
A RESOLUTION AUTHORIZING THE CITY OF LIBERTY, SOUTH CAROLINA TO JOIN AND BECOME A MEMBER OF THE PICKENS REGIONAL JOINT WATER SYSTEM; AND OTHER MATTERS RELATED THERETO

Resolution 2021-07, Applying for Membership in the
Pickens Regional Joint Water System

Adopted September 13, 2021

BE IT RESOLVED by the City Council of the City of Liberty (the “*Council*”), the governing body of the City of Liberty, South Carolina (the “*City*”), in meeting duly assembled, as follows:

Section 1 Findings of Fact. Incident to the adoption of this resolution (this “*Resolution*”), the City Council finds that the facts set forth in this Section exist, and the statements made with respect thereto are in all respects true and correct.

(a) The City is a political subdivision of the State of South Carolina, and is authorized to provide water service pursuant to Article VIII, § 16 of the Constitution of the State of South Carolina, a referendum authorizing such service, and Title 5, Chapter 31 of the Code of Laws of South Carolina 1976, as amended.

(b) Pursuant to the provisions of Title 6, Chapter 25 of the Code of Laws of South Carolina 1976, as amended (the “*Act*”), any two or more governing bodies of Authorities (as such term is defined in the Act) may create a joint authority water and sewer system for the purpose of planning, financing, developing, constructing, acquiring, improving, enlarging, selling, leasing, maintaining, and operating a Project (as such term is defined in the Act) for the present and future needs of their service areas.

(c) On October 7, 2019, the City of Pickens, South Carolina, Easley Central Water District, the Pickens County Water Authority, and Six Mile Rural Community Water District (each an “*Initial Member*” and collectively the “*Initial Members*”), incorporated the Pickens Regional Joint Water System (the “*Joint System*”) pursuant to the Act for the purpose of planning, financing, developing, constructing, acquiring, improving, enlarging, selling, leasing, maintaining and operating water facilities within the service areas of such entities.

(d) The City finds that becoming a member of the Joint System and entering into an agreement to finance and develop a water treatment plant and related infrastructure is a means of obtaining the right to access a safe and abundant source of potable water capacity and is economically analogous to building a water treatment plant to provide the amount of potable water required by the City and its residents, and has the added benefit of obtaining local control over the source of water and will take advantage of economies of scale unavailable to the City acting alone.

(e) After due investigation and consideration, the Council has determined that it is in the best interests of the City, its citizens, and its customers to participate as a member in the Joint System, and to that end, has further determined that the City should join with the Initial Members to become a member of the Joint System pursuant to the provisions of the Act. This finding is made pursuant to Sections 6-25-30(A) and 6-25-50(B)(2)(a) of the Act.

Section 2 Authorization to Join Joint System. (a) The City is hereby authorized to become a member of the Joint System in accordance with the provisions of the Act. This Resolution is adopted to meet the requirements of Sections 6-25-30(A) and 6-25-70(A)(1) of the Act.

(b) In accordance with Sections 6-25-70(A)(1) and 6-25-40 of the Act, the Council shall cause notice of the adoption of this Resolution to be published once a week for two consecutive weeks in a newspaper of general circulation within Pickens County, South Carolina (the "**County**"). The notice shall be substantially similar to the form attached as Exhibit A hereto.

Section 3 Order to Transmit Application. The Mayor and the City Administrator, individually or jointly, are hereby ordered and directed to transmit this resolution to the governing body of the Joint System (the "**Joint System Commission**"). This Resolution shall constitute the formal application of the City to the Joint System for membership in the Joint System contemplated by Section 6-25-70(2) of the Act.

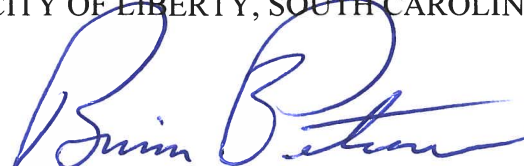
Section 4 Appointment of Commissioners. Should each of the members of the Joint System approve the application of the City for membership in the Joint System in accordance with Section 6-25-70 of the Act, and the City become a member of the Joint System, the City hereby appoints the following as its commissioners (the "**Commissioners**"):

- (1) The Mayor of the City, who shall serve *ex officio*; and
- (2) The City Administrator of the City, who shall serve *ex officio*.

Section 5 Effective Date. This Resolution shall become effective immediately upon its adoption.

NOW THEREFORE BE IT RESOLVED IN MEETING DULY ASSEMBLED by the City Council of the City of Liberty, South Carolina, this 13th day of September 2021.


CITY OF LIBERTY, SOUTH CAROLINA



Mayor

(SEAL)

ATTEST:



Municipal Clerk

EXHIBIT A

NOTICE OF ADOPTION OF RESOLUTION

Notice is hereby given that by the adoption of a resolution dated September 13, 2021, adopted by the City Council of the City of Liberty, South Carolina, the City of Liberty has authorized its membership in the Pickens Regional Joint Water System, a joint authority water and sewer system incorporated on October 7, 2019 with a membership now comprising the City of Pickens, South Carolina, Easley-Central Water District, Pickens County Water Authority, and Six Mile Rural Community Water District. The Pickens Regional Joint Water System was created pursuant to Title 6, Chapter 25 of the Code of Laws of South Carolina 1976, as amended (the "Act"). This notice is required by Sections 6-25-40 and 6-25-70(A)(1) of the Act, and precedes the filing of notice of change in membership with the South Carolina Secretary of State to add the City of Liberty.