

# COUNTY COUNCIL OF BEAUFORT COUNTY

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D. PAUL SOMMERVILLE  
CHAIRMAN

STEWART H. RODMAN  
VICE CHAIRMAN

## COUNCIL MEMBERS

STEVEN M. BAER  
CYNTHIA M. BENSCH  
RICK CAPORALE  
GERALD DAWSON  
BRIAN E. FLEWELLING  
WILLIAM L. MCBRIDE  
GERALD W. STEWART  
LAURA L. VON HARTEN

GARY KUBIC  
COUNTY ADMINISTRATOR

BRYAN J. HILL  
DEPUTY COUNTY ADMINISTRATOR

JOSHUA A. GRUBER  
COUNTY ATTORNEY

SUZANNE M. RAINEY  
CLERK TO COUNCIL

## AGENDA GOVERNMENTAL COMMITTEE (Includes Public Safety Division)

Monday, February 4, 2013

4:00 p.m.

Executive Conference Room  
Administration Building

### Governmental Committee Members:

Jerry Stewart, Chairman  
Laura Von Harten, Vice Chairman  
Cynthia Bensch  
Rick Caporale  
Gerald Dawson  
Brian Flewelling  
Vacant – District 9 Representative

### Staff Support:

Phil Foot, Division Director

1. CALL TO ORDER – 4:00 P.M.
2. DISCUSSION / UPCOMING LEGISLATIVE SESSION
3. CONSIDERATION OF A RESOLUTION OF BEAUFORT COUNTY COUNCIL SUPPORTING THE CREATION OF THE BEAUFORT AND SUMTER ECONOMIC (BASE) ALLIANCE ([backup](#))
4. DISCUSSION / AMENDMENTS TO THE BYLAWS OF SOUTHERN BEAUFORT COUNTY MEDIAN BEAUTIFICATION COMMITTEE ([backup](#))
5. A PETITION OF THE BOARD OF FIRE CONTROL OF THE LADY'S ISLAND-ST. HELENA ISLAND FIRE DISTRICT TO THE GOVERNING BODY OF BEAUFORT COUNTY, SOUTH CAROLINA, REQUESTING A PUBLIC HEARING PURSUANT TO SECTION 6-11-430 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED ([backup](#))
6. A RESOLUTION CALLING FOR A PUBLIC HEARING TO BE HELD UPON THE QUESTION OF THE CLARIFICATION AND CONFIRMATION OF THE BOUNDARIES OF THE LADY'S ISLAND-ST. HELENA ISLAND FIRE DISTRICT, SOUTH CAROLINA; PROVIDING FOR THE PUBLICATION OF THE NOTICE OF SUCH PUBLIC HEARING; AND OTHER MATTERS RELATING THERETO ([backup](#))



7. AN ORDINANCE PROVIDING FOR THE CLARIFICATION AND CONFIRMATION OF THE BOUNDARIES OF THE LADY’S ISLAND-ST. HELENA ISLAND FIRE DISTRICT, SOUTH CAROLINA, THE PUBLICATION OF NOTICE OF THE SAID FINDING AND ACTION, AND OTHER MATTERS RELATING THERETO ([backup](#))
8. CONSIDERATION OF A RESOLUTION OPPOSING HOUSE BILL 3290 AND SENATE BILL 203, SOLID WASTE FLOW CONTROL
9. CONSIDERATION OF REAPPOINTMENTS AND APPOINTMENTS
  - A. Bluffton Fire District Commission
  - B. Burton Fire District Commission
  - C. Daufuskie Island Fire District Commission
  - D. Sheldon Fire District Commission
10. EXECUTIVE SESSION – Discussion of matters relating to the proposed location, expansion or the provision of services encouraging location or expansion of industries or other businesses in Beaufort County
11. ADJOURNMENT

