1, 2022 as necessary to reconstitute and establish the Pickens Fire District as a single, unified fire service area under the Enabling Act.

**Section 2** A Public hearing shall be held on the Consolidation in the County Administration Building (County Council Chambers) located at 222 McDaniel Avenue, Pickens, South Carolina 29671, on June 6, 2022, at 6:30 p.m. (or as soon thereafter as time permits), and the notice of such hearing attached hereto as Exhibit A shall be published once a week for three successive weeks in the *The Sentinel-Progress*, which is a newspaper of general circulation in the County. The first such publication shall not be less than sixteen days prior to the hearing date.

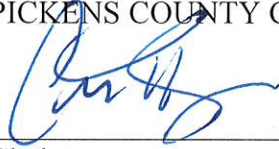
**Section 3** The aforesaid public hearing shall be conducted publicly at the time and place above stated and both proponents and opponents of the proposed Consolidation shall be given a full opportunity to be heard in person or by counsel during each applicable hearing.

**Section 4** Following the aforesaid public hearings, the County Council shall determine whether and to what extent the Consolidation shall occur.

**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 public hearing in accordance with the provisions of the Enabling Act.

DONE AT PICKENS, SOUTH CAROLINA, this 2nd day of May 2022.

PICKENS COUNTY COUNCIL



\_\_\_\_\_  
Chairman

(SEAL)

ATTEST:



\_\_\_\_\_  
Clerk to Council

## Exhibit A

### NOTICE OF PUBLIC HEARING

The County Council of Pickens County (hereinafter the “County Council”), which is the governing body of Pickens County, South Carolina (the “County”), is considering the enactment of an ordinance (the “Consolidation Ordinance”) entitled: “AN ORDINANCE AMENDING THE UNIFORM ORDINANCE FOR FIRE PROTECTION DISTRICTS (AS PREVIOUSLY ENACTED BY ORDINANCE NO. 404, AS AMENDED BY ORDINANCE NO. 405, ORDINANCE NO. 571, AND ORDINANCE NO. 509) TO CONSOLIDATE THE EXISTING FIRE PROTECTION DISTRICTS INTO A SINGLE UNIFIED FIRE PROTECTION DISTRICT; AUTHORIZING AN AMENDMENT TO THE COUNTY’S FISCAL YEAR 2021-22 BUDGET; AND OTHER MATTERS RELATING THERETO.” As required by Section 4-19-20 of the Code of Laws of South Carolina 1976, as amended, you are advised that a public hearing will be held in the Pickens County Administration Facility (County Council Chambers) located at 222 McDaniel Avenue, Pickens, South Carolina, 29671, on June 6, 2022 at 6:30 p.m. (or as soon thereafter as time permits) on the Consolidation (as defined herein). All interested persons will be given an opportunity to be heard and express their views at the public hearings. A copy of the Consolidation Ordinance is available for review at the County’s administrative facility during normal business hours.

1. The County Council is empowered pursuant to Title 4, Chapter 19 of the Code of Laws of South Carolina 1976, as amended (the “Enabling Act”), “[t]o establish, operate, and maintain a system of fire protection” within the County.

2. Pursuant to the Enabling Act and Ordinance No. 404 dated June 16, 2008, as amended by Ordinance No. 405 dated August 18, 2008, and Ordinance No. 571 dated June 17, 2019, the County previously established thirteen separate fire service areas within the County (collectively, the “Fire Districts”).

3. Pursuant to Ordinance No. 509 dated November 2, 2020 (and collectively with Ordinance No. 404, Ordinance No. 405 and Ordinance No. 571, the “Fire Ordinance”), ten of the Fire Districts—those that imposed fees or charges for fire services within their respective service areas in lieu of *ad valorem* taxes—were consolidated into the Pickens Area Fire Protection District (the “Original Pickens Fire District”).

4. After such consolidation, in addition to the Original Pickens Fire District, three of the original Fire Districts currently exist in the County: Shady Grove Rural Area Fire Protection District, Vineyards Fire Protection District, and Springs Fire Protection District (collectively, the “Millage Fire Districts”), each of which levies *ad valorem* property taxes to fund fire service within their respective service areas.

5. Pursuant to the Consolidation Ordinance, the County Council seeks to consolidate the Original Pickens Fire District and the Millage Fire Districts into a single fire service area under the Enabling Act (the “Consolidation”), which shall be reconstituted as the Pickens Area Fire Protection District (the “Pickens Fire District”). Through such action, the County Council is

mindful that the Consolidation will: (a) attract new firefighters (both paid and volunteer); (b) retain existing firefighters (both paid and volunteer); (c) allow for proper training of new and existing firefighters; (d) stabilize service calls and fire station capacity; (e) promote better responsiveness and fire service to taxpayers, residents, and businesses within the County; and (f) more effectively and equitably spread the cost of fire services throughout the County.

6. After the Consolidation, the Pickens Fire District shall constitute a single unified fire service area in the County, the service area of which shall consist of the entire unincorporated area of the County, plus the towns of Six Mile and Liberty, as well other areas outside the corporate boundaries by contract (as authorized by the Enabling Act).

7. The Pickens Fire District will be subject to existing provisions of Chapter 22, Article II of the Pickens County Code of Ordinances, as amended by the Consolidation Ordinance, which provides that the Pickens Fire District will be authorized to (i) levy *ad valorem* property taxes within its boundaries for operation and maintenance purposes, and (ii) impose rates and charges for operation and maintenance purposes.

8. The Pickens Fire District shall be operated as an administrative division of the County and shall be authorized to issue general obligation bonds, payable from *ad valorem* taxes levied within its service area, in order to defray the capital costs of providing fire protection services therein. The authorization to issue general obligation bonds was provided in the Fire Ordinance and is sustained (with certain necessary amendments) by the provisions of the Consolidation Ordinance.

COUNTY COUNCIL OF PICKENS COUNTY