

COUNTY OF BARNWELL
STATE OF SOUTH CAROLINA

FILED FOR RECORD
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2014 OCT 15 AM 11:20

RESOLUTION NO. 2014-10-421

A RESOLUTION TO EXPRESS BARNWELL COUNTY'S REQUEST THAT THE SOUTH CAROLINA GENERAL ASSEMBLY INCREASE THE ALLOCATION TO THE LOCAL GOVERNMENT FUND TO BOTH PROVIDE PROPERTY TAXPAYERS WITH THE RELIEF THEY HAVE BEEN PROMISED AND ALLOW COUNTY GOVERNMENT THE ABILITY TO PROVIDE THE STATE AND LOCAL GOVERNMENT SERVICES REQUIRED UNDER STATE LAW

WHEREAS, The South Carolina General Assembly enacted the Home Rule Act, Act No. 283 of 1975, granting certain, but limited, powers to the Local Government bodies across the State; and

WHEREAS, the State, in addition to the powers and obligations enumerated by the Home Rule Act, has chosen to utilize Counties as an administrative arm of the state of South Carolina and as an additional funding source for state agencies; and

WHEREAS, the legislature proposed and passed the State Aid to Subdivisions Act in the FY 1991-92 budget; and

WHEREAS, this Act requires that the State appropriate 4.5% of general fund revenues of the most recently completed fiscal year to the Local Government Fund; and

WHEREAS, in FY 2009-10, 2010-11, FY 2011-12, FY 2013-14 and FY 2014-15 the General Assembly suspended the provisions of §6-27-30 and §6-27-50 in the budget and failed to fund the LGF at the statutorily mandated formula; and

WHEREAS, For FY 2014-15 the General Assembly funded the LGF at \$187.6 million in recurring dollars and \$25 million in non-recurring money. This amount represents \$75 million in lost tax relief to county taxpayers; and

WHEREAS, in 1999 the General Assembly passed §12-37-2735, the Personal Property Tax Relief Fund, to provide an additional \$20 million allocation to counties for property tax relief; and

WHEREAS, since FY 2001-02 the General Assembly has suspended the provisions of §12-37-2735 in the budget and failed to fund the Personal Property Tax Relief Fund at the statutorily mandated level; and

WHEREAS, state-shared revenue assists in the burden placed upon property taxpayers to fund both state and local services,

WHEREAS, despite refusing to increase monies to the Local Government Fund, the General Assembly persists in statutorily requiring counties to assume the State's administrative and financial responsibilities; and

WHEREAS, the State further punishes county taxpayers by withholding additional revenue for a county's failure to assume the state's obligations; and

WHEREAS, this shift of financial responsibility creates a sham; giving the appearance of "clean hands" at the state level of government while forcing local governments to raise taxes; and

WHEREAS, in addition to surreptitiously dismantling statutory property tax relief granted to their property taxpayers, the General Assembly has further restricted county government's ability to generate revenue, thereby preventing the counties from being able to pay for legitimate functions of county government and from mitigating the expected shortfalls resulting from the State's refusal to meet its statutory obligations; and

WHEREAS, despite the fact that the state general fund saw a 20.3% increase from FY 2010 to 2013, the General Assembly refuses to provide even a negligible increase for property tax relief, much less fund in accordance with state statutes, and

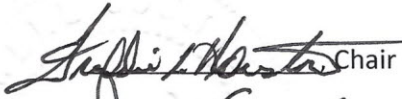

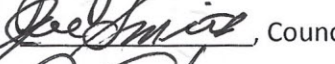

WHEREAS, this tax policy is unsustainable without substantial tax increases and service reductions; and

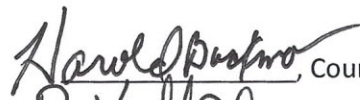
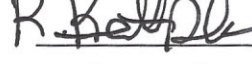
WHEREAS, a failure to fund the Local Government Fund requires taxpayers to pay twice for the same services they were receiving prior to the reductions in the Local Government Fund,

NOW, THEREFORE, BE IT RESOLVED on this 14th day of October 2014, that Barnwell County urges the General Assembly to re-establish accountability by restoring State funding of State agencies and desist in the current policy which uses slight of hand by forcing counties to levy property taxes to fund these agencies; and

BE IT FURTHER RESOLVED, that Barnwell County urges the General Assembly to increase the allocation to the Local Government Fund to both provide property taxpayers with the relief they have been promised and allow county government the ability to provide the State and Local Government services required under State Law.

Barnwell County Council

 Chair
 Councilmember
 Councilmember
 Councilmember

 Councilmember
 Councilmember
Absent, Councilmember