**RESOLUTION NO. \_\_\_\_**

**A RESOLUTION OF BEAUFORT COUNTY COUNCIL SUPPORTING THE CREATION OF THE BEAUFORT AND SUMTER ECONOMIC (BASE) ALLIANCE.**

**WHEREAS**, Beaufort County Council adopted Resolution 2008-10 creating the Lowcountry Economic Development Alliance Board (the “Board”) and adopting the by-laws thereof for the purpose of promoting economic development in the lowcountry area; and

**WHEREAS**, subsequent to its creation, the Board has gone through several changes including the withdrawal of Jasper County as a participating entity and the inclusion of several municipalities as participating entities; and

**WHEREAS**, Beaufort and Sumter Counties have long understood the importance of local military bases to their respective communities as economic anchors that are essential for continued stability and growth; and

**WHEREAS**, the military assets located in both Beaufort and Sumter Counties affords a strategic opportunity to unite in economic development pursuits targeted towards industry and investment that value a military presence in terms of advanced technologies and tremendous labor pools; and

**WHEREAS**, in order to jointly market the outstanding military assets located in both Beaufort and Sumter Counties, Beaufort County Council supports the collaboration of the Lowcountry Economic Alliance, the Sumter Development Corporation and Sumter Smart Growth to form a new Beaufort and Sumter Economic (BASE) Alliance which will exist to attract prospective and existing companies to increase capital investments and job creation in their respective communities.

**NOW, THEREFORE, BE IT RESOLVED**, that Beaufort County Council hereby affirms its support for the creation of a new economic development entity to be known as the Beaufort and Sumter Economic (BASE) Alliance that will serve in an oversight and management function of all collaborative efforts that may be undertaken by the currently existing economic development organizations of both Beaufort County (Lowcountry Economic Alliance) and Sumter County (Sumter Development Corporation and Sumter Smart Growth).

**BE IT FURTHER RESOLVED**, that Beaufort County Council supports the creation of a seven member board for the Beaufort and Sumter Economic (BASE) Alliance which shall be comprised of three (3) members of the Lowcountry Economic Alliance, three (3) members of Sumter County economic development organization, and one (1) member which shall be appointed on an annual rotating basis between the two county economic development organizations starting first with a Sumter County economic development organization representative.

**DONE** this \_\_\_\_ day of \_\_\_\_\_, 2013.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: \_\_\_\_\_  
D. Paul Sommerville, Chairman

ATTEST:

\_\_\_\_\_  
Suzanne M. Rainey, Clerk to Council

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION TO CREATE THE SOUTHERN BEAUFORT COUNTY ~~MEDIAN~~ CORRIDOR BEAUTIFICATION COMMITTEE TO ASSIST BEAUFORT COUNTY COUNCIL IN DESIGN, IMPLEMENTATION, FUNDRAISING AND PROMOTION OF MEDIAN BEAUTIFICATION ALONG HIGH VOLUME TRAFFIC CORRIDORS IN THE SOUTHERN AREAS OF BEAUFORT COUNTY

WHEREAS, Beaufort County desires to promote and enhance the aesthetic values of high volume traffic corridors in southern Beaufort County by the creation of the Southern Beaufort County ~~Median~~ Corridor Beautification Committee (the “Committee”); and

WHEREAS, the Committee will assist Beaufort County Council in the planning, design, implementation, fundraising and promotion of median beautification along certain county and state roads located in southern Beaufort county; and

WHEREAS, the Committee shall create such technical subcommittees as may be necessary to adequately assist the Committee in carrying out its functions; and

WHEREAS, it is understood that in order for the Committee to maximize its fundraising potential, it is necessary for the Committee to file articles of incorporation and other such documentation as may be necessary to obtain tax exempt status with the Internal Revenue Service; and

WHEREAS, the Committee shall present a yearly operational budget to Beaufort County Council for review and adoption at the same time that the County’s operation budget is presented for review and adoption.

