

ORDINANCE NO. 22-09

AN ORDINANCE FINDING THAT THE PALMETTO RURAL FIRE DISTRICT MAY ISSUE NOT EXCEEDING \$1,600,000 GENERAL OBLIGATION BONDS; TO AUTHORIZE THE PALMETTO RURAL FIRE DISTRICT COMMISSION TO ISSUE SUCH BONDS; AND TO PROVIDE FOR THE PUBLICATION OF NOTICE OF THE SAID FINDING AND AUTHORIZATION.

WHEREAS, Darlington County Council, which is the governing body of Darlington County (the “County Council”), held a public hearing on the question of the issuance of not exceeding \$1,600,000 general obligation bonds of the Palmetto Rural Fire District be held in the Chambers of County Council, at 6:00 p.m. on August 8, 2022, and Notice of such meeting has been duly published once a week for three successive weeks in the News and Press and The Messenger, newspapers of general circulation in Darlington County; and

WHEREAS, the said hearing has been duly held at the above time, date and place and said public hearing was conducted publicly and both proponents and opponents of the proposed action were given full opportunity to be heard and it is now in order for the County Council to proceed, after due deliberation, in accordance with the provisions of Act No. 1189, enacted at the 1974 Session of the South Carolina General Assembly and approved July 9, 1974, now codified as Article 5 of Chapter II of Title (Sections 6-11-810 through 6-11-1050, inclusive) (the “Enabling Act”) to make a finding as to whether not exceeding \$1,600,000 general obligation bonds of the Palmetto Rural Fire District (the “District”) should be issued.

NOW THEREFORE, BE IT ORDAINED, by the Darlington County Council in meeting duly assembled:

Section 1. It is found and determined that each statement of fact set forth in the preambles of this Ordinance is in all respects true and correct.

Section 2. On the basis of the facts adduced at the public hearing held on August 8, 2022, it is found and determined that the Palmetto Rural Fire District Commission (the “Commission”) should be authorized to issue not exceeding \$1,600,000 general obligation bonds of the District.

Section 3. The County Council finds that the Commission should issue general obligation

bonds of the District in an amount not to exceed \$1,600,000 as a single issue or from time to time as several separate issues, as the District shall determine.

Section 4. The County Council hereby authorizes the Commission to issue general obligation bonds of the District in an aggregate principal amount not to exceed \$1,600,000 as a single issue or from time to time as several separate issues for a term or terms not to exceed fifteen (15) years, as the Commission shall determine, for the purpose of defraying the cost to (i) purchase new fire trucks and fire fighting equipment for use by the District, (ii) refinance obligations incurred to pay the cost of existing buildings and equipment (together, the "Capital Improvements"), and (iii) pay costs of issuance of such bonds. For the payment of the principal of and interest on such 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 annually a tax without limit on all taxable property within the area of the District sufficient to pay such principal of and interest on the said bonds as they respectively mature, and to create such sinking fund.

Section 5. Pursuant to Section 6-11-870 of the Enabling Act, notice of the action herewith taken shall be given in the form substantially as set forth in Exhibit A hereto. Such notice shall be published once a week for three successive weeks in the News and Press and The Messenger, newspapers of general circulation in Darlington County.

Section 6. The Chairman and other officers of the County Council are herewith authorized and empowered to take such further action as may be necessary to fully implement the action taken by this Ordinance.

Section 7. A certified copy of this Ordinance shall forthwith be transmitted to the Commission to advise it of the action taken by the County Council, whereby the Commission has been authorized to issue, pursuant to the provisions of the Enabling Act, its general obligation bonds not to exceed the aggregate principal amount of \$1,600,000.

DONE AT DARLINGTON, SOUTH CAROLINA, this 8th day of August 2022.



Chairman, Darlington County Council

Attest:



Clerk to Darlington County Council

First Reading: June 6, 2022
Second Reading: July 11, 2022
Public Hearing: August 8, 2022
Third Reading: August 8, 2022

STATE OF SOUTH CAROLINA

COUNTY OF DARLINGTON

NOTICE PURSUANT TO SECTION 6-11-870
CODE OF LAWS OF SOUTH CAROLINA, 1976

Notice is hereby given pursuant to the provisions of Section 6-11-870 Code of Laws of South Carolina, 1976, and following a public hearing held on August 8, 2022 that the Darlington County Council has found that:

1. Palmetto Rural Fire District Commission, created and established in Darlington County as a body politic and corporate following the successful results of a referendum held at the time of the general election on November 2, 1976, pursuant to Section 59-601 of the 1962 Code of Laws of South Carolina, now codified in the South Carolina Code of Laws, 1976, as amended (the "S.C. Code") at Section 6-11-10, et seq., has been authorized to issue not exceeding \$1,600,000 general obligation bonds of the Palmetto Rural Fire District either as a single issue, or as several separate issues, for a term or terms not to exceed 15 years for the purpose of (i) purchasing new fire trucks and fire fighting equipment for use by the District and (ii) refinancing obligations incurred to pay the cost of existing buildings and equipment. For the payment of the principal of and interest on such 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 Palmetto Rural Fire District shall be irrevocably pledged, and there shall be levied annually a tax without limit on all taxable property within the area of the District sufficient to pay such principal and interest and to create such sinking fund.

2. No election has been ordered in the Palmetto Rural Fire District upon the question of the issuance of the aforesaid bonds.

Any person affected by the action aforesaid of the Darlington County Council may by action de novo instituted in the Court of Common Pleas for Darlington County within twenty (20) days following the

last publication of this Notice but not afterwards challenge the action of the Darlington County Council.

DARLINGTON COUNTY COUNCIL

STATE OF SOUTH CAROLINA

COUNTY OF DARLINGTON

I, the undersigned, Clerk to Darlington County Council (“County Council”), the governing body of Darlington County, South Carolina, DO HEREBY CERTIFY:

That the foregoing constitutes a true, correct and verbatim copy of an Ordinance adopted by the County Council on August 8, 2022. The Ordinance was read at three public meetings of the County Council on three separate days, June 6, 2022, July 11, 2022 and August 8, 2022. An interval of at least seven days occurred between each reading of the Ordinance. At each such meeting, a quorum of the County Council was present and remained present throughout the meeting.

The meetings held on June 6, 2022, July 11, 2022 and August 8, 2022 were regular meetings of the County Council, for which notice had been previously given pursuant to and in conformity with Chapter 4, Title 30 of the Code of Laws of South Carolina 1976, as amended (the “Freedom of Information Act”).

The original of the Ordinance is duly entered in the permanent records of County Council, in my custody as Clerk.

The Ordinance is now of full force and effect, and has not been modified, amended or repealed.

IN WITNESS WHEREOF, I have hereunto set my Hand and the Seal of Darlington County, South Carolina, this 8 day of August, 2022.

(SEAL)


Clerk to Darlington County Council,
Darlington County, South Carolina

Darlington County Recording Page



Darlington Clerk of Court / ROD
Scott B. Suggs
Darlington County Courthouse
1 Public Square - Room B-4
Darlington, SC 29532
(843) 398-4330

OrdinanceNo : **2022-10**



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On (Recorded Date) : **8/15/2022**
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Type of Transaction: Ordinance

First INDEXED NAME

DARLINGTON COUNTY COUNCIL

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