NOW, THEREFORE, BE IT RESOLVED, by Beaufort County Council that there is hereby created a Southern Beaufort County ~~Median~~ Corridor Beautification Committee that shall be organized and operated as follows:

- Section 1. The Committee shall be comprised of the following membership:
- a) One member from County Council District 5
  - b) One member from County Council District 6
  - c) One member from County Council District 7
  - d) One member from County Council District 8
  - e) One member from County Council District 9
  - f) One member from County Council District 10
  - g) One member from County Council District 11
  - h) One member nominated for appointment by the Town of Bluffton
  - i) One member nominated for appointment by the Town of Hilton Head Island

- Section 2. Any vacancy on the board will be filled in the same manner as provided for under Section 2-191 through 2-198 of the Beaufort County Code of Ordinances upon nomination of the respective member of County Council, the Town of Bluffton, or Town of Hilton Head Island depending upon the seat that is vacated.
- Section 3. The members shall elect a Chairperson from its membership.
- Section 4. The Committee shall meet at the call of the Chairperson, at least quarterly, and shall be conducted in compliance with the South Carolina Freedom of Information Act. Minutes shall be kept of any meetings and the Committee shall forward a copy of said minutes to the Beaufort County Council within thirty (30) days of their completion and adoption by the Committee. A majority of the number of members on the board shall constitute a quorum for transaction of business at any meeting. A majority of those present and voting shall be required to decide any issue after a quorum has been established.
- Section 5. The name of the organization shall be known as the Southern Beaufort County ~~Median~~ Corridor Beautification Committee.
- Section 6. The purpose of the Committee will be to promote the design, enhancement, implementation, maintenance and funding of aesthetic median spaces along certain roadways located in Southern Beaufort County.
- Section 7. The Committee shall have the authority to take any and all lawful actions as may be necessary or appropriate to carry out the aforementioned purpose of the Committee, *provided however*, that in carrying out its purpose and exercising its powers, the Committee shall not engage in any activities which would cause it to fail to qualify for exemption from Federal income taxation purposes under the United States Internal Revenue Code as amended from time to time, or successor provisions thereto.
- Section 8. The Committee shall submit an annual budget to Beaufort County Council for review and adoption indicating all anticipated sources of revenue, all anticipated expenditures, and any remaining funds that have been carried over from previous years.
- Section 9. The Committee may appoint such other standing, special, or advisory committees from time to time as it deems appropriate. Members of such committees may include Committee members, as well as individuals representing specialized interests in areas that would be beneficial to the Committee carrying out its purpose.

Section 10. The Committee shall adhere to all conflict of interest prohibitions and disclosure requirements provided in South Carolina Code of Laws § 8-13-700 et seq.

Section 11. The Committee may adopt such By-Laws as it deems necessary, provided that the By-Laws do not conflict with the provisions of this Resolution. These by-laws may be amended by a two-thirds majority of the voting members of the Committee, provided written notice of such proposed amendment, including a copy of any proposed amendment, is mailed to each Committee member at least two weeks prior to such meeting. All by-law amendments are conditioned upon approval and ratification of Beaufort County Council.

DONE, this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: \_\_\_\_\_  
D. Paul Sommerville, Chairman

ATTEST:

\_\_\_\_\_  
Suzanne M. Rainey, Clerk to Council

## A PETITION

### OF THE BOARD OF FIRE CONTROL OF THE LADY'S ISLAND-ST. HELENA ISLAND FIRE DISTRICT TO THE GOVERNING BODY OF BEAUFORT COUNTY, SOUTH CAROLINA, REQUESTING A PUBLIC HEARING PURSUANT TO SECTION 6-11-430 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED.

1. The Lady's Island-St. Helena Island Fire District, South Carolina (the "***District***"), is a special purpose district in Beaufort County, South Carolina (the "***County***"), created as a body politic and corporate pursuant to the provisions of Act No. 1727 of the Acts and Joint Resolutions of the General Assembly of the State of South Carolina for the year 1972, as amended. The District was created for the purpose of providing fire service within its boundaries.

2. The County Council of Beaufort County (the "***County Council***"), the governing body of the County, is empowered by Sections 6-11-410 through 6-11-650, inclusive, of the Code of Laws of South Carolina, 1976, as amended (the "***Enabling Act***"), to clarify and confirm the service area boundaries of the District.

3. In carrying out its functions and duties, the Board of Fire Control of the Lady's Island-St. Helena Island Fire District, the governing body thereof (the "***Board of Fire Control***"), has determined that a need exists at the present time to clarify and confirm the service area boundaries of the District in order to allow the District to meet its disclosure obligations under the federal securities laws and the attendant disclosure obligations of the District. The District currently provides fire service and levies taxes therefor in the area generally encompassing Lady's and St. Helena Islands, and those islands in the immediate vicinity, but excluding that area of Lady's Island previously annexed by the City of Beaufort and the Fripp Island Public Service District. The area is generally bounded as follows:

To the north by the Coosaw River; to the east by St. Helena Sound and the Atlantic Ocean; to the south by the Atlantic Ocean; and to the west by the Beaufort River and Brickyard Creek.

This area includes, but is not limited to, the following islands: Bay Point, Butchers, Cat, Cane, Capers, Cherry Hill Knoll, Coosaw, Dataw, Datha, Distant, Judge, Fig, Goat, Gibbs, Harbor, Horse, Hunting, Lady's, Marsh, Morgan, Old, Phillips, Pine, Polawona, Prichards, Saw, Sheep, St. Helena and Warsaw (collectively, the "***Service Area***").

4. The District anticipates issuing general obligation bonds shortly after the clarification of the Service Area in an amount not exceeding \$6,000,000 to aid the provision of fire service within the Service Area. Such bonds would be secured by the full faith, credit, and taxing power of the District, and would be paid from an *ad valorem* property tax levy upon all taxable property in District.

5. In connection with these proceedings, it is not anticipated that there will be changes made in the personnel of the existing Board of Fire Control.

6. Pursuant to Section 6-11-430 of the Enabling Act, the County Council is required to order a public hearing to be held upon the question of clarifying and confirming such Service Area boundaries upon the receipt of this petition.

**WHEREFORE**, the Board of Fire Control hereby submits this petition to the County Council requesting a public hearing be held on the question of clarifying and confirming the boundaries of the District as the Service Area and praying that the requested clarification and confirmation of the District's boundaries be granted.

**LADY'S ISLAND-ST. HELENA ISLAND FIRE DISTRICT**

January 31, 2013



## A RESOLUTION

**CALLING FOR A PUBLIC HEARING TO BE HELD UPON THE QUESTION OF THE CLARIFICATION AND CONFIRMATION OF THE BOUNDARIES OF THE LADY'S ISLAND-ST. HELENA ISLAND FIRE DISTRICT, SOUTH CAROLINA; PROVIDING FOR THE PUBLICATION OF THE NOTICE OF SUCH PUBLIC HEARING; AND OTHER MATTERS RELATING THERETO.**

**BE IT RESOLVED**, by the County Council of Beaufort County (the "*County Council*"), which is the governing body of Beaufort County, South Carolina (the "*County*");

**WHEREAS**, the County Council, is empowered by Sections 6-11-410 through 6-11-650, inclusive, of the Code of Laws of South Carolina, 1976, as amended (the "*Enabling Act*"), to clarify and define the boundaries of special purpose districts within its bounds;

**WHEREAS**, the Lady's Island-St. Helena Island Fire District, South Carolina (the "*District*"), is a special purpose district existing wholly within the County, created as a body politic and corporate pursuant to the provisions of Act No. 1727 of the Acts and Joint Resolutions of the General Assembly of the State of South Carolina for the year 1972, as amended (the "*Act*"). The District was created for the purpose of providing fire protection within the District;

**WHEREAS**, the boundaries of the District are defined in the Act as including "the entire area of the islands";

**WHEREAS**, the Board of Fire Control of the Lady's Island-St. Helena Island Fire District, the governing body of the District (the "*Board of Fire Control*"), has petitioned the County to clarify and confirm its service area boundaries in aid of providing accurate information to potential purchasers of general obligation bonds of the District. The District represents that such action will provide the certainty necessary to comply with federal securities laws and the attendant disclosure obligations of the District; and

**WHEREAS**, the County Council is now minded to proceed in accordance with the provisions of the Enabling Act with respect to the clarification and confirmation of the District's service area boundaries.

**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 and the County to clarify and confirm the District's service area boundaries, and in that connection hereby orders a public hearing to be held upon the question of the clarification and confirmation of the boundaries of the District.

**SECTION 2.** A public hearing shall be held on the question of the clarification and confirmation of the service area boundaries of the District in the Beaufort County Council

Chambers located at 100 Ribaut Road, Beaufort, South Carolina 29902, on the 11th day of March, 2013, at 6:00 p.m., and the notice of such hearing shall be published once a week for three (3) successive weeks in *The Beaufort Gazette*, which is a newspaper of general circulation in the County, in substantially similar form to that attached hereto as Exhibit A. The first such publication shall not be less than sixteen (16) 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 action shall be given a full opportunity to be heard in person or by counsel.

**SECTION 4.** Following the above aforesaid public hearing, the County Council shall determine whether and to what extent the boundaries of the District shall be clarified and confirmed.

**SECTION 5.** The Chairman of the County Council is 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 BEAUFORT, SOUTH CAROLINA, this 11th day of February, 2013.

**BEAUFORT COUNTY COUNCIL**

(SEAL)

\_\_\_\_\_  
Chairman

Attest:

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

**NOTICE OF PUBLIC HEARING ON THE PROPOSED CLARIFICATION  
AND CONFIRMATION OF THE BOUNDARIES OF THE LADY'S  
ISLAND-ST. HELENA ISLAND FIRE DISTRICT, SOUTH CAROLINA**

The County Council of Beaufort County (hereinafter called the "***County Council***"), the governing body of Beaufort County, South Carolina (the "***County***"), has received a petition from the Board of Fire Control of the Lady's Island-St. Helena Island Fire District (the "***Board of Fire Control***"), the governing body of the Lady's Island-St. Helena Island Fire District, South Carolina (the "***District***"), requesting the County Council clarify and confirm the District's boundaries.

In carrying out its functions and duties, the Board of Fire Control has determined that a need exists at the present time to clarify and confirm the boundaries of the District in aid of providing accurate information to potential purchasers of general obligation bonds of the District. Such clarification will provide the certainty necessary to comply with federal securities laws and the attendant disclosure obligations of the District.

The District currently provides fire service and levies taxes therefor in the area generally encompassing Lady's and St. Helena Islands, and those islands in the immediate vicinity, but excluding that area of Lady's Island previously annexed by the City of Beaufort and the Fripp Island Public Service District. The area is generally bounded as follows:

To the north by the Coosaw River; to the east by St. Helena Sound and the Atlantic Ocean; to the South by the Atlantic Ocean; and to the west by the Beaufort River and Brickyard Creek.

This area includes, but is not limited to the following islands: Bay Point, Butchers, Cat, Cane, Capers, Cherry Hill Knoll, Coosaw, Dataw, Datha, Distant, Judge, Fig, Goat, Gibbs, Harbor, Horse, Hunting, Lady's, Marsh, Morgan, Old, Phillips, Pine, Polawona, Prichards, Saw, Sheep, St. Helena and Warsaw (collectively, the "***Service Area***").

In light of the foregoing, the County Council has ordered a public hearing to be held upon the question of the clarification and confirmation of the Service Area in accordance with the provisions of Sections 6-11-410 through 6-11-650, inclusive, of the Code of Laws of South Carolina, 1976, as amended.

Accordingly, notice is hereby given that a public hearing shall be held in the Beaufort County Council Chambers located at 100 Ribaut Road, Beaufort, South Carolina 29902, on the 11th day of March, 2013 at 6:00 p.m., and that notice of such hearing attached be published once a week for three (3) successive weeks in *The Beaufort Gazette*, a newspaper of general circulation in the County.

The District anticipates issuing bonds shortly after clarification of the Service Area in an amount not exceeding \$6,000,000 in aid of providing fire service within the Service Area. Such

bonds would be secured by the full faith, credit, and taxing power of the District, and would be paid from an *ad valorem* property tax levy upon all taxable property in District.

The District is not precluded from providing fire service to any portion of the Service Area pursuant to the provisions of Chapter 11 of Title 6 of the Code of Laws of South Carolina, 1976, as amended.

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 service area boundaries of the District shall be clarified and confirmed.

COUNTY COUNCIL OF BEAUFORT COUNTY

## AN ORDINANCE

**PROVIDING FOR THE CLARIFICATION AND CONFIRMATION OF THE BOUNDARIES OF THE LADY'S ISLAND-ST. HELENA ISLAND FIRE DISTRICT, SOUTH CAROLINA, THE PUBLICATION OF NOTICE OF THE SAID FINDING AND ACTION, AND OTHER MATTERS RELATING THERETO.**

**WHEREAS**, the Board of Fire Control of the Lady's Island-St. Helena Island Fire District (the "***Board of Fire Control***"), the governing body of the Lady's Island-St. Helena Island Fire District, South Carolina (the "***District***"), has determined that the best interests of the District will be served through the clarification and confirmation of its area and boundaries (its Service Area, as hereinafter defined) within Beaufort County, South Carolina (the "***County***");

**WHEREAS**, such clarification and confirmation of the Service Area will aid in the provision of accurate information concerning the Service Area to potential purchasers of general obligation bonds of the District and will provide the certainty necessary for the District to comply with federal securities laws and its attendant disclosure obligations;

**WHEREAS**, by action previously taken, the County Council of Beaufort County, South Carolina, which is the governing body of the County (the "***County Council***"), ordered that a public hearing on the question of the clarification and confirmation of the Service Area be held in the Beaufort County Council Chambers, located at 100 Ribaut Road, Beaufort, South Carolina 29902, on the 11th day of March, 2013, at 6:00 p.m., and notice of such hearing was published once a week for three (3) successive weeks in *The Beaufort Gazette*, a newspaper of general circulation in the County; and

**WHEREAS**, the said public 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 Sections 6-11-410 through 6-11-650, inclusive (the "***Enabling Act***"), of the South Carolina Code of Laws of South Carolina, 1976, as amended (the "***Code***"), to make a finding as to whether or not to clarify and confirm the Service Area.

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

**Section 1.** It is found and determined that each statement of fact set forth in the preamble of this ordinance (this "***Ordinance***") is in all respects true and correct.

**Section 2.** On the basis of the facts before the County Council and adduced at the public hearing held on March 11, 2013, the County Council, in order to aid the District in the provision of accurate information concerning the Service Area to potential purchasers of general obligation bonds of the District, hereby confirms the Service Area.

**Section 3.** The area of the District is hereby confirmed as that area in which the District currently provides fire service and levies taxes therefor and generally encompasses Lady's and St. Helena Islands, and those islands in the immediate vicinity, but excludes that area of Lady's Island previously annexed by the City of Beaufort and the Fripp Island Public Service District. The Service Area is generally bounded as follows:

To the north by the Coosaw River; to the east by St. Helena Sound and the Atlantic Ocean; to the south by the Atlantic Ocean; and to the west by the Beaufort River and Brickyard Creek.

The Service Area includes, but is not limited to the following islands: Bay Point, Butchers, Cat, Cane, Capers, Cherry Hill Knoll, Coosaw, Dataw, Datha, Distant, Judge, Fig, Goat, Gibbs, Harbor, Horse, Hunting, Lady's, Marsh, Morgan, Old, Phillips, Pine, Polawona, Prichards, Saw, Sheep, St. Helena and Warsaw. (This Section 3, the "***Service Area.***")

**Section 4.** The County hereby expressly authorizes service by the District within the Service Area and confirms and designates the District as the provider of fire service in the Service Area pursuant to Section 6-11-435 of the Code of Laws of South Carolina, 1976, as amended.

**Section 5.** The District is not precluded from providing service to any portion of the Service Area pursuant to the provisions of Chapter 11 of Title 6 of the Code of Laws of South Carolina, 1976, as amended.

**Section 6.** The District anticipates issuing bonds shortly after confirmation of the Service Area in an amount not exceeding \$6,000,000 in aid of providing fire service within the Service Area. Such bonds will be secured by the full faith, credit, and taxing power of the District, and would be paid from an *ad valorem* property tax levy upon all taxable property in District.

**Section 7.** In connection with the action taken in this Ordinance, it is not anticipated that there will be a new Board of Fire Control or changes made in the personnel of the existing Board of Fire Control.

**Section 8.** 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 9.** A certified copy of this Ordinance shall forthwith be transmitted to the Board of Fire Control to advise it of the action taken by the County Council.

**Section 10.** Pursuant to Section 6-11-470 of the Code of Laws of South Carolina, 1976, as amended, the County Council will cause the required notice, in substantially similar form to that attached hereto as Exhibit A, of its action hereunder to be published in accordance with the provisions of that section.

DONE AT BEAUFORT, SOUTH CAROLINA, this 11th day of March, 2013.

**BEAUFORT COUNTY COUNCIL**

(SEAL)

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Chairman

Attest:

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Clerk to County Council

First Reading:	February 11, 2013
Second Reading:	February 25, 2013
Public Hearing:	March 11, 2013
Third Reading:	March 11, 2013

Exhibit A

**NOTICE PURSUANT TO SECTION 6-11-470 OF  
THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED**

Notice is hereby given pursuant to the provisions of Section 6-11-470 of the Code of Laws of South Carolina, 1976, as amended, as follows:

1. Following a public hearing held on March 11, 2013, the County Council of Beaufort County (the “**County Council**”), the governing body of Beaufort County, South Carolina (the “**County**”), enacted an ordinance entitled “AN ORDINANCE PROVIDING FOR THE CLARIFICATION AND CONFIRMATION OF THE BOUNDARIES OF THE LADY’S ISLAND-ST. HELENA ISLAND FIRE DISTRICT, SOUTH CAROLINA, THE PUBLICATION OF NOTICE OF THE SAID FINDING AND ACTION, AND OTHER MATTERS RELATING THERETO” on March 11, 2013 (the “**Ordinance**”);

2. Pursuant to the Ordinance, the boundaries of the Lady’s Island-St. Helena Island Fire District, South Carolina (the “**District**”), are confirmed as that area in which the District currently provides fire service and levies taxes therefor and generally encompasses Lady’s and St. Helena Islands, and those islands in the immediate vicinity, but excluding that area of Lady’s Island previously annexed by the City of Beaufort and the Fripp Island Public Service District. The area is generally bounded to the north by the Coosaw River; to the east by St. Helena Sound and the Atlantic Ocean; to the south by the Atlantic Ocean; and to the west by the Beaufort River and Brickyard Creek. This area includes, but is not limited to the following islands: Bay Point, Butchers, Cat, Cane, Capers, Cherry Hill Knoll, Coosaw, Dataw, Datha, Distant, Judge, Fig, Goat, Gibbs, Harbor, Horse, Hunting, Lady’s, Marsh, Morgan, Old, Phillips, Pine, Polawona, Prichards, Saw, Sheep, St. Helena and Warsaw (this Section 2, collectively, the “**Service Area**”).

3. The District anticipates issuing bonds shortly after confirmation of the Service Area in an amount not exceeding \$6,000,000 in aid of providing fire service within the Service Area. Such bonds would be secured by the full faith, credit, and taxing power of the District, and would be paid from an *ad valorem* property tax levy upon all taxable property in the Service Area.

4. In connection with the action taken in the Ordinance, there will not be a new Board of Fire Control or changes made in the personnel of the existing Board of Fire Control of the District.

5. The District is not precluded from providing fire service to any area within the Service Area pursuant to the provisions of Chapter 11 of Title 6 of the Code of Laws of South Carolina, 1976, as amended.

**COUNTY COUNCIL OF BEAUFORT COUNTY**